Minutes of October 4, 2011
Mayor and Board of Aldermen

Be it remembered that ten (10) 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 October, 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 hearing 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. Schruff and City Attorney 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.

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The first public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach, located at 114 East 3rd Street, and assessed to Charlotte M. Timmons, 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 Parker made motion seconded by Alderman Lishen and unanimously carried to make said 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 August 16, 2011, she did cause to be sent, via certified mail, return receipt requested, Legal Notice, Public Hearing, to Charlotte M. Timmons, 114 East 3rd Street, Long Beach, Mississippi, 39560, as the same appears of record on the 2011 Harrison County Real Property Tax Rolls.
- The Clerk further reported that the legal notice was delivered by the USPS on August 18, 2011; said notice is as follows:

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.

August 16, 2011

MAILED
Date: 8/17/11

Charlotte M. Timmons
114 East 3rd Street
Long Beach, MS 39560

91 7108 2133 3938 0606 9887

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 August 16, 2011, hold a public hearing at 5:00 p.m., Tuesday, October 4, 2011, at the Long Beach City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Charlotte M. Timmons, and situated in the City of Long Beach, Mississippi, at 210 East 2nd Street, 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: 210 East 2nd Street, Long Beach, Mississippi
Parcel Number: 0612B-03-026.000
Legal Description: E 50 FT OF LOT 10 BLK 8 ORIGINAL LONG BEACH

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. 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

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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 16th day of August, 2011.

Rebecca E. Schruff
City Clerk

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9171082133393806069887	First-Class Mail®	Delivered	August 18, 2011, 4:53 pm	LONG BEACH, MS 39560	Return Receipt Electronic
		Notice Left	August 18, 2011, 3:18 pm	LONG BEACH, MS 39560	
		Arrival at Unit	August 18, 2011, 8:26 am	LONG BEACH, MS 39560	
		Processed through Sort Facility	August 18, 2011, 4:01 am	GULFPORT, MS 39503	
		Electronic Shipping Info Received	August 17, 2011		
		Processed through Sort Facility	August 17, 2011, 8:35 pm	GULFPORT, MS 39503	
		Accepted at origin sort facility	August 17, 2011, 8:35 pm	GULFPORT, MS 39503	

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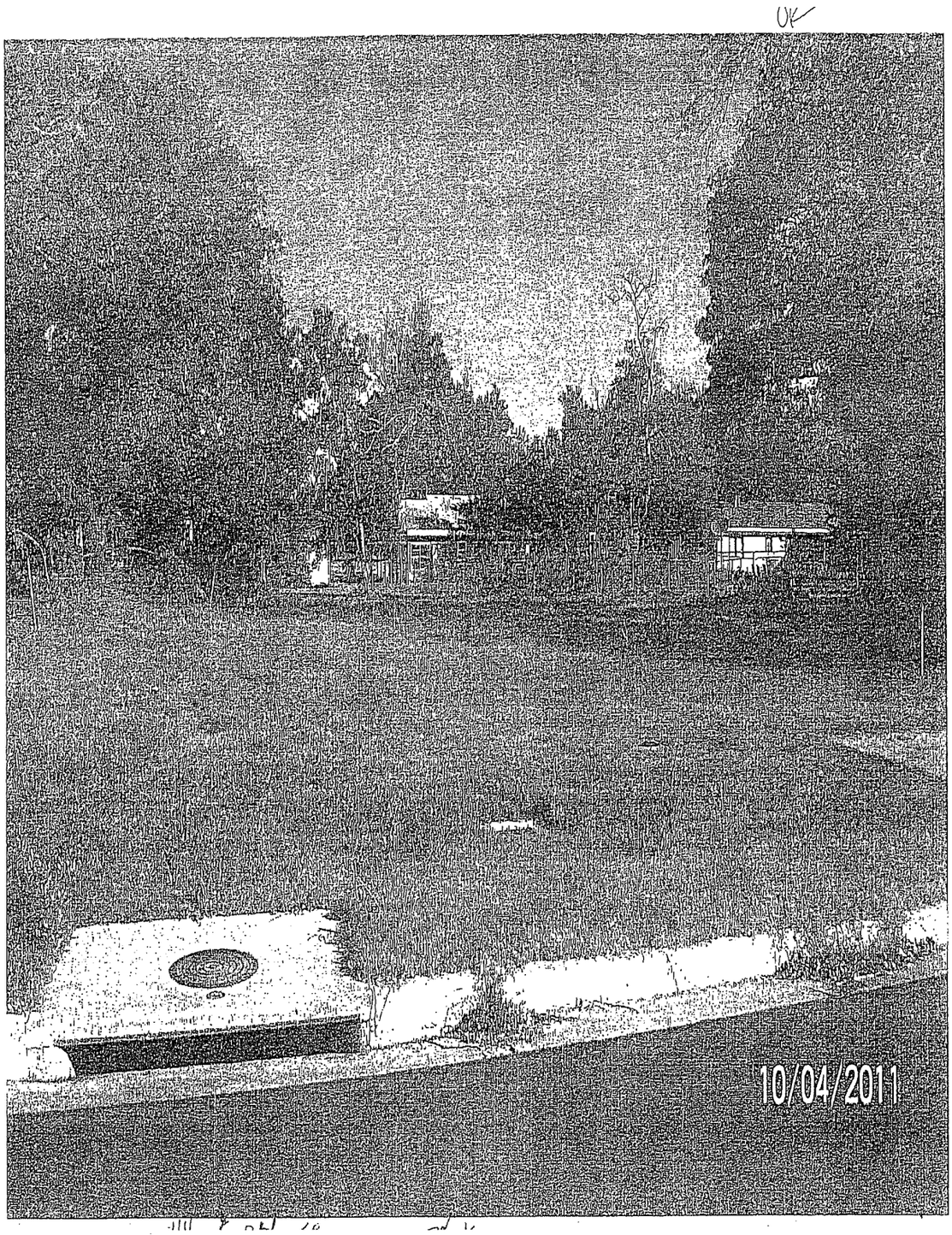
- The Clerk further reported that the Legal Notice of Public Hearing was posted at City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, and on the subject property, 114 East 3rd Street, Long Beach, Mississippi, by Building Official Earl Levens.
- The Clerk submitted photographs depicting the subject property taken by Building Official Earl Levens on October 4, 2011, as follows:



- The Clerk submitted a sworn Affidavit affirming the posting of said Notice of Public Hearing and the valildity of photographs depicting the subject property, 114 East 3rd Street, Long Beach, Mississipi, as of October 4, 2011; said affidavit is as follows:

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 September 19, 2011, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Charlotte M. Timmons, and located at 114 East 3rd Street, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on October 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 October 4, 2011.

This the 4th day of October, 2011.

REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 4th day of October, 2011.

NOTARY PUBLIC

-My Commission Expires-

STATE OF MISSISSIPPI
NOTARY PUBLIC
ID # 4842
STACEY DAHL
Commission Expires
Dec. 5, 2011
HARRISON COUNTY

M.B. 72
PUBHEAR/REG:10.04.11

The Mayor opened the floor for public comments from the property owner or her representative and Ms. Charlotte Timmons came forward to answer questions and provide additional information.

There being no further comments or discussion, Alderman Parker made motion seconded by Alderman Carrubba and unanimously carried to close the public hearing and take any official action required.

Based upon information obtained and discussion held durng the course of this public hearing, Alderman Parker made motion seconded by Alderman Carrubba and unanimously carried finding that the subject property, 114 East 3rd Street, Long Beach, Mississippi, assessed to Charlotte M. Timmons, is at this time and in its present condition, in compliance with City ordinances, codes and state law.

****

The second public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach, Mississippi, located at 415 East 3rd Street, and assessed to Walter and Sandra Eades, 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 Parker made motion seconded by Alderman Hammons and unanimously carried to make said 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 on August 16, 2011, she did cause to be sent, via certified mail, return receipt requested, Legal Notice, Public Hearing, to Walter & Sandra Eades, 8222 Persimmon Lane, Long Beach, Mississippi, as the same appears of record on the 2011 Harrison County Real Property Tax Rolls.
- The Clerk further reported that the legal notice was delivered on August 19, 2011, by the USPS; said notice is as follows:

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.

MAILED
Date: 8/17/11

August 16, 2011

Walter & Sandra Eades
8222 Persimmon Lane
Long Beach, MS 39560

91 7108 2133 3938 0606 9863

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 August 16, 2011, hold a public hearing at 5:00 p.m., Tuesday, October 4, 2011, at the Long Beach City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Walter & Sandra Eades, and situated in the City of Long Beach, Mississippi, at 415 East 3rd Street, 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: 415 East 3rd Street, Long Beach, Mississippi
Parcel Number: 0612A-01-036.000
Legal Description: LOT 3 BLK 12 ORIGINAL LONG BEACH

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. 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

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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 15th day of August, 2011.

Rebecca E. Schruff
City Clerk

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9171082133393806069863	First-Class Mail®	Delivered	August 18, 2011, 11:23 am	LONG BEACH, MS 39560	Return Receipt Electronic
		Notice Left	August 18, 2011, 11:45 am	LONG BEACH, MS 39560	
		Arrival at Unit	August 18, 2011, 8:26 am	LONG BEACH, MS 39560	
		Processed through Sort Facility	August 18, 2011, 4:01 am	GULFPORT, MS 39503	
		Electronic Shipping Info Received	August 17, 2011		
		Processed through Sort Facility	August 17, 2011, 8:35 pm	GULFPORT, MS 39503	
		Accepted at origin sort facility	August 17, 2011, 8:35 pm	GULFPORT, MS 39503	

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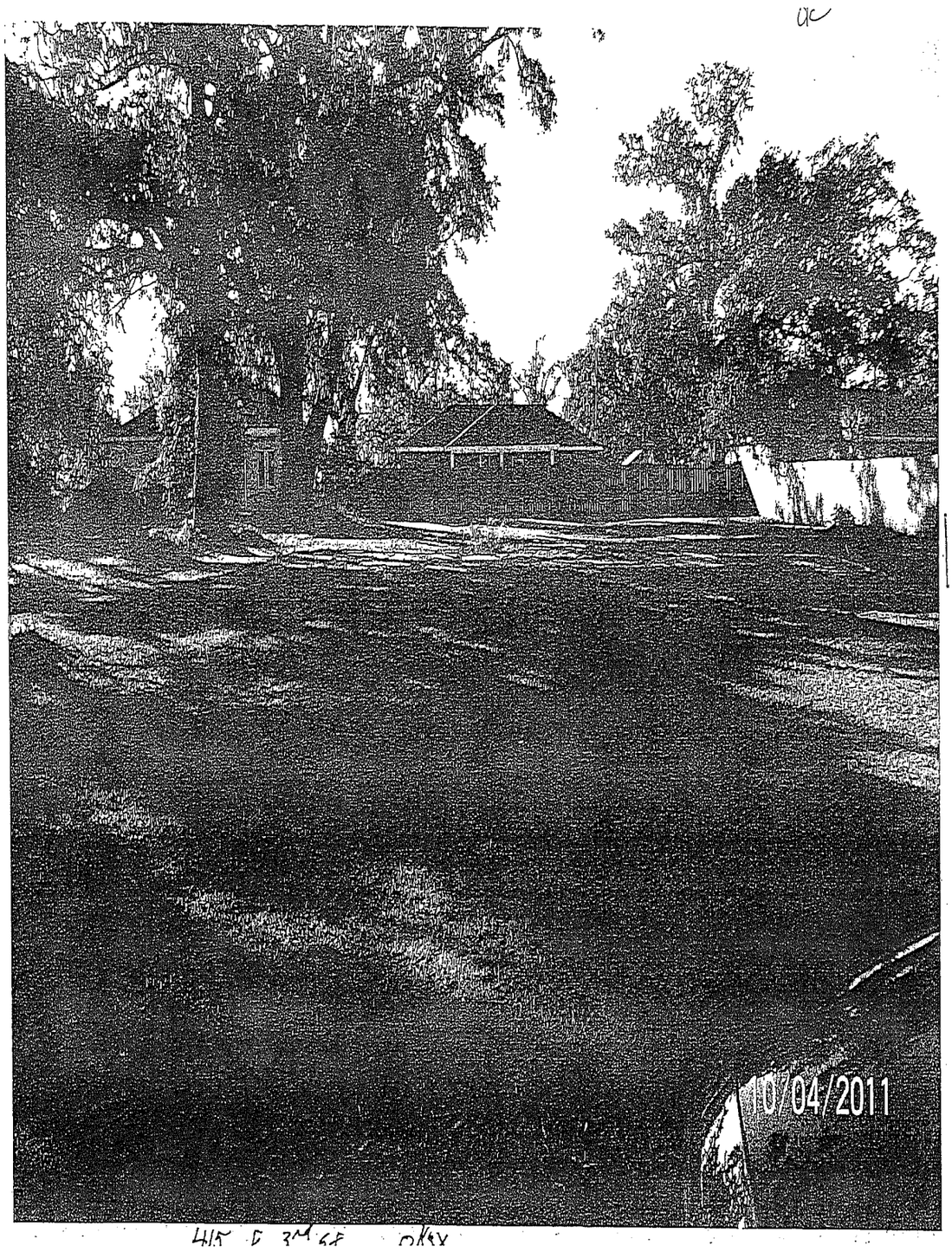
- The Clerk further reported that the Legal Notice of Public Hearing was posted at City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi and on the subject property 415 East 3rd Street, Long Beach, Mississippi, by Building Official Earl Levens.
- The Clerk submitted photographs depicting the subject property taken by Building Official Earl Levens on October 4, 2011, as follows:



➢ The Clerk submitted a sworn affidavit affirming the posting of said Notice of Public Hearing and the validity of photographs depciting the subject, 415 East 3rd Street, Long Beach, Mississippi, as of October 4, 2011; said affidavit is as follows:

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 September 19, 2011, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Walter and Sandra Eades, and located at 415 East 3rd Street, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on October 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 October 4, 2011.

This the 4th day of October, 2011.

REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 4th day of October, 2011.

NOTARY PUBLIC

-My Commission Expires-

STATE OF MISSISSIPPI NOTARY PUBLIC ID # 4842 STACEY DAHL Commission Expires Dec. 5, 2011 HARRISON COUNTY

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

There being no further comments or discussion, Alderman Parker made motion seconded by Alderman Couvillon and unanimously carried to close the public hearing and take any official action required.

Based upon information obtained and discussion held during the course of this public hearing, Alderman Parker made motion seconded by Alderman Couvillon and unanimously carried finding that the subject property, 415 East 3rd Street, Long Beach, Mississippi, assessed to Walter and Sandra Eades, is at this time and in its present condition, in compliance with City ordinances, codes and state law.

****

The third public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach, Mississippi, located at 111 East 5th Street, and assessed to Roberta Susan Mitchell, 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 Hammons made motion seconded by Alderman Parker and unanimously carried to make said 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 August 16, 2011, she did cause to be sent via certified mail, return receipt requested, Legal Notice Public Hearing, to Roberta Susan Mitchell, c/o Richard W. Moore, 1544 Wembley Hills Road, Knoxville, TN, 37922, as the same appears of record on the 2011 Harrison County Real Property Tax Rolls.
- The Clerk further reported that said notice was returned marked "UNCLAIMED – UNABLE TO FORWARD" by the USPS; said notice is as follows:

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.

August 16, 2011

MAILED
Date: 8/17/11

Roberta Susan Mitchell
c/o Richard W. Moore
1544 Wembley Hills Road
Knoxville, TN 37922

91 7108 2133 3938 0606 9856

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 August 16, 2011, hold a public hearing at 5:00 p.m., Tuesday, October 4, 2011, at the Long Beach City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Roberta Susan Mitchell, and situated in the City of Long Beach, Mississippi, at 111 East 5th Street 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: 111 East 5th Street, Long Beach, Mississippi
Parcel Number: 0612G-01-013.000
Legal Description: BEG ON S MAR OF 5TH ST 1614 FT W OF W LINE OF WIDOW LADNER SUR S 28 DG E 187 FT WLY 99 FT N 28 DG W 187 FT TO S LINE OF 5TH ST E 99 FT TO BEG PART O BLK 17 ORIGINAL LONG BEACH

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. 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

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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 16th day of August, 2011.

Rebecca E. Schruff
City Clerk

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9171082133303808069056	First-Class Mail®	Delivered	September 28, 2011, 3:14 pm	LONG BEACH, MS 39560	Return Receipt Electronic
		Notice Left	September 28, 2011, 9:04 am	LONG BEACH, MS 39560	
		Processed through Sort Facility	September 26, 2011, 3:36 am	GULFPORT, MS 39503	
		Unclaimed	September 21, 2011, 8:05 am	FAIRHOPE, AL	
		Notice Left	August 22, 2011, 11:14 am	FAIRHOPE, AL 36532	
		Arrival at Unit	August 22, 2011, 7:53 am	FAIRHOPE, AL 36532	
		Processed through Sort Facility	August 21, 2011, 9:58 pm	MOBILE, AL 36619	
		Processed through Sort Facility	August 20, 2011, 2:30 pm	JACKSON, MS 39201	
		Processed through Sort Facility	August 19, 2011, 6:22 pm	JACKSON, MS 39201	
		Electronic Shipping Info Received	August 17, 2011		
		Processed through Sort Facility	August 17, 2011, 8:35 pm	GULFPORT, MS 39503	
		Accepted at origin sort facility	August 17, 2011, 8:35 pm	GULFPORT, MS 39503	

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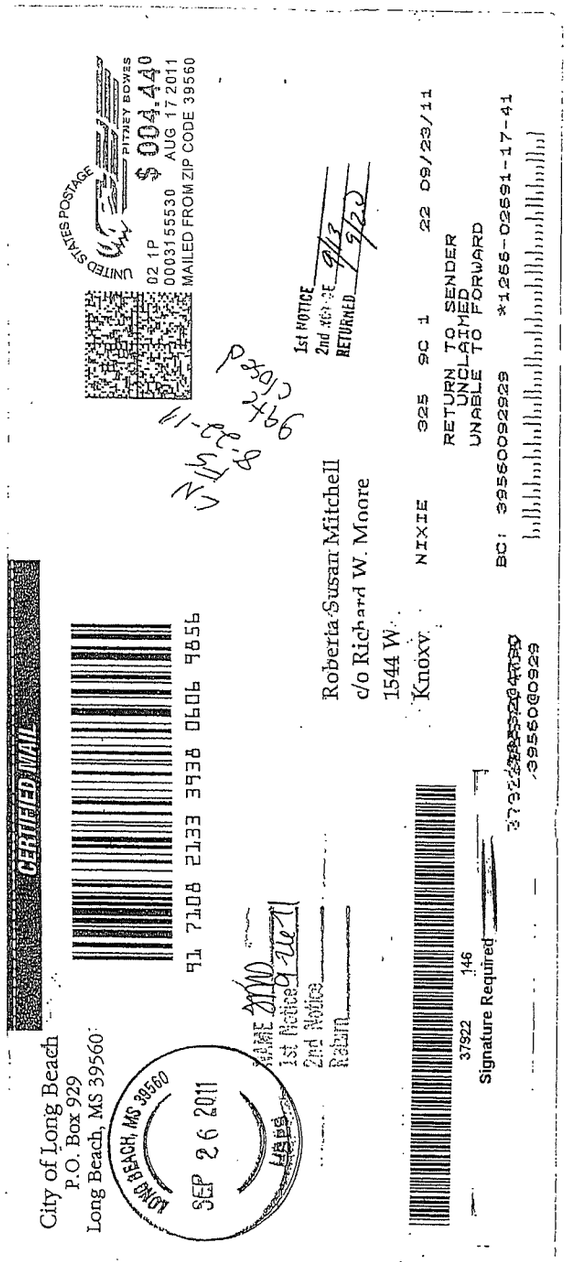
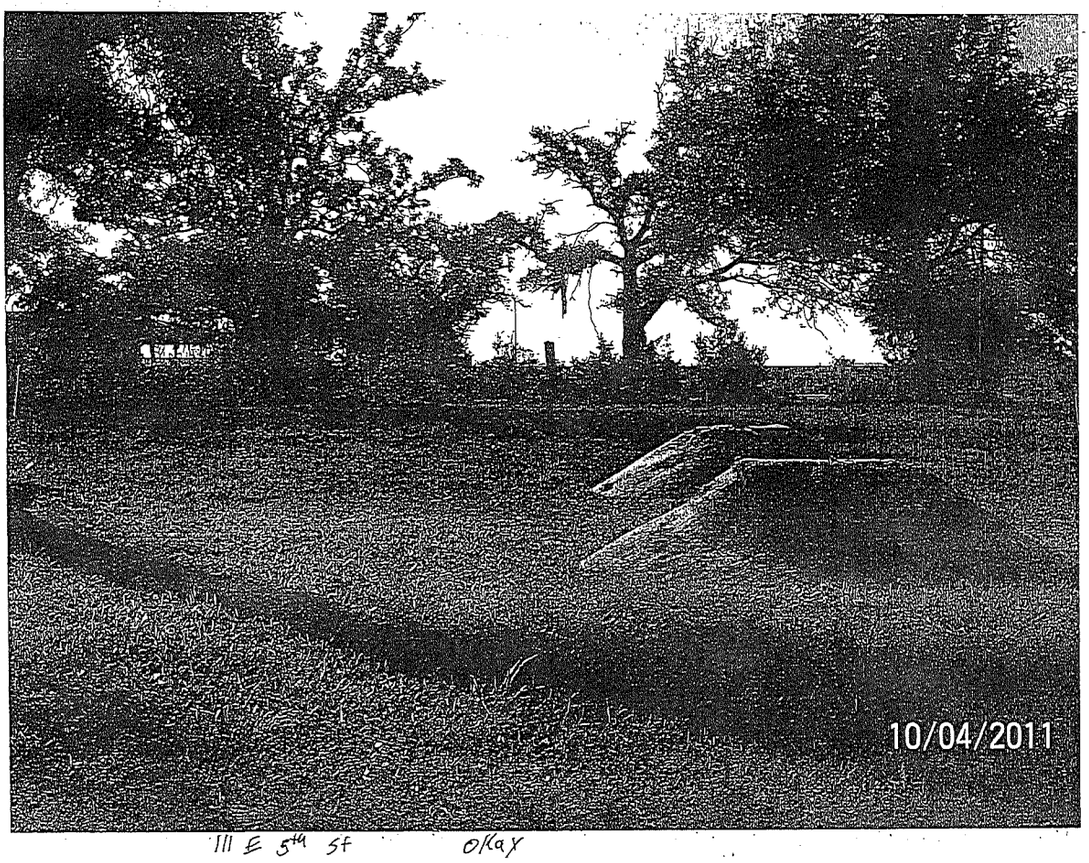


- The Clerk further reported that the Legal Notice of Public Hearing was posted at City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, and on the subject property 111 East 5th Street, Long Beach, Mississippi, by Building Official Earl Levens.
- The Clerk submitted photographs depicting the subject property taken on October 4, 2011, by Building Official Earl Levens, as follows:



111 E 5th St Okay

- The Clerk submitted a sworn affidavit affirming the posting of said Notice of Public Hearing and the validity of photographs depicting the subject property, 111 East 5th Street, Long Beach, Mississippi, as of October 4, 2011; said affidavit is as follows:

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 September 19, 2011, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Roberta Susan Mitchell c/o Richard W. Moore, and located at 111 East 5th Street, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on October 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 October 4, 2011.

This the 4th day of October, 2011.

REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 4th day of October, 2011.

NOTARY PUBLIC

-My Commission Expires-

NOTARY PUBLIC
ID # 4842
STACEY DAHL
Commission Expires
Dec. 5, 2011
HARRISON COUNTY

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 comments or discussion, Alderman Parker made motion seconded by Alderman Couvillon and unanimously carried to close the public hearing and take any official action required.

Based upon information obtained and discussion held during the course of this public hearing, Alderman Carrubba made motion seconded by Alderman Couvillon and unanimously carried finding that the subject property, 111 East 5th Street, assessed to Roberta Susan Mitchell, is at this time and in its present condition in compliance with City ordinance, codes and state law.

****

The fourth public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach, Mississippi, located at 203 East 5th Street, and assessed to Floyd J. & Berinda J. Logan, 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 Parker made motion seconded by Alderman Couvillon and unanimously carried to make said 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, she did cause to be sent, via certified mail, return receipt requested, Legal Notice, Public Hearing, to Floyd J. & Berinda J. Logan, 2211 24th Avenue, Gulfport, Mississippi, 39501, as the same appears of record on the 2011 Harrison County Real Property Tax Rolls.
- The Clerk further reported that the legal notice was deliverted on August 18, 2011, by the USPS; said notice is as follows:

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.

MAILED
Date: 8/17/11

August 16, 2011

Floyd J. & Berinda J. Logan
2211 24th Avenue
Gulfport, MS 39501

91 7108 2133 3938 0606 9924

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 August 16, 2011, hold a public hearing at 5:00 p.m., Tuesday, October 4, 2011, at the Long Beach City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Floyd J. & Berinda J. Floyd, and situated in the City of Long Beach, Mississippi, at 203 East 5th Street, 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: 203 East 5th Street, Long Beach, Mississippi
Parcel Number: 0612B-02-075.000
Legal Description: COM AT INTER OF E MAR OF BURKE AVE & S MART OF 5TH ST N 89 DG 01 MN 20 SEC W ALONG S MAR 150,0 FT TO BEG N 69 DG 01 MN 20 SEC E ALONG S MAR OF 5TH ST 122.0 FT S 28 DG E 160.0

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. 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

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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 16th day of August, 2011.

Rebecca E. Schruff
City Clerk

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YOUR LABEL NUMBER	SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
9171082133393805069924	First-Class Mail®	Delivered	August 18, 2011, 11:58 am	GULFPORT, MS 39501	Return Receipt Electronic
		Processed through Sort Facility	August 18, 2011, 4:16 am	GULFPORT, MS 39503	
		Electronic Shipping Info Received	August 17, 2011		
		Processed through Sort Facility	August 17, 2011, 8:35 pm	GULFPORT, MS 39503	
		Accepted at origin sort facility	August 17, 2011, 8:35 pm	GULFPORT, MS 39503	

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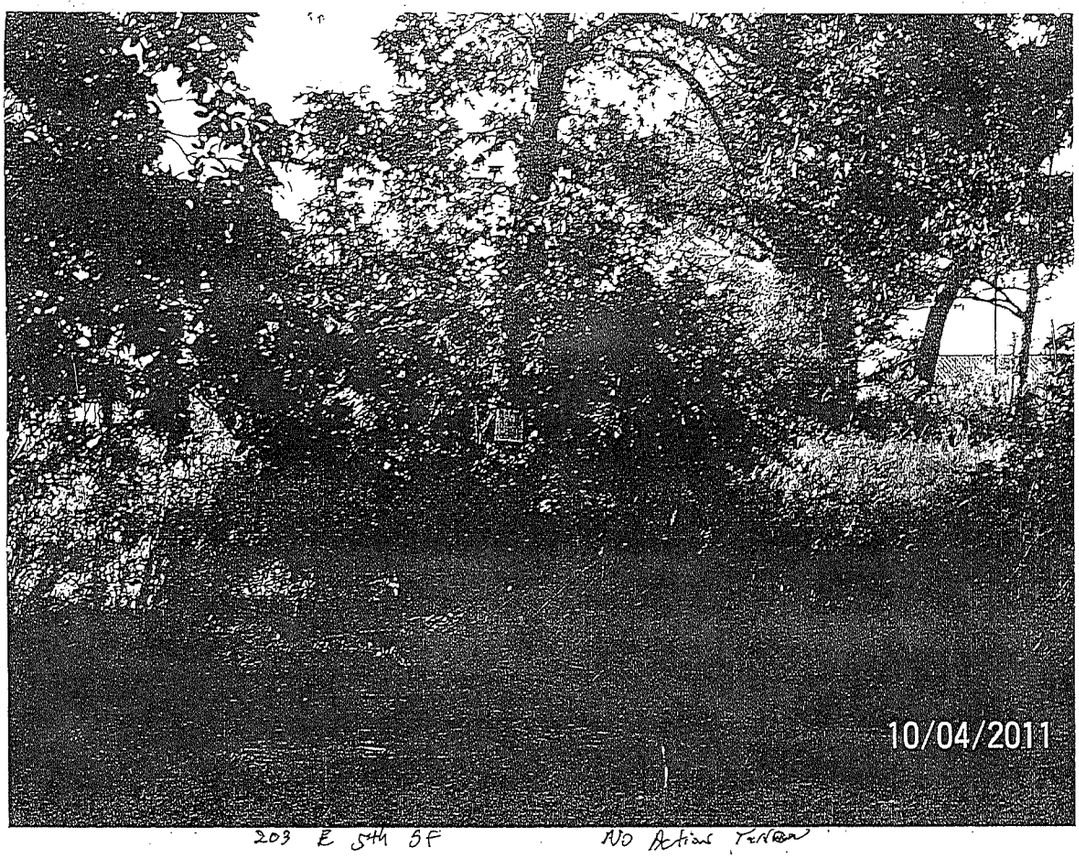
- The Clerk further reported that the Legal Notice of Public Hearing was posted at City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, and on the subject property, 203 East 5th Street, Long Beach, Mississippi, by Building Official Earl Levens.
- The Clerk submitted photographs depicting the subject property taken by Building Official Earl Levens on October 4, 2011, as follows:



203 E 5th St No Action Taken

➢ The Clerk submitted a sworn affidavit affirming the posting of said Notice of Public Hearing and the validity of photographs depicting the subject property, 203 East 5th Street, Long Beach, Mississippi, as of October 4, 2011; said affidavit is as follows:

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 September 19, 2011, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Floyd J. & Berinda J. Logan and located at 203 East 5th Street, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on October 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 October 4, 2011.

This the 4th day of October, 2011.

REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 4th day of October, 2011.

NOTARY PUBLIC

-My Commission Expires-

Commission Expires
Dec. 5, 2011

The Mayor opened the floor for public comments from the property owners or their representative and Mr. Floyd J. Logan came forward to be heard.

Mr. Logan stated that the subject property depicted in the photographs is not his property; his property address is not 203 East 5th Street, Long Beach, Mississippi. He cleaned his property and was told that the City would pick-up his debris piles on the side of the road, which have not been picked up; it appears that the property depicted in the photographs is the old Long Beach Garden Club property next to Mr. Logan.

Based upon information obtained and discussion held during the course of this public hearing, Alderman Carrubba made motion seconded by Alderman Parker and unanimously carried to close the public hearing and take any formal action required.

Alderman Carrubba made motion seconded by Alderman Hammons and unanimously carried finding that no further action is to be taken due to insufficient notice to property owners.

****

The fifth public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach, Mississippi, located at 316 East 5th Street and assessed to Cathy Jo Shedd and Kevin B. McKee, 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 said 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 August 16, 2011, she did cause to be sent, via certified mail, return receipt requested, Legal Notice, Public Hearing, to Cathy Jo Shedd and Kevin B. McKee, 1312 Ann Street, Unit 1, Beaufort, NC, 28516, as the same appears of record on the 2011 Harrison County Real Property Tax Rolls.
- The Clerk further reported that the legal notice was delivered by the USPS on August 20, 2011; said notice is as follows:

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.

MAILED
Date: 8/17/11

August 16, 2011

91 7108 2133 3938 0606 9894

Cathy Jo Shedd & Kevin B. McKee
1312 Ann Street, Unit 1
Beaufort, NC 28516

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 August 16, 2011, hold a public hearing at 5:00 p.m., Tuesday, October 4, 2011, at the Long Beach City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Cathy Jo Shedd & Kevin B. McKee, and situated in the City of Long Beach, Mississippi, at 316 East 5th Street 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: 316 East 5th Street, Long Beach, Mississippi
Parcel Number: 0612A-02-03-034.000
Legal Description: BEG AT SW COR OF LOT 9 BLK 14 ORIGINAL LONG BEACH N 28 DG W 150.7 FT N 27 DG W 60 FT N 68 DG E 70 FT N 69 DG E 68.2 S 22 DT E 51.9 FT S 68 DG W 3.7 FT S 20 DG E 157.1 FT

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. 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

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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 16th day of August, 2011.

Rebecca E. Schruff
City Clerk

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9171082133393805089594	First-Class Mail®	Delivered	August 20, 2011, 3:33 pm	BEAUFORT, NC 28516	Return Receipt Electronic
		Arrival at Unit	August 20, 2011, 9:28 am	BEAUFORT, NC 28516	
		Processed through Sort Facility	August 20, 2011, 6:26 am	KINSTON, NC 28501	
		Processed through Sort Facility	August 17, 2011, 11:02 pm	GULFPORT, MS 39503	
		Electronic Shipping Info Received	August 17, 2011		
		Processed through Sort Facility	August 17, 2011, 8:35 pm	GULFPORT, MS 39503	
		Accepted at origin sort facility	August 17, 2011, 8:35 pm	GULFPORT, MS 39503	

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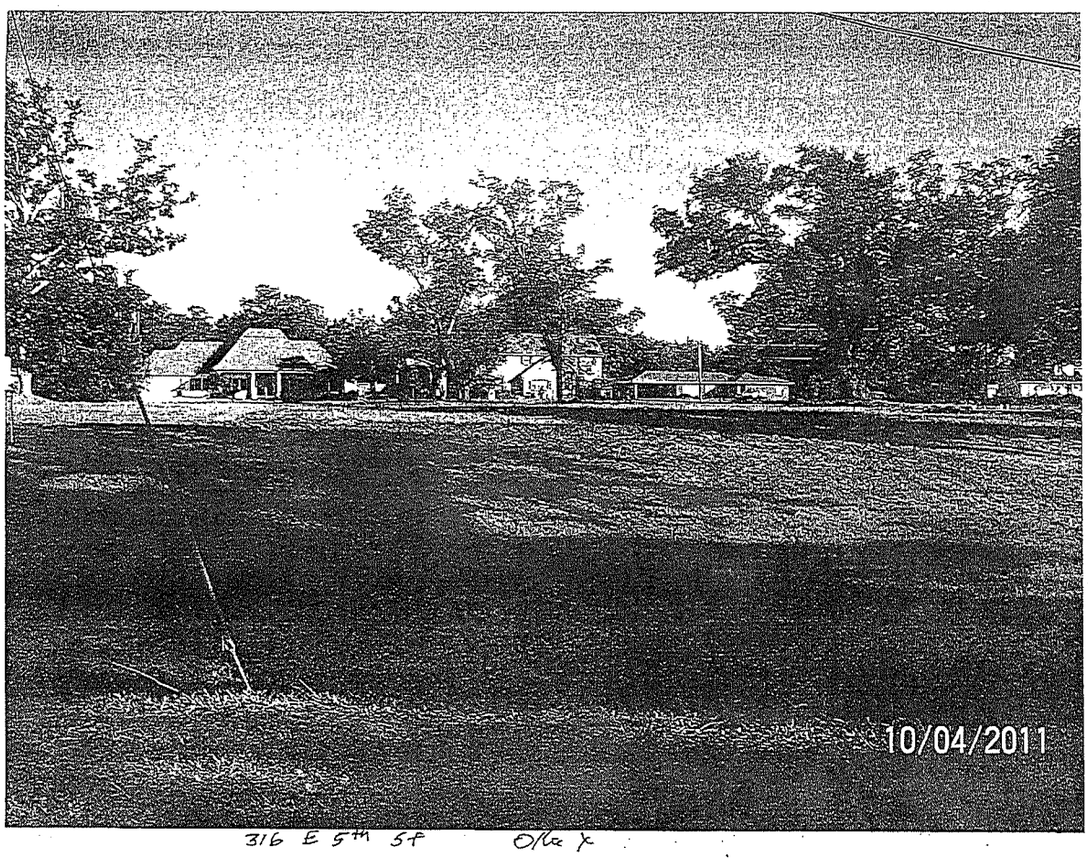
- The Clerk further reported that the Legal Notice of Public Hearing was posted at City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, and on the subject property, 316 East 5th Street, Long Beach, Mississippi, by Building Official Earl Levens.
- The Clerk submitted photographs depicting the subject property taken by Building Official Earl Levens on October 4, 2011, as follows:



316 E 5th St O/la X

- 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, 316 East 5th Street, Long Beach, as of October 4, 2011; said affidavit is as follows:

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 September 19, 2011, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Cathy Jo Shedd & Kevin B. McKee, and located at 316 East 5th Street, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on October 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 October 4, 2011.

This the 4th day of October, 2011.

REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 4th day of October, 2011.

NOTARY PUBLIC

-My Commission Expires-

M.B. 72
PUBHEAR/REG:10.04.11

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

The Clerk reported that she was contacted by Cathy Jo Shedd and informed that the property was sold to JEL Investments; the Clerk contacted Mr. Jimmy Levens, Managing Member of JEL Investments, who stated that he would have the property cleaned.

There being no further comments or discussion, Alderman Parker made motion seconded by Alderman Carrubba and unanimously carried to close the public hearing and take any official action required.

Based upon information obtained and discussion held during the course of this public hearing, Alderman Hammons made motion seconded by Alderman Parker and unanimously carried finding that the subject property, 316 East 5th Street, Long Beach, Mississippi, currently owned by JEL Investments, is in its present condition and at this time, in compliance with city ordinances, codes and state law.

* *

The sixth public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach, Mississippi, located at 400 East 5th Street and assessed to John E. Pearson, is in 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 Hammons made motion seconded by Alderman Parker and unanimously carried to make said 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 August 16, 2011, she did cause to be sent, via certified mail, return receipt requested, Legal Notice, Public Hearing, to John E. Pearson, 482 ½ Casey Way, Grand Junction, CO, 81504, as the same appears of record on the 2011 Harrison County Real Property Tax Rolls.
- The Clerk further reported that the legal notice was delivered by the USPS on August 23, 2011; said notice is as follows:

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.

MAILED
Date: 8/17/11

August 16, 2011

91 7108 2133 3938 0606 9900

John E. Person
482 ½ Casey Way
Grand Junction, CO 81504

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 August 16, 2011, hold a public hearing at 5:00 p.m., Tuesday, October 4, 2011, at the Long Beach City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to John E. Pearson, and situated in the City of Long Beach, Mississippi, at 400 East 5th Street 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: 400 East 5th Street, Long Beach, Mississippi
Parcel Number: 0612A-03-034.001
Legal Description: BEG AT SE COR OF LOT 7 BLK 14 ORIGINAL LONG BEACH SUBD N 28 DG W 150 FT S 68 DG W 96 FT N 20 DG W 60.4 FT S 68 DT W 83.9 FT S 22 DG E 51.9 FT S 68 DG W 3/7 FT S 20 DG

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. 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

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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 16th day of August, 2011.

Rebecca E. Schruff
City Clerk

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YOUR LABEL NUMBER	SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
9171082133393806089900	First-Class Mail®	Delivered	August 23, 2011, 8:53 am	GRAND JUNCTION, CO 81504	Return Receipt Electronic
		Notice Left	August 20, 2011, 5:17 pm	GRAND JUNCTION, CO 81504	
		Arrival at Unit	August 20, 2011, 8:35 am	GRAND JUNCTION, CO 81504	
		Processed through Sort Facility	August 20, 2011, 6:00 am	GRAND JUNCTION, CO 81505	
		Processed through Sort Facility	August 17, 2011, 10:37 pm	GULFPORT, MS 39503	
		Electronic Shipping Info Received	August 17, 2011		
		Processed through Sort Facility	August 17, 2011, 8:35 pm	GULFPORT, MS 39503	
		Accepted at origin sort facility	August 17, 2011, 8:35 pm	GULFPORT, MS 39503	

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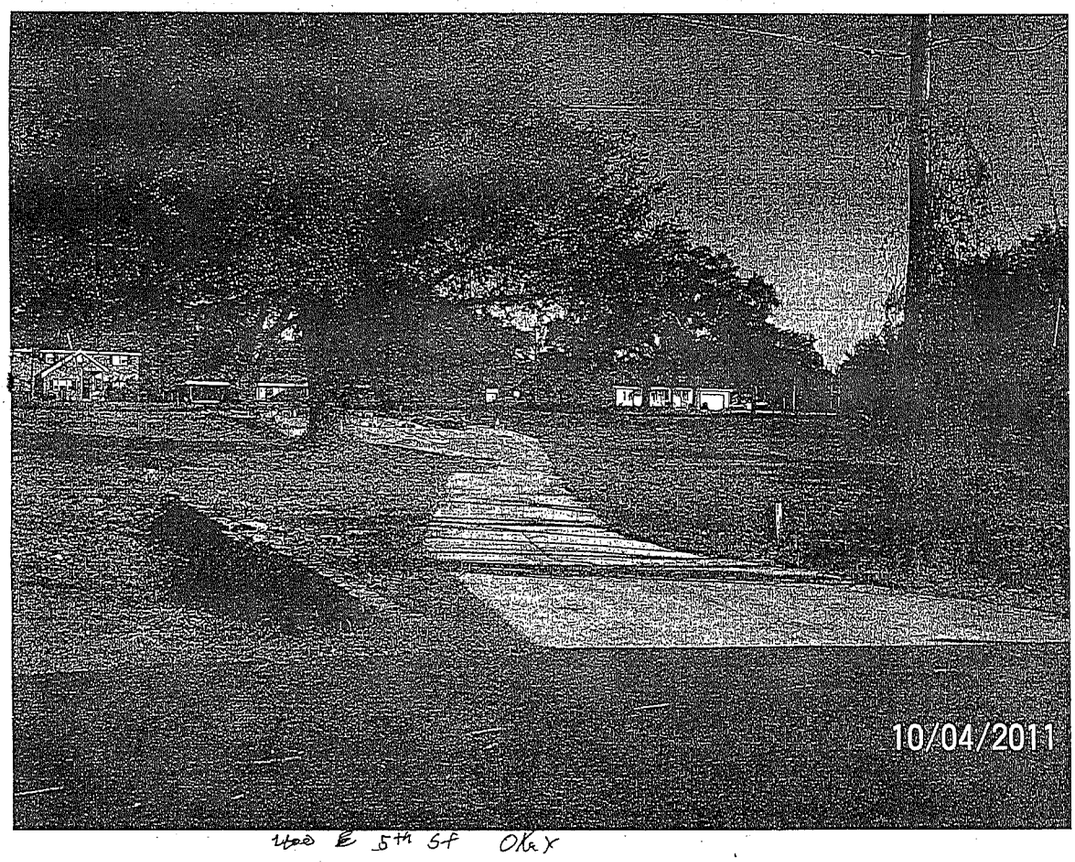
https://tools.usps.com/go/TrackConfirmAction.action 9/20/2011

- The Clerk further reported that the Legal Notice of Public Hearing was posted at City Hall 201 Jeff Davis Avenue, Long Beach, Mississippi, and on the subject property, 500 East 5th Street, Long Beach, Mississippi, by Building Official Earl Levens.
- The Clerk submitted photographs depicting the subject property taken by Building Official on October 4, 2011, as follows:



400 E 5th St Oak

- The Clerk submitted a sworn affidavit affirming the posting of said Notice of Public Hearing and the validity of photographs depicting the subject property, 400 East 5th Street, Long Beach, Mississippi, as of October 4, 2011; said affidavit is as follows:

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 September 19, 2011, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to John E. Pearson and located at 400 East 5th Street, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on October 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 October 4, 2011.

This the 4th day of October, 2011.

REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 4th day of October, 2011.

NOTARY PUBLIC

-My Commission Expires-

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

The Clerk reported that she received a letter from John E. Pearson stating that he no longer owned the subject property; upon further investigation it was discovered that the property is currently owned by JEL Investment and the Clerk contacted Mr. Jimmy Levens, Managing Member of JEL Investment, who stated that he would have the property cleaned.

There being no further comments or discussion, Alderman Hammons made motion seconded by Alderman Couvillon and unanimously carried to close the public hearing and take any official action required.

Based upon information obtained and discussion held during the course of this public hearing, Alderman Hammons made motion seconded by Alderman Couvillon finding that the subject property, 400 East 5th Street, currently owned by JEL Investments, is in its present condition and at this time, in compliance with city ordinances, codes and state law.

****

The seventh public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach, Mississippi, located at 613 Gardendale Avenue, and assessed to Frank P. and Jessica L. Greco, 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 Parker made motion seconded by Alderman Couvillon and unanimously carried to make said 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 August 16, 2011, she did cause to be sent via certified mail, return receipt requested, Legal Notice, Public Hearing to Frank P. and Jessica L. Greco, 612 Gardendale Avenue, Long Beach, Mississippi, as the same appears of record on the 2011 Harrison County Real Property Tax Rolls.
- The Clerk further reported that the USPS confirmed said notice as "UNDELIVERABLE AS ADDRESSED", "MOVED LEFT NO ADDRESS". Said notice is as follows:

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.

September 6, 2011

MAILED
Date: 9/9/11

91 7108 2133 3938 0606 9948

Frank P. and Jessica L. Greco
612 Gardendale Avenue
Long Beach, Mississippi 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 July 5, 2011, hold a public hearing at 5:00 p.m., Tuesday, October 4, 2011, at the Long Beach City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Frank P. and Jessica L. Greco, and situated in the City of Long Beach, Mississippi, at 613 Gardendale Avenue, 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: 613 Gardendale Avenue
Parcel Number: 0612A-05.018.000
Legal Description: LOT 26 BLK 2 GARDENDALE ADD SEC 13-8-12

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. 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

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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 6th day of September, 2011.

Rebecca E. Schruff
City Clerk

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Label/Receipt Number: 9171 0821 3339 3806 0699 48
Class: First-Class Mail®
Service(s): Return Receipt Electronic
Status: Delivered

Your item was delivered at 1:30 pm on September 19, 2011 in LONG BEACH, MS 39560.

Track & Confirm
Enter Label/Receipt Number.
Go >

Detailed Results:

- Delivered, September 19, 2011, 1:30 pm, LONG BEACH, MS 39560
- Notice Left, September 19, 2011, 7:59 am, LONG BEACH, MS 39560
- Processed through Sort Facility, September 19, 2011, 3:43 am, GULFPORT, MS 39503
- Processed through Sort Facility, September 17, 2011, 2:35 pm, JACKSON, MS 39201
- Processed through Sort Facility, September 16, 2011, 2:19 pm, JACKSON, MS 39201
- Moved, Left no Address, September 10, 2011, 11:54 am, LONG BEACH, MS
- Undeliverable as Addressed, September 10, 2011, 8:00 am, LONG BEACH, MS 39560
- Arrival at Unit, September 10, 2011, 7:45 am, LONG BEACH, MS 39560
- Processed through Sort Facility, September 10, 2011, 4:07 am, GULFPORT, MS 39503
- Processed through Sort Facility, September 09, 2011, 6:45 pm, GULFPORT, MS 39503
- Accepted at origin sort facility, September 09, 2011, 6:45 pm, GULFPORT, MS 39503
- Electronic Shipping Info Received, September 08, 2011

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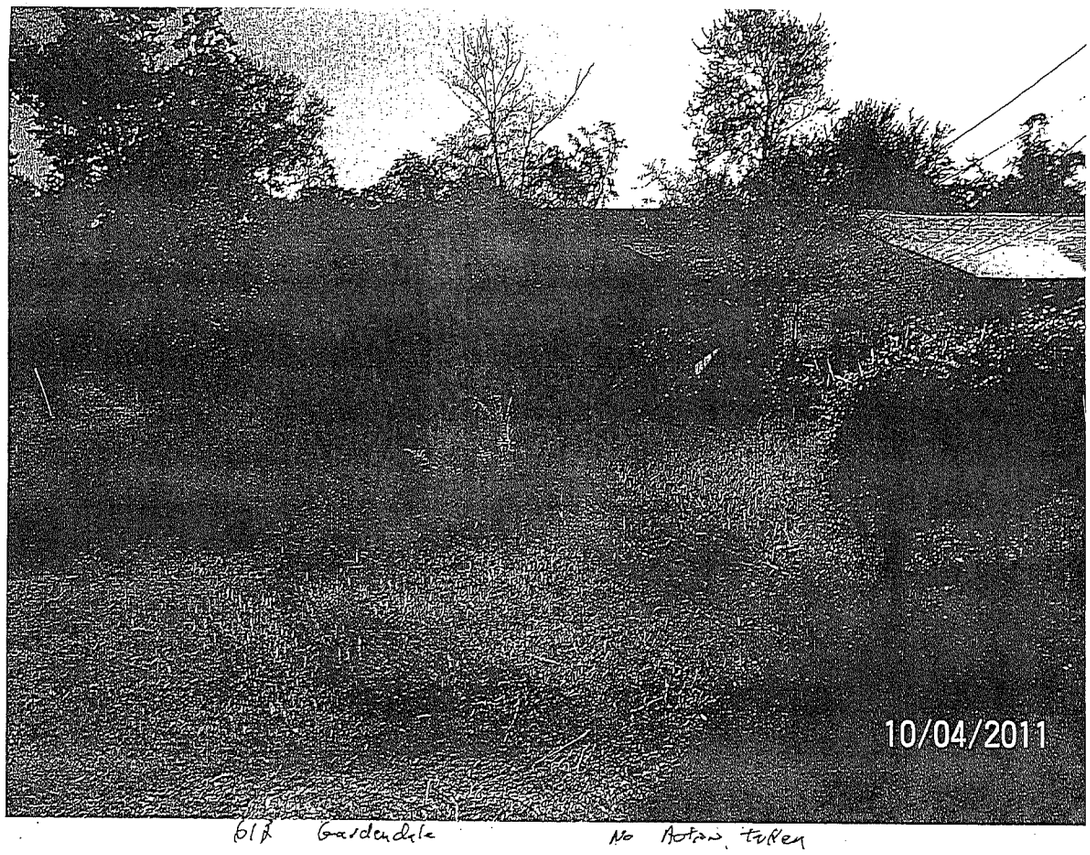
- The Clerk further reported that the Legal Notice of Public Hearing was posted at City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, and on the subject property, 613 Gardendale Avenue, Long Beach, Mississippi, by Building Official Earl Levens.
- The Clerk submitted photographs depicting the subject property taken by Building Official Earl Levens on October 4, 2011, as follows:



613 Gardendale No Action taken

➢ The Clerk submitted a sworn affidavit affirming the posting of said Notice of Public Hearing and the validity of photographs depicting the subject property, 613 Gardendale Avenue, Long Beach, Mississippi, as of October 4, 2011; said affidavit is as follows:

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 September 19, 2011, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Frank P. and Jessica L. Greco and located at 612 Gardendale Avenue, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on October 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 October 4, 2011.

This the 4th day of October, 2011.

REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 4th day of October, 2011.

-My Commission Expires-

NOTARY PUBLIC

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

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

Clerk

91 7108 2133 3938 0606 9986

MAILED
Date: 10/5/11

The Mayor and Board of Aldermen took up the matter of the public hearing on the property located at 613 Gardendale Avenue 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 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 ADJUDICATING THE PROPERTY LOCATED AT 613 GARDENDALE AVENUE, 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 613 Gardendale Avenue, 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 August 16, 2011, 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 October 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 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 Long Beach, Mississippi, which parcel of land is identified by Harrison County Tax Parcel Number 612A-05-018.000, and according to said tax records is owned by Frank P. and Jessica L. Greco, 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 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 August 24, 2011, 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

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 October, 2011.

APPROVED:

William Skellie, Jr., Mayor

ATTEST:

Rebecca E. Schruff, City Clerk

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.

August 24, 2011

NOTICE OF NON COMPLIANCE WITH ZONING ORDINANC

Greco-Frank & or Jessica
612 Gardendale Avenue
Long beach, Ms. 39560

Reference: 613 Gardendale Avenue
Long Beach, Ms. 39560
Parcel # 0612A-05-018.000

Dear Mr. & or Mrs. Greco,

You are hereby notified that you are in violation of the following:
INTERNATIONAL PROPERTY MAINTENCE CODE: CHAPTER 3: SECTION 303.1 (SEE ATTACHED).
After inspecting the above referenced property, it has been determined that you are in violation of **CHAPTER 3 SECTION #302.1 & 302.4,** according to the International Property Maintenance code our City has adopted as a means of reference. You have 7 **(seven)** days to bring this matter into compliance by calling **my cell, 228-669-2318,** 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
Claire leatherwood
Zoning/Ordinances

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

CHAPTER 3

GENERAL REQUIREMENTS

SECTION 301
GENERAL

301.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

301.2 Responsibility. The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.

301.3 Vacant structures and land. All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

SECTION 302
EXTERIOR PROPERTY AREAS

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.

302.2 Grading and drainage. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

Exception: Approved retention areas and reservoirs.

302.3 Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of (jurisdiction to insert height in inches). 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.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

302.5 Rodent harborage. All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

302.6 Exhaust vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

302.7 Accessory structures. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

302.8 Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

302.9 Defacement of property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

SECTION 303
SWIMMING POOLS, SPAS AND HOT TUBS

303.1 Swimming pools. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

303.2 Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure

* *

The eighth public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach, Mississippi, located at 201 Lawler Avenue, and assessed to Kelly C. Walker, 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 Parker and unanimously carried to

make said 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 August 16, 2011, she did cause to be sent, via certified mail, return receipt requested, Legal Notice, Public Hearing, to Kelly C. Walker, 1231 31st Avenue, Gulfport, Mississippi, 39501, as the same appears of record on the 2011 Harrison County Real Property Tax Rolls.
- The Clerk further reported that the legal notice was returned by the USPS "NOT DELIVERABLE AS ADDRESSED", "UNABLE TO FORWARD". Said notice is as follows:

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.

August 16, 2011

MAILED
Date: 8/17/11

Kelly C. Walker
1213 31st Avenue
Gulfport, MS 39501

91 7108 2133 3938 0606 9870

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 August 16, 2011, hold a public hearing at 5:00 p.m., Tuesday, October 4, 2011, at the Long Beach City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Kelly C. Walker, and situated in the City of Long Beach, Mississippi, at 201 Lawler Avenue 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: 201 Lawler Avenue, Long Beach, Mississippi
Parcel Number: 0611P-04-063.000
Legal Description: LOTS 80 TO 82 BLK 2 DAVIS ADD

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. 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

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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 16th day of August, 2011.

Rebecca E. Schruff
City Clerk

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YOUR LABEL NUMBER	SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
9171082133393808068870	First-Class Mail®	Delivered	August 24, 2011, 2:34 pm	LONG BEACH, MS 39560	Return Receipt Electronic
		Notice Left	August 24, 2011, 8:57 am	LONG BEACH, MS 39560	
		Processed through Sort Facility	August 24, 2011, 4:16 am	GULFPORT, MS 39503	
		Processed through Sort Facility	August 22, 2011, 6:22 pm	JACKSON, MS 39201	
		Processed through Sort Facility	August 21, 2011, 4:44 pm	JACKSON, MS 39201	
		Notice Left	August 19, 2011, 3:56 pm	GULFPORT, MS 39501	
		Processed through Sort Facility	August 18, 2011, 4:16 am	GULFPORT, MS 39503	
		Electronic Shipping Info Received	August 17, 2011		
		Processed through Sort Facility	August 17, 2011, 8:35 pm	GULFPORT, MS 39503	
		Accepted at origin sort facility	August 17, 2011, 8:35 pm	GULFPORT, MS 39503	

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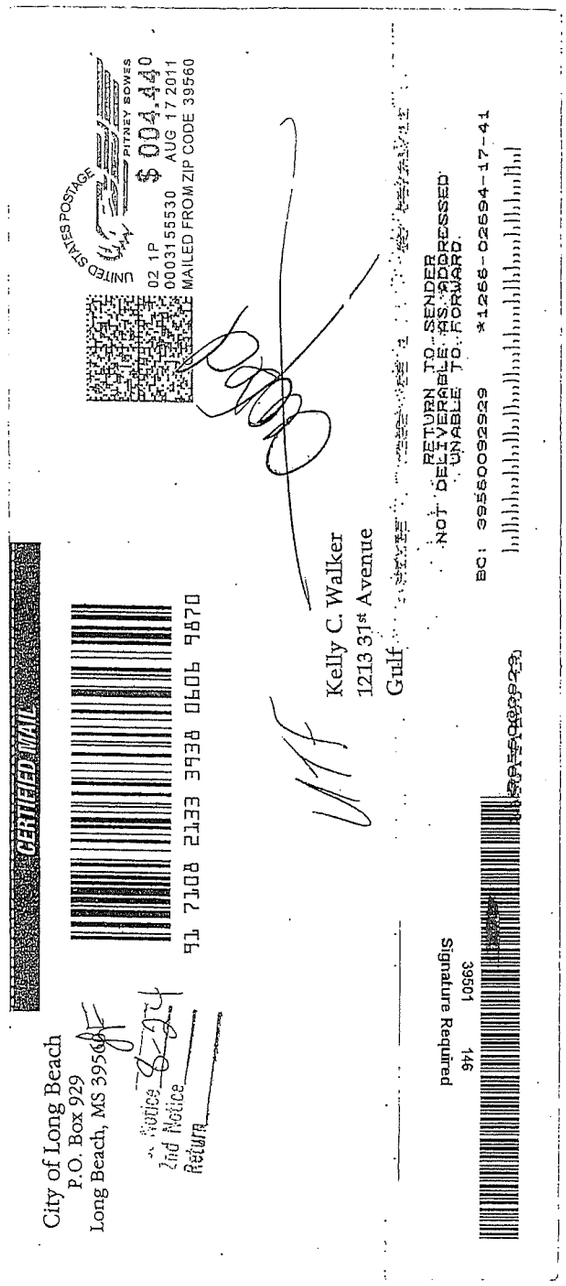
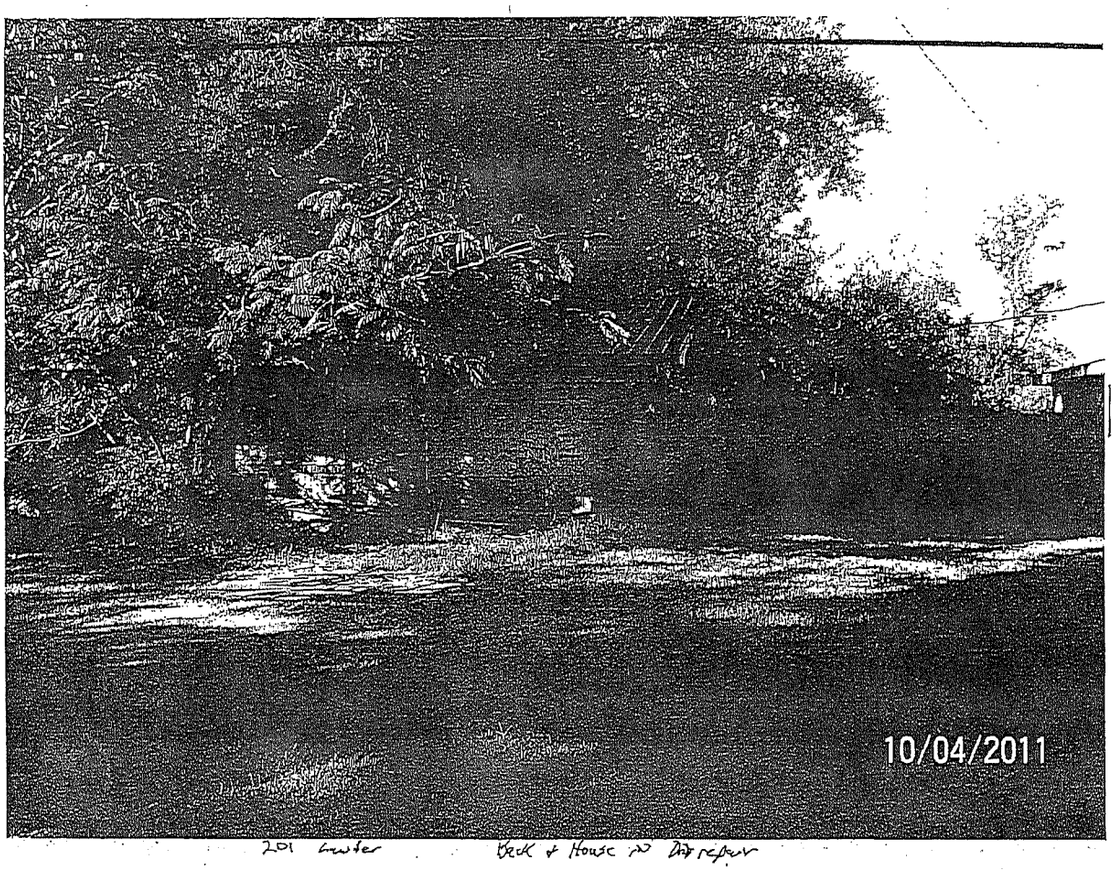
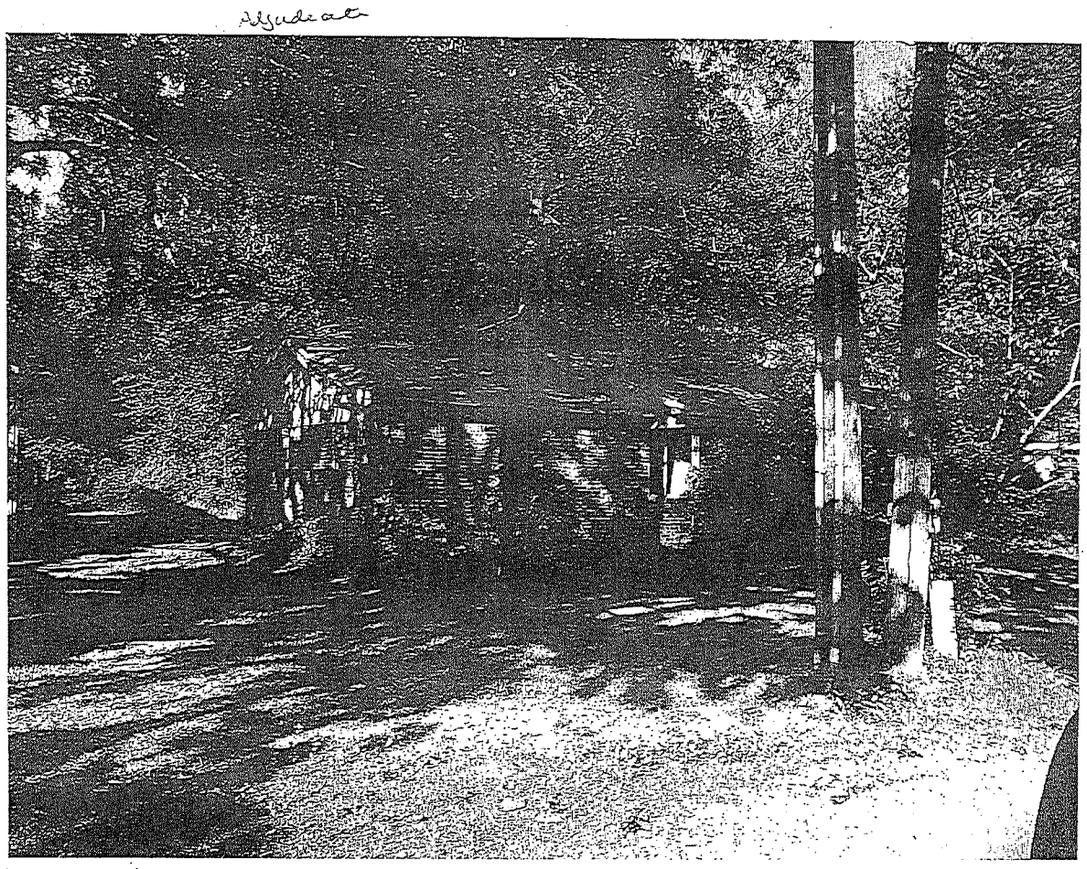
https://tools.usps.com/go/TrackConfirmAction.action 9/20/2011



- The Clerk further reported that the Legal Notice of Public Hearing was posted at City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, and on the subject property, 201 Lawler Avenue, Long Beach, Mississippi, by Building Official Earl Levens.
- The Clerk submitted photographs depicting the subject property taken by Building Official Earl Levens on October 4, 2011, as follows:



201 Center Back & House in Disrepair



- The Clerk submitted a sworn affidavit affirming the posting of said Notice of Public Hearing and the validity of photographs depicting the subject property, 201 Lawler Avenue, Long Beach, Mississippi, as of October 4, 2011; said affidavit is as follows:

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 September 19, 2011, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Kelly C. Walker and located at 201 Lawler Avenue, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on October 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 October 4, 2011.

This the 4th day of October, 2011.

REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 4th day of October, 2011.

-My Commission Expires-

NOTARY PUBLIC

AFFIDAVIT-PHOTOS;POST NOTICE

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

M.B. 72
PUBHEAR/REG:10.04.11

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

City Clerk

91 7108 2133 3938 0607 0005

MAILED
Date: 10/5/11

The Mayor and Board of Aldermen took up the matter of the public hearing on the property located at 201 Lawler Avenue 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 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 ADJUDICATING THE PROPERTY LOCATED AT 201 LAWLER AVENUE, 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 201 Lawler Avenue, 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 August 16, 2011, 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 October 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 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 Long Beach, Mississippi, which parcel of land is identified by Harrison County Tax Parcel Number 0611P-04-063.000, and according to said tax records is owned by Kelly C. Walker, 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 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, City Building Inspector July 1, 2011, 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

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 October, 2011.

APPROVED:

William Skellie, Jr., Mayor

ATTEST:

Rebecca E. Schruff, City Clerk

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.

July 1, 2011

NOTICE OF NON COMPLIANCE WITH ZONING ORDINANCE

Walker
1213 31st Street Avenue
Gulfport, Ms. 39501

Reference: 201 Lawler Avenue Parcel # 0611P-04-063.000
Long Beach, MS 39560

Dear Ms. Walker,

After receiving a complaint and inspecting the above referenced property, it has been determined that you are in violation of #301.2,301.3,#302.1,##302.5`#302.7,#304.2,304.3,304.6,304.8,304.13.1,305.1 #307.1, #307.2, #308, #305.3(SEE ATTACHED) according to the **International Property Maintenance Code** that our City has adopted as a means of reference, on the above referenced lot. You have 7 (seven) days to bring this matter into compliance.by calling our office, 228-863-1554, My cell # 228-669-2318, for directions & or corrective measures. Or you may bring this letter to our Department located at 201 Jef Davis Avenue, Long Beach, Ms. 39560.

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

By order of
City of Long Beach
Claire Leatherwood
Claire Leatherwood
Zoning

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www.cityoflongbeachms.com

CHAPTER 3

GENERAL REQUIREMENTS

SECTION 301
GENERAL

301.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

301.2 Responsibility. The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.

301.3 Vacant structures and land. All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

SECTION 302
EXTERIOR PROPERTY AREAS

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.

302.2 Grading and drainage. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

Exception: Approved retention areas and reservoirs.

302.3 Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of (jurisdiction to insert height in inches). 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.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

302.5 Rodent harborage. All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

302.6 Exhaust vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

302.7 Accessory structures. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

302.8 Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

302.9 Defacement of property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti.

It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

SECTION 303
SWIMMING POOLS, SPAS AND HOT TUBS

303.1 Swimming pools. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

303.2 Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure

2003 INTERNATIONAL PROPERTY MAINTENANCE CODE® 9

* *

The ninth public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach, Mississippi, located at 174 Ocean Wave Avenue, and assessed to Andrew Braxton, 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 Parker and unanimously carried to

make said 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 August 16, 2011, she did cause to be sent, via certified mail, return receipt requested, Legal Notice of Public Hearing, to Andrew Braxton, 88 John Smith Road, Poplarville, Mississippi, 39470, as the same appears of record on the 2011 Harrison County Real Property Tax Rolls.
- The Clerk further reported that the legal notice was delivered by the USPS on August 18, 2011. Said notice is as follows:

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.

MAILED
Date: 8/17/11

August 16, 2011

91 7108 2133 3938 0606 9917

Andrew Braxton
88 John Smith Road
Poplarville, MS 39470

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 August 16, 2011, hold a public hearing at 5:00 p.m., Tuesday, October 4, 2011, at the Long Beach City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Andrew Braxton, and situated in the City of Long Beach, Mississippi, at 174 Ocean Wave, 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: 174 Ocean Wave, Long Beach, Mississippi
Parcel Number: 0711N-05-044.000
Legal Description: LIFE EST BK 1031 PG 145 BEG ON E LINE OF LOT 2 GOTTSCHALK SUR 429 FT N OF BEACH BLVD & RUN W 348.8 FT N 100 FT E 348.8 FT S TO BEG PART OF LOTS 1 & 2

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. 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

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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 16th day of August, 2011.

Rebecca E. Schruff
City Clerk

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9171082133393809068917	First-Class Mail®	Delivered	August 18, 2011, 10:42 am	POPLARVILLE, MS 39470	Return Receipt Electronic
		Processed through Sort Facility	August 18, 2011, 2:14 am	HATTIESBURG, MS 39402	
		Electronic Shipping Info Received	August 17, 2011		
		Processed through Sort Facility	August 17, 2011, 8:35 pm	GULFPORT, MS 39503	
		Accepted at origin sort facility	August 17, 2011, 8:35 pm	GULFPORT, MS 39503	

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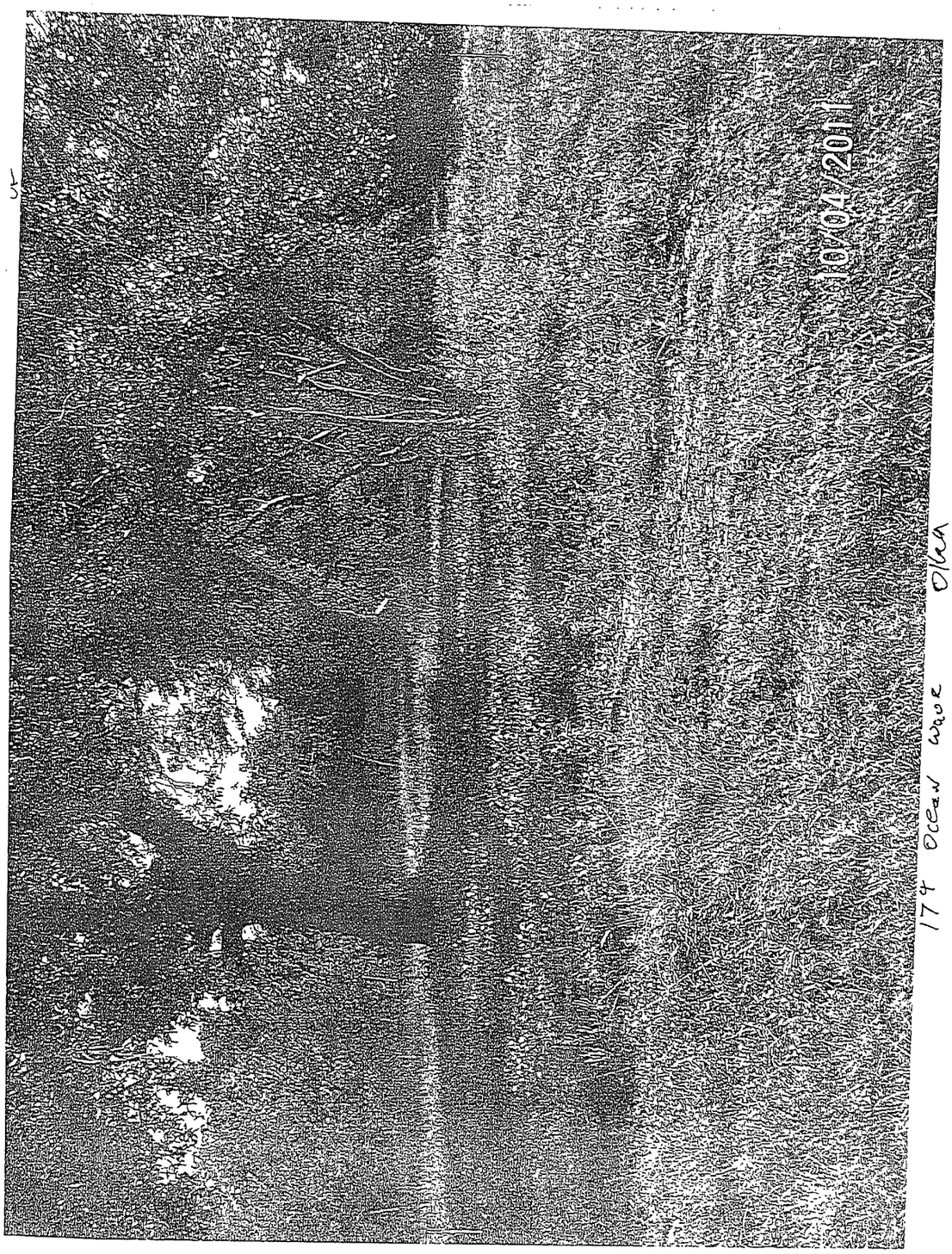
- The Clerk further reported that the Legal Notice of Pubic Hearing was posted at City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, and on the subject property, 174 Ocean Wave, Long Beach, Mississippi, by Building Official Earl Levens.
- The Clerk submitted photographs depicting the subject property taken by Building Official Earl Levens on October 4, 2011, as follows:



➢ The Clerk submitted an affidavit affirming the posting of said Notice of Public Hearing and the validity of photographs depicting the subject property, 174 Ocean Wave Avenue, Long Beach, Mississippi, as of October 4, 2011; said affidavit is as follows:

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 September 19, 2011, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Andrew Braxton and located at 174 Ocean Wave, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on October 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 October 4, 2011.

This the 4th day of October, 2011.

REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 4th day of October, 2011.

-My Commission Expires-

NOTARY PUBLIC

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 comments or discussion, Alderman Parker made motion seconded by Alderman Carrubba and unanimously carried to close the public hearing and take any official action required.

Based upon information obtained and discussion held during the course of this public hearing, Alderman Carrubba made motion seconded by Alderman Parker and unanimously carried finding that the subject property, 174 Ocean Wave Avenue, assessed to Andrew Braxton, is in its present condition and at this time, in compliance with City ordinances, codes and state law.

****

The tenth public hearing was called to order to determine whether or not property situated in the City of Long Beach, Mississippi, located at 180 Ocean Wave Avenue, and assessed to Gretchen Heyns, 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, Carrubba made motion seconded by Alderman Parker and unanimously carried to make said report a part of the record of this public hearing, 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 August 16, 2011, she did cause to be sent via certified mail, return receipt requested, Legal Notice of Public Hearing, to Gretchen Heyns, 811 Woodward Avenue, Gulfport, Mississippi, 39501, as the same appears of record on the 2011 Harrison County Property Tax Rolls.
- The Clerk further reported that the legal notice was returned by the USPS as "UNDELIVERABLE AS ADDRESSED", "UNABLE TO FORWARD". Said notice is as follows:

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.

August 16, 2011

MAILED
Date: 8/17/11

Gretchen Heyns
811 Woodward Avenue
Gulfport, MS 39501

91 7108 2133 3938 0606 9931

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 August 16, 2011, hold a public hearing at 5:00 p.m., Tuesday, October 4, 2011, at the Long Beach City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Gretchen Heyns, and situated in the City of Long Beach, Mississippi, at 180 Ocean Wave, 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: 180 Ocean Wave, Long Beach, Mississippi
Parcel Number: 0711N-05-049.00
Legal Description: BEG 325 FT N OF INTER OF N MAR OF HWY 90 & W MAR OF OCEAN WAVE AVE WHICH I E LINE OF LOT 2 GOTTSCHALK SURVEY S 67 DGS W 150 FT N 28 DGS E 150 FT TO RD S

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. 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

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

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 16th day of August, 2011.

Rebecca E. Schruff
City Clerk

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YOUR LABEL NUMBER	SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
9171082133393808069931	First-Class Mail®	Delivered	August 24, 2011, 2:34 pm	LONG BEACH, MS 39560	Return Receipt Electronic
		Notice Left	August 24, 2011, 8:57 am	LONG BEACH, MS 39560	
		Arrival at Unit	August 24, 2011, 8:08 am	LONG BEACH, MS 39560	
		Processed through Sort Facility	August 24, 2011, 4:16 am	GULFPORT, MS 39503	
		Processed through Sort Facility	August 22, 2011, 4:47 pm	JACKSON, MS 39201	
		Processed through Sort Facility	August 19, 2011, 4:57 pm	JACKSON, MS 39201	
		Undeliverable as Addressed	August 18, 2011, 8:16 am	GULFPORT, MS 39501	
		Processed through Sort Facility	August 18, 2011, 4:16 am	GULFPORT, MS 39503	
		Electronic Shipping Info Received	August 17, 2011		
		Processed through Sort Facility	August 17, 2011, 8:35 pm	GULFPORT, MS 39503	
		Accepted at origin sort facility	August 17, 2011, 8:35 pm	GULFPORT, MS 39503	

Check on Another Item

What's your label (or receipt) number?

LEGAL
Privacy Policy ›
Terms of Use ›
FOIA ›
No FEAR Act EEO Data ›

OTHER USPS SITES
Business Customer Gateway ›
Postal Inspectors ›
Inspector General ›
Postal Explorer ›

ON USPS.COM
Government Services ›
Buy Stamps & Shop ›
Print a Label with Postage ›
Customer Service ›
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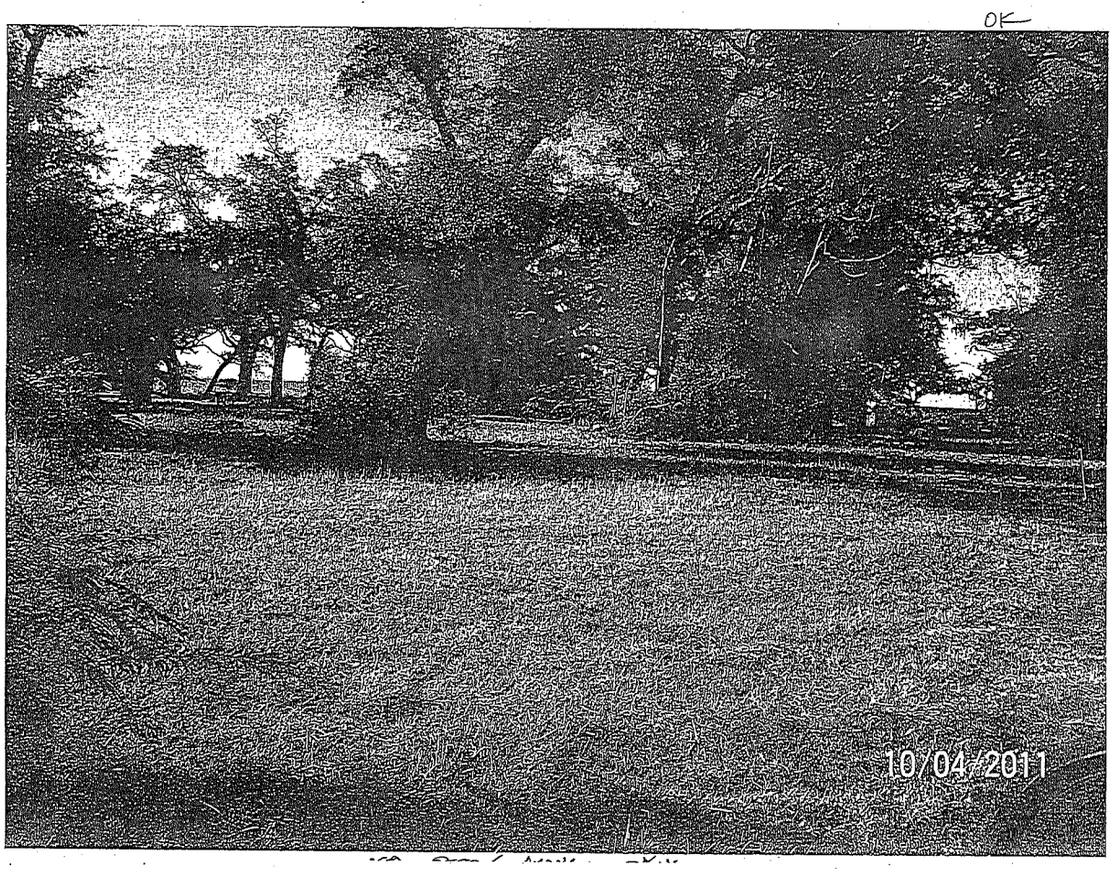
https://tools.usps.com/go/TrackConfirmAction.action 9/20/2011

- The Clerk reported that the Legal Notice of Public Hearing was posted at City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, and on the subject property, 180 Ocean Wave Avenue, Long Beach, Mississippi, by Building Official Earl Levens.
- The Clerk submitted photographs depicting the subject property taken on October 4, 2011, as follows:



- The Clerk submitted sworn affidavit affirming the posting of said Notice of Public Hearing and the validity of photographs depicting the subject property, 180 Ocean Wave Avenue, Long Beach, Mississippi, as of October 4, 2011; said affidavit is as follows:

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 September 19, 2011, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Gretchen Heyns and located at 180 Ocean Wave, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on October 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 October 4, 2011.

This the 4th day of October, 2011.

REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 4th day of October, 2011.

-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 comments or discussion, Alderman Hammons made motion seconded by Alderman Parker and unanimously carried to close the public hearing.

Based upon information obtained and discussion held during the course of this public hearing, Alderman Parker made motion seconded by Alderman Hammons and unanimously carried finding that the subject property, 108 Ocean Wave Avenue, Long Beach, Mississippi, assessed to Gretchen Heyns, is in its present condition and at this time in compliance with City ordinances, codes and state law.

****

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 October, 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, Sr., Gary J. Ponthieux, Bernie Parker, Kaye H. Couvillon, Ronnie Hammons, Jr., Mark E. Lishen, Carolyn J. Anderson, City Clerk Rebecca E. Schruff, and City Attorney 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 regular meeting was called to order; there came on for consideration the matter of awarding bids, Town Green War Memorial, taken under advisement from July 19, 2011, and a letter from Glenn Currie, JBHM Architects, as follows:

JBHM ARCHITECTS, P.A.
www.jbhm.com

GULF COAST OFFICE
2518 Beach Blvd, Ste. 100
Biloxi, Mississippi 39531

228.594.2200
FAX 228.594.2020
EMAIL info@jbhm.com

September 16, 2011

Mayor Billy Skellie
City of Long Beach
201 Jeff Davis Avenue
Long Beach, MS 39560

Re: Long Beach Town Green

Dear Mayor Skellie:

As you are aware, our lowest bid developed for the Long Beach War Memorial by FMA, Inc. was not beyond 10% of the county's original budget. Accordingly, with the permission of the City of Long Beach and its Attorney, my firm and FMA entered into a Value Engineering effort that identified the attached spread sheet of possible further deductions.

This data was presented to the Owner. The resultant accepted sum is $154,000.

Should you have any further questions, please do not hesitate to call.

Sincerely,

Glenn Currie
Principal / Director of Gulf Coast Operations
JBHM Architects

cc: Mayor Billy Skellie
Ann Frazier, Gouras and Associates
JBHM #11034.01

OFFICES
Biloxi
Columbus
Jackson
Tupelo

PRINCIPALS
JOSEPH S. HENDERSON, AIA
RICHARD H. MCNEEL, AIA

JACK W. BALLARD, AIA
GLENN CURRIE, AIA

Based upon the recommendation of Mr. Currie, Alderman Anderson made motion seconded by Alderman Parker and unanimously carried to award the contract, Long Beach War Memorial, to FMA, Inc., as the lowest and best bidder, in the amount of $154,000, all as set forth above.

* *

Announcements were made regarding the Heart Walk and the Long Beach Police Reserves.

* *

M.B. 72
PUBHEAR/REG:10.04.11

The Mayor opened the floor for public comments regarding items appearing on the agenda, as follows:

PUBLIC COMMENTS PERTAINING TO MATTERS ON THE AGENDA ONLY

NOTE: All comments shall be directed to the Chairman (Mayor).

Comments of a personal nature regarding individual members of the Governing Authority (Mayor and Board of Aldermen), City Staff and/or Personnel, other Citizens, disruptive comments or improper actions will not be permitted.

Public Comments will be limited to a total of **ten (10) minutes** and limited to a maximum of **two (2) minutes** per person.

Except as otherwise directed by the Chairman (Mayor), Public Comments will not be permitted before or after the allotted time. Disruption of the regular business meeting will be cause for removal from the public meeting.

	PLEASE PRINT: NAME / ADDRESS / TELEPHONE	AGENDA ITEM NO.	AGENDA ITEM SUBJECT MATTER
1	Floyd Jr Logan P.O. Box 4207 864-3662 Gulfport, Ms. 39502	XI	1.
2	Randy Fischer 679 Klondyke	XI	Tax Abatement
3	~~Marcia Kruse~~ 1 ~~[illegible]~~ Blvd		
4			
5			
6			
7			
8			
9			
10			

City of Long Beach, Mississippi
Mayor and Board of Aldermen Meeting
Date:_____

Excel Worksheet: public comments - agenda PUBLIC COMMENTS-AGENDA

* *

Alderman Ponthieux made motion seconded by Alderman to approve the regular meeting minutes of the Mayor and Board of Aldermen dated September 20, 2011, as submitted; the motion carried upon the affirmative voice vote of all the Aldermen present and voting, with Alderman Carrubba abstaining.

* *

After considerable discussion, Alderman Anderson made motion seconded by Alderman Lishen and unanimously carried to approve the regular meeting minutes of the Planning Commission dated September 22, 2011, with exception to discussion held regarding interpretation of the Zoning Ordinance as it pertains to the request submitted by Christopher Notter, representing Hugh Stiel, for use of multiple lots to operate a used car lot business on West 4th Street and Highway 90; and mixed use for a residential/commercial structure on West 4th Street, taking the matter under advisement for additional information and clarification from Building Official Earl Levens and Planning Consultant Bill Hessell.

****

Alderman Anderson made motion seconded by Alderman Lishen and unanimously carried to approve payment of invoices as listed in Docket of Claims number 100411.

****

There was no report from the Mayor's Office.

****

Based upon the recommendation of Assistant Fire Chief Mike Brown and certification by the Civil Service Commission, Alderman Lishen made motion seconded by Alderman Parker and unanimously carried to approve a Fire Department personnel matter, as follows:

Education Pay, Battalion Chief Griff Skellie, effective October 16, 2011.

****

There came on for consideration CDBG (4) Requests for Cash and Payment of (4) Invoices, whereupon, Alderman Hammons made motion to approve said requests and invoices, seconded by Alderman Lishen for discussion.

Discussion was held regarding whether or not to exclude the Request for Cash and payment of invoice number 37, Municipal Complex Project, to JBHM Architects in the amount of $159.09 until such time as the punch list at City Hall is completed.

After considerable discussion, Alderman Anderson made substitute motion seconded by Alderman Lishen to approve CDBG (3) Requests for Cash and Payment of (3) Invoices, taking invoice number 37, Municipal Complex Project, to JBHM Architects in the amount of $159.09 under advisement until such time as the punch list at City Hall is completed.

The question on the substitute motion 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 Anderson	voted	Aye
Alderman Leonard G. Carrubba, Sr.	voted	Aye
Alderman Mark E. Lishen	voted	Aye
Alderman Ronnie Hammons, Jr.	voted	Nay

The question having received the Affirmative vote of a majority of the Aldermen present and voting, the Mayor declared the substitute motion carried.

Said CDBG (3) Requests for Cash and (3) Invoices are as follows:

MEMO

DATE: September 30, 2011
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. Jimmy Gouras
   Invoice number 9240 in the amount of $1,708.33
   For Administration expense

Also enclosed is "Request for Cash and Summary Support Sheet No. 38" in the amount of $1,708.33 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. 38" 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.

enclosures

JIMMY G. GOURAS
URBAN PLANNING CONSULTANTS, INC.
1100 CHERRY ST. • VICKSBURG, MS 39183 • 601-638-7121 • FAX 601-638-5292 • Email: jggouras@bellsouth.net

MEMO

DATE: September 30, 2011
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-103-235-01-KCR
Streetscape Improvements - Jeff Davis Avenue
Request for Cash and Summary Support Sheet

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

1. City of Long Beach
   Invoice number 974839 in the amount of $10,350.00
   For Architect/Engineering expense

Also enclosed is "Request for Cash and Summary Support Sheet No. 55 in the amount of $10,350.00 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. 55" 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.

Enclosures

JIMMY G. GOURAS
URBAN PLANNING CONSULTANTS, INC.
1100 CHERRY ST. • VICKSBURG, MS 39183 • 601-638-7121 • FAX 601-638-5292 • Email: jggouras@bellsouth.net

MEMO

DATE: September 30, 2011
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. JBHM
   Invoice number 29 in the amount of $51.31
   For Architect/Engineering expense

Also enclosed is "Request for Cash and Summary Support Sheet No. 37" in the amount of $51.31 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. 37" 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.

enclosures

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 Lishen made motion seconded by Alderman Parker and unanimously carried to approve CDBG Budget Modification #8, Fire Station #2, as follows:

MISSISSIPPI DEVELOPMENT AUTHORITY
MODIFICATION SIGNATURE SHEET

DISASTER RECOVERY DIVISION
POST OFFICE BOX 849
JACKSON, MISSISSIPPI 39205-0849

1. Recipient's Name, Address, and Telephone No. City of Long Beach Post Office Box 929 Long Beach, MS 39560-0929 228-863-1556	2. Effective Date: 3. Contract Number: R-109-235-04-KCR — Grant Number: R-109-235-04-KCR 4. Modification Number: 8 5. Grant Identifier: (Funding Source & Year) CFDA Number: 14.219 & 14.228 6. Beginning and Ending Date January 2, 2008 – November 30, 2011 7. Page 1 of 1

8. As a result of this modification, funds obligated are changed as follows:

KCDBG	OTHER FEDERAL	OTHER (LOCAL-PRIVATE)
FROM: No change	FROM: No change	FROM: No change
TO:	TO:	TO:
INCREASE:	INCREASE:	INCREASE:
DECREASE:	DECREASE:	DECREASE

9. The above recipient is hereby modified as follows: The purpose of this modification is to extend the contract ending date to November 30, 2011 to allow for the close out of the project.

10. Except as hereby modified, all terms and conditions of the subcontract remain unchanged.

12. Approved for Agency: Signature — Date Name: Title:	13. Approved for Recipient William Skellie 10/4/11 Signature — Date Name: William Skellie, Jr. Title: Mayor

* *

Alderman Lishen made motion seconded by Alderman Carrubba and unanimously carried to approve CDBG Budget Modification #11, City Hall Project, as follows:

MISSISSIPPI DEVELOPMENT AUTHORITY
MODIFICATION SIGNATURE SHEET

DISASTER RECOVERY DIVISION
POST OFFICE BOX 849
JACKSON, MISSISSIPPI 39205-0849

1. Recipient's Name, Address, and Telephone No. City of Long Beach Post Office Box 929 Long Beach, MS 39560-0929 228-863-1556	2. Effective Date: 3. Contract Number: R-109-235-02-KCR — Grant Number: R-109-235-02-KCR 4. Modification Number: 11 5. Grant Identifier: (Funding Source & Year) CFDA Number: 14.219 & 14.228 6. Beginning and Ending Date January 2, 2008 – November 30, 2011 7. Page 1 of 1

8. As a result of this modification, funds obligated are changed as follows:

KCDBG	OTHER FEDERAL	OTHER (LOCAL-PRIVATE)
FROM: No change	FROM: No change	FROM: No change
TO:	TO:	TO:
INCREASE:	INCREASE:	INCREASE:
DECREASE:	DECREASE:	DECREASE

9. The above recipient is hereby modified as follows: The purpose of this modification is to extend the contract ending date to November 30, 2011 to allow for completion of contractor punch list items and preparation of close out documents.

10. Except as hereby modified, all terms and conditions of the subcontract remain unchanged.

12. Approved for Agency: Signature — Date Name: Title:	13. Approved for Recipient: Signature — Date 10/4/11 Name: William Skellie, Jr. Title: Mayor

* *

Alderman Lishen made motion seconded by Alderman Couvillon and unanimously carried to approve CDBG Change Order #19, Reconciliation of Allowances, City Hall Project as follows:

AIA® Document G701™ – 2001

Change Order

PROJECT *(Name and address)*:	CHANGE ORDER NUMBER: 019	OWNER: ☒
07123 City of Long Beach City Hall Long Beach, Mississippi	DATE: September 26, 2011	ARCHITECT: ☒
TO CONTRACTOR *(Name and address)*:	ARCHITECT'S PROJECT NUMBER: 07123	CONTRACTOR: ☒
Strarks Contracting Co., Inc. 1538 Popps Ferry Road Biloxi, Mississippi 39540	CONTRACT DATE: January 28, 2009 CONTRACT FOR: General Construction	FIELD: ☐ OTHER: ☐

THE CONTRACT IS CHANGED AS FOLLOWS:
(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

Reconciliation of Allowances

Allowance #1 Finish Hardware		
1. Original Allowance:	$47,000.00 Lump Sum	
Actual Cost:	$48,655.00	
Credit to Owner:	$0.00	$0.00
Allowance #2 Brick Allowance		
1. Original Allowance:	$475.00 per thousand = Qty 1,575	
Actual Cost:	$475.00 per thousand = Qty 1,575	
Credit to Owner:	$0.00	$0.00
Allowance #3 Exterior Copper Lantern Light Fixtures		
1. Original Allowance:	Lump sum of $6,500.00	
Actual Cost:	$6,500.00	
Credit to Owner:	$0.00	$0.00
Allowance #4 Access Control		
1. Original Allowance:	$86,780.00 Lump Sum	
Actual Cost:	$86,780.00	
Credit to Owner:	$0.00	$0.00

The original Contract Sum was	$	4,396,000.00
The net change by previously authorized Change Orders	$	527,380.00
The Contract Sum prior to this Change Order was	$	4,923,380.00
The Contract Sum will be unchanged by this Change Order in the amount of	$	0.00
The new Contract Sum including this Change Order will be	$	4,923,380.00

The Contract Time will be increased by Zero (0) days.
The date of Substantial Completion as of the date of this Change Order therefore is Final Completion Date June 16, 2011.

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

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User Notes: (820896195)

1

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

JBHM Architects, P.A.	Strarks Contracting Co., Inc.	City of Long Beach
ARCHITECT *(Firm name)*	CONTRACTOR *(Firm name)*	OWNER *(Firm name)*
2548 Beach Blvd., Suite 100, Biloxi, Mississippi 39531	1538 Popps Ferry Road, Biloxi, Mississippi 39540	645 Klondyke Road, Long Beach, MS 39560
ADDRESS	ADDRESS	ADDRESS
BY *(Signature)*	BY *(Signature)*	BY *(Signature)*
David Glenn Currie, AIA	Robert Starks	William Skellie, Jr.
(Typed name)	*(Typed name)*	*(Typed name)*
9.28.11	9/28/11	
DATE	DATE	DATE

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User Notes: (826896195)

2

ALLOWANCE RECONCILIATION

Project: New City Hall - City of Long Beach
Location: Long Beach, MS
Architect/Engineer: JBHM Architects

Estimate #1
Sheet #AR
Date: 09/20/11

ALLOWANCE	ALLOWANCE AMOUNT	ALLOWANCE USED	BALANCE REMAINING
1. Finish Hardware	$47,000.00	$48,655.00	-$1,655.00
2. Face Brick Allowance	$475.00/M	$475.00/M	$0.00
3. Copper Lanterns	$6,500.00	$6,500.00	$0.00
4. Access Controls/CCTV/Panic Buttons	$86,780.00	$86,780.00	$0.00
Totals	$140,280.00	$141,935.00	-$1,655.00
Total Allowance Remaining			-$1,655.00

Please note, the balance due over the original allowance amount
was covered in Proposed Change Orders 9, 12 & 17R.
No further change orders required.

CAPITOL HARDWARE COMPANY, INC.

POST OFFICE BOX 12730
JACKSON, MS 39236-2730
(601) 977-9990
Fax: (601) 977-8838

September 22, 2011

Starks Contracting
1538 Popps Ferry Road
Biloxi, MS 39540
Attn: Chris Guttierrez

Re: Long Beach City Hall

Chris, please see the below amounts

Finish Hardware----$48,655.00

Access Controls/CCTV Systems-----$86,780.00

Please let me know if you need anything else.

Thanks;
Reed

Invoice

Page: 1

CAPITOL HARDWARE COMPANY, INC.
CAPITOL BUILDING PRODUCTS
P O BOX 12730
JACKSON, MS 39236-2730
6019779990

Invoice Number: 0060455-IN
Invoice Date: 6/8/2010

Order Number: 123945

Ship Date: 6/3/2010
Customer Number: STA07

Sold To:	Ship To:
STARKS CONTRACTING, CO. P O BOX 7149 BILOXI, MS 39540-7101	YOUR OFFICE, FOR: LONG BEACH NEW CITY HALL 1538 POPPS FERRY RD BILOXI, MS

Customer P.O.	Ship VIA	Job	Terms
	CON-WAY SOUTHER	9371	Net 30 Days

Item Number	Description	Unit	Ordered	Shipped	Price	Amount
HDW-LOT	LOT OF HARDWARE PER APPROVED SCHEDULE	LOT	1.00	1.00	0.00	0.00
/CHC	LUMP SUM					40,583.00

6/29/10

Total P.O. ~~$40,583.00~~ $159,020.00
Do Not Exceed!
Includes Access Controls.

RECEIVED
JUN 10 2010
By:

Net Invoice:	40,583.00
Less Discount:	0.00
Freight:	0.00
Sales Tax:	~~0.00~~
Invoice Total:	40,583.00

OK
LO

Invoice

Page: 1

CAPITOL HARDWARE COMPANY, INC.
CAPITOL BUILDING PRODUCTS
P O BOX 12730
JACKSON, MS 39236-2730
6019779990

Invoice Number: 0060043-IN
Invoice Date: 5/7/2010

Order Number: 122613

Ship Date 5/4/2010
Customer Number: STA07

Sold To:	Ship To:
STARKS CONTRACTING, CO. P O BOX 7149 BILOXI, MS 39540-7101	JOBSITE: LONG BEACH CITY HALL 201 JEFF DAVIS AVE LONG BEACH, MS

Customer P.O.	Ship VIA	Job	Terms
	CON-WAY SOUTHER	9371	Net 30 Days

Item Number	Description	Units	Ordered	Shipped	Price	Amount
HDW	CLOSERS, EN 1431-0 TOP-JAMB	EACH	23.00	23.00	0.00	0.00
HDW	DOOR PULLS, RM 5664-1 US15	EACH	21.00	21.00	0.00	0.00
/CHC	LUMP SUM					7,522.00

POSTED
6/4/10

Total P.O. For this Project $159,020.00

RECEIVED
MAY 14 2010
By

Net Invoice:	7,522.00
Less Discount:	0.00
Freight:	0.00
Sales Tax:	0.00
Invoice Total:	7,522.00

OK

Invoice

Page: 1

CAPITOL HARDWARE COMPANY, INC.
CAPITOL BUILDING PRODUCTS
P O BOX 12730
JACKSON, MS 39236-2730
6019779990

Invoice Number: 0062141-IN
Invoice Date: 9/14/2010

Order Number: 125843

Ship Date 8/30/2010
Customer Number: STA07

Sold To:	Ship To:
STARKS CONTRACTING, CO. P O BOX 7149 BILOXI, MS 39540-7101	YOUR OFFICE, FOR: LONG BEACH CITY HALL

Customer P.O.	Ship VIA	Job	Terms
	UPS	9371	Net 30 Days

Item Number	Description	Unit	Ordered	Shipped	Price	Amount
HDW	DOOR STOPS, ROCKWOOD 471 26D	EACH	23.00	23.00	0.00	0.00
/CHC	LUMP SUM					368.00

F 9/29/10

RECEIVED
SEP 20 2010
By

Net Invoice:	368.00
Less Discount:	0.00
Freight:	0.00
Sales Tax:	0.00
Invoice Total:	368.00

OK
C

Invoice

Page: 1

CAPITOL HARDWARE COMPANY, INC.
CAPITOL BUILDING PRODUCTS
P O BOX 12730
JACKSON, MS 39236-2730
6019779990

Invoice Number: 0062433-IN
Invoice Date: 9/28/2010

Order Number: 125392

Ship Date 9/28/2010
Customer Number: STA07

Sold To:	Ship To:
STARKS CONTRACTING, CO. P O BOX 7149 BILOXI, MS 39540-7101	JOBSITE: LONG BEACH CITY HALL 201 JEFF DAVIS AVE LONG BEACH, MS

Customer P.O.	Ship VIA	Job	Terms
	UPS	9371	Net 30 Days

Item Number	Description	Unit	Ordered	Shipped	Price	Amount
HDW	CLOSER FEET, 64-0023 x EN	EACH	19.00	19.00	0.00	0.00
HDW	POCKET DOOR TRACK, 100601DR	EACH	2.00	2.00	0.00	0.00
HDW	POCKET DOOR PULLS, 891 x 26D	EACH	2.00	2.00	0.00	0.00
/CHC	LUMP SUM					182.00

P 10/5/10

RECEIVED
OCT 01 2010
By

Net Invoice:	182.00
Less Discount:	0.00
Freight:	0.00
Sales Tax:	0.00
Invoice Total:	182.00

BK

BORAL BRICKS

Our fax # has changed to 8[illegible]. For inquiries.
Phone: (706) 823-8802
Fax: (866) 410-5538

INVOICE/BOL #554-059294 Date: 05-JAN-10 TAX # JB 239122 24
CUSTOMER # 106706 PO # 3250
JOB NAME: LONG BEACH CITY ORDER # 554 065466

STARKS CONTRACTING CO INC 106 1 SP 0.440 1 P1/1
PO BOX 7149
BILOXI, MS 39540-7101

SHIP TO:
STARKS CONTRACTING CO INC
201 JEFF DAVIS AVE
M:-89.150725,30.349333
LONG BEACH MS 39560

Ordered By:	Sales Rep.	FOB:	Ship Mthd:	Car Number	Terms:
ODNEY	RODNEY MIRE	SITE	BBTK	7GUL6017	2%10

uantity	UOM	Item	Description	Unit Price	Unit of Measure	Total
1,575	EA	625.0272.03000	118 DARK RED SMOOTH MODULAR	0.4750	EA	748.13

POSTED 1/18/10

RECEIVED
JAN 11 2010
By

Invoice SubTotal:	748.13
Energy Recovery Charge:	
State Tax 7%:	0.00
County Tax 0%:	0.00
City Tax 0%:	0.00
Balance Due:	748.13

MPORTANT To Insure Proper Credit PLEASE DETACH THE 'PAYMENT' Portion Below and Return With Your Remittance.

Finance Charge of 1.5% will be applied on balances outstanding over 30 days Annual Percentage rate of 18%.

Customer Account	Invoice Date	Invoice Number
106706 554	05-JAN-10	554-059294

Thank You

Amount Due	
Sub Total	748.13
Sales Tax	0.00
Balance Due	748.13

OK

Invoice to: STARKS CONTRACTING CO INC

If received by 10-FEB-10 Deduct $14.96
and pay $733.17

Remit To:
Boral Bricks, Inc.
P.O. Box 101447
Atlanta, GA 30392-1447

Amount Paid

BRANCH ELECTRIC LLC
P. O. BOX 2247
GULFPORT, MS 39505

Phone # 228-832-2006 Fax # 228-831-1809

Purchase Order

Date	P.O. No.
8/26/2009	09-2030-151

Vendor	Ship To
Faubourg Lighting PO Box 709 Hazlehurst, MS 39083	Long Beach City Hall 201 Jeff Davis Ave. Long Beach, MS 39560 Job # 092030

Req. By	Terms	Due Date	Expected	Ship Via	FOB	Invoice #
	Net 60	8/26/2009	8/26/2009		JOB SITE	

Description	Qty	U/M	Rate	Customer	Amount
Purchase Order for (V & W) Fixtures As Per Quote Dated 8/19/09. Down Payment of $3,250.00 required 8/26/2009, Balance to be paid before delivery will be made. Balance of $3,250.00 Paid on 5/18/2010.			6,500.00	Long Beach Cit...	6,500.00

Branch Electric requires a 24 hour notice before delivery to our shop or job site. Do not ship any fixtures or gear until you receive a release for shipment form from us. Please call 228-832-2006
Job Name, PO Number, and Supply Company must be printed on Shipping documentation. Any Material without such documentation will be returned to sender.
Acceptance of this Purchase Order Constitutes agreement of Payment terms.
Price Listed in this Purchase Order includes all shipping cost. Any Modifications to price to be in writing with signatures from both parties.
Please return signed copy of Purchase order with printed name to initiate

Total	$6,500.00

Signature:_____

Print Name:_____

CAPITOL HARDWARE COMPANY, INC.

POST OFFICE BOX 12730
JACKSON, MS 39236-2730
(601) 977-9990
Fax: (601) 977-8838

September 22, 2011

Starks Contracting
1538 Popps Ferry Road
Biloxi, MS 39540
Attn: Chris Guttierrez

Re: Long Beach City Hall

Chris, please see the below amounts

Finish Hardware----$48,655.00

Access Controls/CCTV Systems-----$86,780.00

Please let me know if you need anything else.

Thanks,
Reed

Invoice

Page:

CAPITOL HARDWARE COMPANY, INC.
CAPITOL BUILDING PRODUCTS
P O BOX 12730
JACKSON, MS 39236-2730
6019779990

Invoice Number: 0063186-IN
Invoice Date: 11/11/2010
Order Number: 126410
Ship Date: 11/8/2010
Customer Number: STA07

Sold To:	Ship To:
STARKS CONTRACTING, CO. P O BOX 7149 BILOXI, MS 39540-7101	JOBSITE: LONG BEACH NEW CITY HALL P.O. # 3383

Customer P.O	Ship VIA	Job	Terms
P.O. # 3383	OUR TRUCK	0194 E	Net 30 Days

Item Number	Description	Unit	Ordered	Shipped	Price	Amount
E	LOT OF ACCESS CONTROL & CCTV SYSTEMS PER APPROVED HARDWARE SCHEDULE DATED 10/1/09 & PROPOSAL DATED 10/9/09	EACH	1.00	1.00	0.00	0.00
/I	LUMP SUM					86,780.00

POSTED 11/24/10

RECEIVED NOV 17 2010 By

Net Invoice:	86,780.00
Less Discount:	0.00
Freight:	0.00
Sales Tax:	0.00
Invoice Total:	86,780.00

OK

* *

Based upon the recommendation of Police Chief Wayne McDowell and certification by the Civil Service Commission, Alderman Parker made motion seconded by Alderman Ponthieux and unanimously carried to approve Police Department personnel matters, as follows:

- Resignation, Dispatcher Leeanna Dunigan, effective September 21, 2011.
- Hire Dispatcher 1st Class James D. Zugg, PS-3-B, effective October 16, 2011.

* *

Alderman Carrubba made motion seconded by Alderman Anderson and unanimously carried authorizing the City Clerk to advertise for Election of School Board Trustee.

* *

Alderman Parker made motion seconded by Alderman Ponthieux and unanimously carried to approve the service renewal quote, Peak Technoligies, as follows:

PEAK Technologies

PEAK Technologies
10330 Old Columbia Road
Columbia MD 21046

Sold to Party
CITY of LONG BEACH
PO BOX 929
LONG BEACH MS 39560-0929

Quotation
Document Number
950039574
Page
2 of 3

Name	City	State	Qty	Total Amount
CITY OF LONG BEACH	LONG BEACH	MS	1	$2,050.06

Document Subtotal:	$2,050.06
Tax:	$0.00
Document Total:	$2,050.06

Note: All Document Currency in USD.

STATEMENT OF WORK:

BILLING OPTION ->	ONE TIME BILLING
RESPONSE TIME ->	9 HR RESPONSE (STANDARD)
PPM-COVERAGE ->	STANDARD M-F 8AM -5PM

APPROVED
OCT 04 2011
BY Board Action

This quote is an offer for sale conditioned upon Customer's acceptance of the Peak Terms and Conditions located at http://www.peaktech.com/terms_and_conditions/service_terms_and_conditions.aspx ("Terms and Conditions") unless there is in place as of the order date a current agreement signed by both parties applicable to the type of product and/or services ordered. By signature below and/or receipt of the products or services from Peak, Customer agrees that the Terms and Conditions exclusively govern and control the rights of the parties such that any purchase order or other writing Customer may submit to Peak shall only be for Customer's convenience. Any additional or differing terms, whether or not materially different, set forth in any communication from the Customer are hereby expressly rejected.

Client Signature City of Long Beach by:

By: [signature] Name: Rebecca E Schrutt City Clerk Date: 10/4/11

PEAK Technologies

PEAK Technologies
10330 Old Columbia Road
Columbia MD 21046

Sold to Party	Quotation
CITY of LONG BEACH PO BOX 929 LONG BEACH MS 39560-0929	**Document Number** 950039574 **Contract Number** 50019878 **Customer Number** 1004376

Quote Introduction:

Dear Valued Customer,

We would like to provide you with your service renewal quote pertaining to the maintenance agreement that is due to renew shortly. Please take a moment to review all pages to verify that serial number and term dates are accurate. If you require any changes, please contact the Contract Administration department at the number below.

To renew your agreement, please sign the attached quotation and return to us. Or you can send us your company issued PO. If you would like to pay via credit card, please note that we accept Visa, MC, and American Express.

We look forward to a long and mutually beneficial relationship and stand ready to meet your current & future service requirements.

Sincerely,

PEAK Technologies
For general questions and order status, please contact:
877-ASK PEAK (275-7325)

PEAK Technologies is the leading service provider for over 45 different equipment manufacturer's of printers, MFPs, Forms Handling Equipment and RFDC handheld and wireless devices. We offer both onsite and depot repair contracts. Onsite response options include next business day, 4 hr response and 24X7 coverage and time and material. Depot response options incudes 3 and 5 day, advanced exchange and time and material. When your uptime is important - count on PEAK.

PEAK®
PEAK Technologies
A PLATINUM EQUITY COMPANY

Dear Customer,

PEAK Technologies would like to extend its appreciation to you for selecting us as your equipment service provider. We are committed to providing our customers with the highest quality of services that is professional and efficient. Our Service Team is looking forward to continuing our relationship with you in the future.

Our records indicate that your Service Agreement is due to renew within the next 90 days. Please review the enclosed Maintenance Renewal Quote, which lists the equipment we show on your current Service Agreement.

If you require any changes, please contact me by email at julie.goucher@peaktech.com or by dialing 512-272-5298. If there are no corrections and you would like to renew, please review steps below:

In order to Renew the Maintenance Quote- Please

1. **Review, Sign, & Date Renewal Quote Summary (Required)**
2. **Provide Hard Copy of PO (if required by your company) Along with the signed quote.**
3. **If Renewing by Check- Please Reference Quote # & Customer # on check. Please include signed quote with check for mailing.**
4. **Important- Please Notify (ASAP) if your Company decides Not to Renew this Agreement and reason for this decision.**

(All signed documents may be Mailed, Faxed, or E-mailed to the below contact information)

Please note you can review Peak's terms and conditions on our website:
http://www.pealktech.com/terms_and_conditions/service_terms_and_conditions.aspx.

Thank you again for selecting **Peak Technologies, Inc.** We look forward to a long and mutually beneficial relationship and stand ready to meet your current and future service requirements.

Thank you.
Julie D. Goucher

Julie D. Goucher
Contract Administrator
Ph# 512-272-5298
Fax# 866-554-5877 or 512-272-5194
Email: julie.goucher@peaktech.com

Mailing Address:
Julie D. Goucher/Contracts Dept
Peak Technologies
10330 Old Columbia Rd
Columbia, MD 21046

NOTE: FAILURE TO SIGN AND RETURN THE ENCLOSED RENEWAL QUOTE SUMMARY MAY RESULT IN A DELAY IN SERVICE.

PEAK Technologies
Corporate Information

Company Name & Corporate Address	PEAK Technologies 10330 Old Columbia Road Columbia, MD 21046
Main Phone	410-312-6000, 800-950-6372, fax: 410-312-7381
Web and Email	www.peaktech.com info@peaktech.com service@peaktech.com
Online Ordering and Product Catalog	www.peakdirect.com 877-863-2522 for service call 800-PEAK-FIX
Mini overview	PEAK Technologies is a Supplier and Integrator for Automatic Identification and Data Capture (AIDC) solutions including Warehouse Management Software, Wireless Data Capture, ERP Integration Tools, Printer Solutions, Labels/Consumables, Forms Handling Equipment, Service and Support.
Tax Payers Federal ID #	36-3149386
D&B Number	04-733-0402
Remit Address	Peak Technologies, Inc. PO Box 8500 (S-4955) Philadelphia, PA 19178-4955
Wire Transfer	Wachovia c/o Peak Technologies, Inc. PO Box 8500 (S-4955) Philadelphia, PA 19178-4955 Account number: 2100017383579 (Lock-box) WIRE ABA number: 031201467 ACH/EFT: 031000503 Swift code: PNBPUS33
Year Established	1981
Office Locations	Nationwide and Canada Employees: 463 United States; 27 Canada
Owner Classification	Large Business
Type of Organization	Corporation – Independently Operated Portfolio Company of Platinum Equity, a multi billion dollar global private equity firm.
Payment Terms	Due upon receipt
FOB	Origin, Federal Express is preferred shipper
Minimum Order Size	Hardware $1,000; Stock Consumable $250; Custom Consumable $500
Quality Control Systems	Yes, applicable to: Warehousing, Distribution, Software Development and Systems Integration of Data Capture Products and Peripherals.
Insurance Carrier Certificate of Insurance	Marsh Risk & Insurance Services General liability, auto, workers comp, excess liability, etc. *For certificate of insurance contact Brenda Dymond of PEAK at 800-950-6372
Peak Corporate Phone Numbers	Main Number 410-312-6000 fax: 410-312-7381 Toll Free 800-950-6372 National Depot Repair 800-PEAK-FIX fax: 770-457-3932 Technical Support 800-PEAK-FIX fax: 410-309-8961 800-732-5349

* *

Alderman Ponthieux made motion seconded by Alderman Lishen and unanimously carried to take the maintenance/inspection proposals, City Hall elevator, submitted by Schindler Elevator Corporation, under advisement for clarification regarding prevention maintenance cycles.

* *

Alderman Parker made motion seconded by Alderman Carrubba and unanimously carried to accept the Municipal Questionnaire, Fiscal Year 2010-2011, as follows:

MUNICIPAL COMPLIANCE QUESTIONNAIRE

As part of the municipality's audit, the governing authorities of the municipality must make certain assertions with regard to legal compliance. The municipal compliance questionnaire was developed for this purpose.

The following questionnaire and related certification must be completed at the end of the municipality's fiscal year and entered into the official minutes of the governing authorities at their next regular meeting.

The governing authorities should take care to answer these questions accurately. Incorrect answers could reduce the auditor's reliance on the questionnaire responses, resulting in the need to perform additional audit procedures at added cost.

INFORMATION

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

1. Name and address of municipality: City of Long Beach, 201 Jeff Davis Ave., P.O. Box 929, Long Beach, MS, 39560

2. List the date population of the latest official U.S. Census or most recent official census:

   2010 – 14,792

3. Names, addresses and telephone numbers of officials (include elected officials, chief administrative officer, and attorney).

   Mayor William Skellie, Jr., 20122 Pineville Road, Long Beach, MS 38560 (228) 863.1698

   Alderman Leonard G. Carrubba, Sr., 105 Summer Lane, Long Beach, MS 39560 (228) 229-3524

   Alderman Gary J. Ponthieux, 212 South Seashore Avenue, Long Beach, MS 39560 (228) 563-5264

   Alderman Bernie Parker, 103 Summer Lane, Long Beach, MS 39560 (228) 868-2116

   Alderman Kaye H. Couvillon, 154 Bailey Lane, Long Beach, MS 39560 (228) 324-4090

   Alderman Ronnie Hammons, Jr., 604 N. Island View, Long Beach, MS 39560 (228) 596-4447

   Alderman Mark E. Lishen, 9 Ashley Court, Long Beach, MS 39560, (228) 575.8583

   Alderman Carolyn Anderson, 6016 Harvest Lane, Long Beach, MS 39560 (228) 868-1139

   Attorney James C. Simpson, Jr., 2781 C.T. Switzer, Jr. Drive, Biloxi, MS 39531 (228) 385-9330

4. Period of time covered by this questionnaire:

   From: October 1, 2010 To: September 30, 2011

5. Expiration date of current elected officials' term: July, 2013

MUNICIPAL COMPLIANCE QUESTIONNAIRE
Year Ended September 30, 20__

Answer All Questions: Y - YES, N - NO, N/A - NOT APPLICABLE

PART I - General

1. Have all ordinances been entered into the ordinance book and included in the minutes? (Section 21-13-13) Y

2. Do all municipal vehicles have public license plates and proper markings? (Sections 25-1-87 and 27-19-27) Y

3. Are municipal records open to the public? (Section 25-61-5) Y

4. Are meetings of the board open to the public? (Section 25-41-5) Y

5. Are notices of special or recess meetings posted? (Section 25-41-13) Y

5. Are all required personnel covered by appropriate surety bonds? Y
   - Board or council members (Sec. 21-17-5)
   - Appointed officers and those handling money, see statutes governing the form of government (i.e., Section 21-3-5 for Code Charter) Y
   - Municipal clerk (Section 21-15-38) Y
   - Deputy clerk (Section 21-15-23) Y
   - Chief of police (Section 21-21-1) Y
   - Deputy police (Section 45-5-9) (if hired under this law) Y

7. Are minutes of board meetings prepared to properly reflect the actions of the board? (Sections 21-15-17 and 21-15-19) Y

8. Are minutes of board meetings signed by the mayor or majority of the board within 30 days of the meeting? (Section 21-15-33) Y

9. Has the municipality complied with the nepotism law in its employment practices? (Section 25-1-53) Y

10. Did all officers, employees of the municipality, or their relatives avoid any personal interest in any contracts with the municipality during their term or within one year after their terms of office or employment? (Section 25-4-105) Y

11. Does the municipality contract with a Certified Public Accountant or an auditor approved by the State Auditor for its annual audit within twelve months of the end of each fiscal year? (Section 21-35-31) Y

12. Has the municipality published a synopsis or notice of the annual audit within 30 days of acceptance? (Section 21-35-31 or 21-17-19) Y

PART II - Cash and Related Records

1. Where required, is a claims docket maintained? (Section 21-39-7) Y

2. Are all claims paid in the order of their entry in the claims docket? (Section 21-39-9) Y

3. Does the claims docket identify the claimant, claim number, amount and fund from which each warrant will be issued? (Section 21-39-7) Y

4. Are all warrants approved by the board, signed by the mayor or majority of the board, attested to by the clerk, and bearing the municipal seal? (Section 21-39-13) Y

5. Are warrants for approved claims held until sufficient cash is available in the fund from which it is drawn? (Section 21-39-13) Y

6. Has the municipality adopted and entered on its minutes a budget in the format prescribed by the Office of the State Auditor? (Sections 21-35-5, 21-35-7 and 21-35-9) Y

7. Does the municipality operate on a cash basis budget, except for expenditures paid within 30 days of fiscal year end or for construction in progress? (Section 21-35-23) Y

8. Has the municipality held a public hearing and published its adopted budget? (Sections 21-35-5, 27-39-203, & 27-39-205) Y

9. Has the municipality complied with legal publication requirements when budgetary changes of 10% or more are made to a department's budget? (Section 21-35-25) Y

10. If revenues are less than estimated and a deficit is anticipated, did the board revise the budget by its regular July meeting? (Section 21-35-25) Y

11. Have financial records been maintained in accordance with the chart of accounts prescribed by the State Auditor? (Section 21-35-11) Y

12. Does the municipal clerk submit to the board a monthly report of expenditures against each budget item for the preceding month and fiscal year to date and the unexpended balances of each budget item? (Section 21-35-13) Y

13. Does the board avoid approving claims and the city clerk not issue any warrants which would be in excess of budgeted amounts, except for court-ordered or emergency expenditures? (Section 21-35-17) Y

14. Has the municipality commissioned municipal depositories? (Sections 27-105-353 and 27-105-363) Y

15. Have investments of funds been restricted to those instruments authorized by law? (Section 21-33-323) Y

16. Are donations restricted to those specifically authorized by law? [Section 21-17-5 (Section 66, Miss. Constitution) -- Sections 21-19-45 through 21-19-59, etc.] Y

17. Are fixed assets properly tagged and accounted for? (Section II - Municipal Audit and Accounting Guide) Y

18. Is all travel authorized in advance and reimbursements made in accordance with Section 25-3-41? Y

19. Are all travel advances made in accordance with the State Auditor's regulations? (Section 25-3-41) Y

PART III - Purchasing and Receiving

1. Are bids solicited for purchases, when required by law (written bids and advertising)? [Section 31-7-13(b) and (c)] Y

2. Are all lowest and best bid decisions properly documented? [Section 31-7-13(d)] Y

3. Are all one-source item and emergency purchases documented on the board's minutes? [Section 31-7-13(m) and (k)] Y

4. Do all officers and employees understand and refrain from accepting gifts or kickbacks from suppliers? (Section 31-7-23) Y

PART IV - Bonds and Other Debt

1. Has the municipality complied with the percentage of taxable property limitation on bonds and other debt issued during the year? (Section 21-33-303) Y

2. Has the municipality levied and collected taxes, in a sufficient amount for the retirement of general obligation debt principal and interest? (Section 21-33-87) Y

3. Have the required trust funds been established for utility revenue bonds? (Section 21-27-65) NA

4. Have expenditures of bond proceeds been strictly limited to the purposes for which the bonds were issued? (Section 21-33-317) Y

5. Has the municipality refrained from borrowing, except where it had specific authority? (Section 21-17-5) Y

PART V - Taxes and Other Receipts

1. Has the municipality adopted the county ad valorem tax rolls? (Section 27-35-167) Y

2. Are interest and penalties being collected on delinquent ad valorem taxes? (Section 21-33-53) Y

3. Has the municipality conducted an annual land sale for delinquent ad valorem taxes? (Section 21-33-63) NA

4. Have the various ad valorem tax collections been deposited into the appropriate funds? (Separate Funds for Each Tax Levy) (Section 21-33-53) Y

5. Has the increase in ad valorem taxes, if any, been limited to amounts allowed by law? (Sections 27-39-320 and 27-39-321) Y

6. Are local privilege taxes collected from all businesses located within the municipality, except those exempted? (Section 27-17-5) Y

7. Are transient vendor taxes collected from all transient vendors within the municipality, except those exempted? (Section 75-85-1) Y

8. Is money received from the state's "Municipal Fire Protection Fund" spent only to improve municipal fire departments? (Section 83-1-37) Y

9. Has the municipality levied or appropriated not less than 1/4

mill for fire protection and certified to the county it provides its own fire protection or allowed the county to levy such tax? (Sections 83-1-37 and 83-1-39)	Y
10. Are state-imposed court assessments collected and settled monthly? (Section 99-19-73, 83-39-31, etc.)	Y
11. Are all fines and forfeitures collected when due and settled immediately to the municipal treasury? (Section 21-15-21)	Y
12. Are bids solicited by advertisement or, under special circumstances, three appraisals obtained when real property is sold? (Section 21-17-1)	Y
13. Has the municipality determined the full and complete cost for solid waste for the previous fiscal year? (Section 17-17-347)	Y
14. Has the municipality published an itemized report of all revenues, costs and expenses incurred by the municipality during the immediately preceding fiscal year in operating the garbage or rubbish collection or disposal system? (Section 17-17-348)	NA
15. Has the municipality conducted an annual inventory of its assets in accordance with guidelines established by the Office of the State Auditor? (MMAAG)	Y

Long Beach, Mississippi

Certification to Municipal Compliance Questionnaire

Year Ended September 30, 2011

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

(City Clerk's Signature) (Mayor's Signature)

10/4/11 (Date) 10/4/11 (Date)

Minute Book References:

Book Number 72

Page 339

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

* *

Alderman Lishen made motion seconded by Alderman Carrubba and unanimously carried to approve the Blackboard Connect, Inc., Contract, as follows:

Blackboard Connect for Government®

GSA Quote

Unlimited Use Service Proposal for Long Beach, MS

Company Information

Blackboard Inc.
650 Massachusetts Ave., NW, 6th Floor
Washington, DC 20001

DUNS Number: 01-613-1430
Tax ID Number: 52-2081178
CAGE Number: 1QLN4
GSA Contract Number: GS-35F-0554M

Prices Valid through 10/15/11

Service Summary: The Blackboard Connect for Government service allows government leaders to provide notices, direction, and reassurance to reach thousands of constituents in minutes without having to invest in or maintain hardware, software, or additional phone lines. Now, you can reach your entire community—quickly and reliably—with voice, text, and email messages.

Services include:

- An integrated communications suite, including Priority Communication, Community Outreach and Interactive Survey
- Voice and text/SMS delivery to multiple communication devices
- Geo-Calling feature lets you target recipients using a map
- 24/7/365 proactive Client Care support
- Unlimited use for a fixed, annual fee
- Initial set-up, training and refresher training sessions included
- Delivery to up to three phones, two email addresses and one SMS phone per contact
- Superior call routing, throttling, and load balancing expertise
- Fully hosted and managed Software as a Service (SaaS) — no maintenance required
- Message delivery tracking with comprehensive reporting

Quote Summary: *All products and services quoted are available through the Blackboard Inc. GSA Schedule GS-35F-0554M and pursuant to the Terms and Conditions negotiated therein.*

PLEASE INCLUDE IN THE PURCHASE ORDER ALL THE INFORMATION IN THE PRICE QUOTE BELOW AND PLEASE MAKE SURE THAT BLACKBOARD GSA SCHEDULE # GS-35F-0554M IS CLEARLY WRITTEN ON YOUR PURCHASE ORDER. PLEASE SIGN THIS PRICE QUOTE, SCAN BOTH DOCUMENTS, AND EMAIL THEM TO lee.kicker@blackboard.com.

Blackboard Connect for Government is a service of Blackboard Connect Inc., a wholly-owned subsidiary of Blackboard Inc. (NASDAQ:BBBB)
• Proprietary and Confidential • www.blackboardconnect.com • U.S. Patent No. 6,816,878

SKU	Product Description	Initial Term/Scope	GSA Price	Annual Fee
132-32	Blackboard Connect for Government Service	Annual Term for 5,000 Recipients October 5 2011 – October 4, 2012 The first term of this agreement will be for 12 months Subsequent terms will be annual based on the Customers Fiscal Year of October 5	$1.91 per Recipient	$9,550.00
132-32	Annual Support Fee	Annual Fee	$957.13	$957.13 Total Fee for Annual Term = $10,507.13 –Payable by PO at contract inception This amount will be invoiced Annually after October 5

Questions? Please call:
James Price, Contracts
202-463-4860 x2791 or
Lee Kicker 832.260.2380
lee.kicker@blackboard.com

Next Steps:
1. Fax Purchase Order and Signed Proposal to (818) 450-0425.
2. Import recipient data (Blackboard Connect provides resident/ business data).
3. Implementation of service and orientation for all designated system users.
4. Begin sending Priority, Outreach and Interactive Survey communications.

Long Beach, MS	BLACKBOARD CONNECT INC
Authorized Signatory: City of Long Beach, Ky;	Authorized Signatory:
Name & Title: Rebecca F. Schruff, City Clerk	Name & Title: Tess Frazier, VP
Execution Date: 10/5/11	Execution Date: 10-5-11
Address: Long Beach, MS 201 Jeff Davis Avenue / P.O. Box 929 Long Beach, MS 39560	Address: Blackboard Inc. 650 Massachusetts Ave., NW, 6th Floor Washington, DC 20001
Name: Becky Schruff Tel: 228-863-1556 Fax: 228-865-0822 Email: cityclerk@cityoflongbeachms.com	Name: Caryn Pinto, Contract Specialist Phone: (202) 463-4860, ext. 2953 Efax: (818) 450-0425 Email: caryn.pinto@blackboard.com

Blackboard Connect for Government is a service of Blackboard Connect Inc., a wholly-owned subsidiary of Blackboard Inc. (NASDAQ:BBBB)
• Proprietary and Confidential • www.blackboardconnect.com • U.S. Patent No. 6,816,878

* *

Alderman Ponthieux made motion seconded by Alderman Hammons and unanimously carried to engage the professional services of the firm of Alexander, Van Loon, Sloan, Levens, and Favre, PLLC, to conduct the city's fiscal year 2010-2011 audit; and to approve the engagement letter, as follows:

AVL Alexander | Van Loon | Sloan | Levens | Favre, PLLC

September 21, 2011

Board of Aldermen
City of Long Beach, Mississippi
Long Beach, MS 39560

We are pleased to confirm our understanding of the services we are to provide the City of Long Beach, Mississippi for the year ended September 30, 2011. We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, which collectively comprise the basic financial statements, of the City of Long Beach, Mississippi as of and for the year ended September 30, 2011. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A) and the budgetary comparison schedule, to supplement the City of Long Beach's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City of Long Beach's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1) Management's Discussion and Analysis.
2) Budgetary Comparison Schedule, if presented

We have also been engaged to report on supplementary information other than RSI that accompanies the City of Long Beach's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements as a whole:

1) Schedule of expenditures of federal awards
2) Combining nonmajor governmental funds financial statements
3) Combining nonmajor special revenue funds financial statements
4) Combining nonmajor debt service funds financial statements
5) Schedule of surety bonds for City officials

9490 Three Rivers Road | Gulfport, MS 39503 | (228) 863-0411 | Fax (228) 863-1165 | E-Mail: info@avlcpa.com | www.avlcpa.com
304 N. Vardaman Street | P.O. Box 749 | Wiggins, MS 39577 | (601) 928-4416 | Fax (601) 928-4417 | E-Mail: info@avlcpa.com | www.avlcpa.com

Members: American Institute of CPA's, Mississippi Society of CPA's, The AICPA Alliance for CPA Firms-
Partnering for CPA Practice Success, National Association of Certified Valuation Analysts

Audit Objectives

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. The objective also includes reporting on—

- Internal control related to the financial statements and compliance with laws, regulations, and the provisions of contracts or grant agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control related to major programs and an opinion (or disclaimer of opinion) on compliance with laws, regulations, and the provisions of contracts or grant agreements that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*.

The reports on internal control and compliance will each include a statement that the report is intended solely for the information and use of management, the body or individuals charged with governance, others within the entity specific legislative or regulatory bodies, federal awarding agencies, and if applicable, pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of OMB Circular A-133, and will include tests of accounting records, a determination of major program(s) in accordance with OMB Circular A-133, and other procedures we consider necessary to enable us to express such opinions and to render the required reports If our opinions on the financial statements or the Single Audit compliance opinions are other than unqualified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

Management Responsibilities

Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein. Management is also responsible for identifying government award programs and understanding and complying with the compliance requirements, and for preparation of the schedule of expenditures of federal awards in accordance with the requirements of OMB Circular A-133. As part of the audit, we will assist with preparation of your financial statements, schedule of expenditures of federal awards, and related notes. You are responsible for making all management decisions and performing all

management functions relating to the financial statements, schedule of expenditures of federal awards, and related notes and for accepting full responsibility for such decisions. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements and schedule of expenditures of federal awards and that you have reviewed and approved the financial statements, schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you are required to designate an individual with suitable skill, knowledge, or experience to oversee any nonaudit services we provide and for evaluating the adequacy and results of those services and accepting responsibility for them.

Management is responsible for establishing and maintaining effective internal controls, including internal controls over compliance, and for evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met and that there is reasonable assurance that government programs are administered in compliance with compliance requirements. You are also responsible for the selection and application of accounting principles; for the fair presentation in the financial statements of the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Long Beach, Mississippi and the respective changes in financial position and, where applicable, cash flows in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is also responsible for making all financial records and related information available to us and for ensuring that management and financial information is reliable and properly recorded. Your responsibilities also include identifying significant vendor relationships in which the vendor has responsibility for program compliance and for the accuracy and completeness of that information. Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud or illegal acts affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud or illegal acts could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws, regulations, contracts, agreements, and grants. Additionally, as required by OMB Circular A-133, it is management's responsibility to follow up and take corrective action on reported audit findings and to prepare a summary schedule of prior audit findings and a corrective action plan. The summary schedule of prior audit findings should be available for our review on December 12, 2011. You are responsible for the preparation of the supplementary information in conformity with U.S. generally accepted

accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to make the audited financial statements readily available to users of the supplementary information no later than the date the supplementary information is issued with our report thereon.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying for us previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because an audit is designed to provide reasonable, but not absolute assurance and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform you of any material errors and any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform you of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for

responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about the financial statements and related matters.

Audit Procedures—Internal Controls

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by OMB Circular A-133, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to OMB Circular A-133.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and OMB Circular A-133.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City of Long Beach, Mississippi's compliance with applicable laws and regulations and the provisions of contracts and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

OMB Circular A-133 requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with applicable laws and regulations and the provisions of contracts and grant agreements applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Circular A-133 Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the City of Long Beach, Mississippi's major programs. The purpose of these procedures will be to express an opinion on the City of Long Beach,

Mississippi's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to OMB Circular A-133.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. If applicable, we will provide copies of our report for you to include with the reporting package you will submit to pass-through entities. The Data Collection Form and the reporting package must be submitted within the earlier of 30 days after receipt of the auditors' reports or nine months after the end of the audit period, unless a longer period is agreed to in advance by the cognizant or oversight agency for audits.

The audit documentation for this engagement is the property of Alexander, Van Loon, Sloan, Levens & Favre, PLLC and constitutes confidential information. However, pursuant to authority given by law or regulation, we may be requested to make certain audit documentation available to your oversight agency or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Alexander, Van Loon, Sloan, Levens & Favre, PLLC personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release or for any additional period requested by the Cognizant Agency, Oversight Agency for Audit, or Pass-through Entity, as applicable. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

We expect to begin our audit on approximately December 12, 2011 and to issue our reports no later than March 30, 2012. Jerry Favre CPA, CITP is your client relations partner and Kim Marmalich, CPA is your client relations manager. Jerry Levens, CPA, CFE is the firm's audit and assurance engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them.

City of Long Beach, Mississippi
September 21, 2011
Page 7

Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses, will be as follows:

	2011	
	Hours	Amount
Basic Audit Engagement Fee	380	$ 32,500
Preparation of Financial Statements *	70	$ 6,000
Assistance with MD&A *	8	$ 750
Single Audit Fee $5,400 per program (Assumes two major programs)	120	$ 10,800
Cash to Accrual conversion *	24	$ 2,200
Initial Year Audit Fee	-	-
Total Audit Engagement Fee at Standard Rates	**602**	**$ 52,250**
Composite hourly rate		$ 86.79

* These services could be performed by the City's comptroller.

Additional accounting services may be provided and will be billed on a per hour basis at our standard hourly rates. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our current rates are as follows:

Staff Level	Standard Hourly Rates
Partner	$185
Manager	$125 - $155
Senior	$ 85 - $125
Staff	$ 70 - $ 80
Clerical	$ 25 - $ 55

Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 60 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report(s). You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

City of Long Beach, Mississippi
September 21, 2011
Page 8

The parties agree that any legal or equitable claims or disputes arising out of this agreement will be settled by binding arbitration, to be conducted in Harrison County, Mississippi, in accordance with the National Rules for Professional Accounting and Related Services Disputes of the American Arbitration Association (AAA) in effect at the time a demand for arbitration is made. The decision and award shall be exclusive, final and binding. The cost and expense of the arbitration shall be shared equally unless determined by the arbitrator otherwise. The parties each understand that, by signing this Agreement, they are agreeing to substitute one legitimate forum (arbitration) for another (litigation), and thereby are waiving their right to have their disputes resolved in court by a jury. This substitution involves no surrender, by either party, of any substantive statutory or common law benefit, protection or defense.

Government Auditing Standards require that we provide you with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract. Our 2008 peer review accompanies this letter. There was no letter of comment.

We appreciate the opportunity to be of service to the City of Long Beach, Mississippi and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign one of the enclosed copies and return it to us.

Sincerely,

Alexander, Van Loon, Sloan, Levens & Favre

ALEXANDER, VAN LOON, SLOAN, LEVENS & FAVRE, PLLC
Certified Public Accountants
Gulfport, Mississippi

Enclosures

ACKNOWLEDGED:

This letter correctly sets forth the understanding of the City of Long Beach, Mississippi.

By: [signature]

Title: City Clerk

Date: 10/4/11

Member
American Institute
of Certified Public
Accountants

wilsonprice
WilsonPriceBarrancoBlankenshipBillingsleyPC
Certified Public Accountants & Consultants

Member
Alabama Society
of Certified Public
Accountants

November 19, 2008

To the Partners
Alexander, Van Loon, Sloan, Levens & Favre, PLLC

We have reviewed the system of quality control for the accounting and auditing practice of Alexander, Van Loon, Sloan, Levens & Favre, PLLC (the firm) in effect for the year ended June 30, 2008. A system of quality control encompasses the firm's organizational structure, the policies adopted and procedures established to provide it with reasonable assurance of conforming with professional standards. The elements of quality control are described in the Statements on Quality Control Standards issued by the American Institute of CPAs (AICPA). The firm is responsible for designing a system of quality control and complying with it to provide the firm reasonable assurance of conforming with professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance with its system of quality control based on our review.

Our review was conducted in accordance with standards established by the Peer Review Board of the AICPA. During our review, we read required representations from the firm, interviewed firm personnel and obtained an understanding of the nature of the firm's accounting and auditing practice, and the design of the firm's system of quality control sufficient to assess the risks implicit in its practice. Based on our assessments, we selected engagements and administrative files to test for conformity with professional standards and compliance with the firm's system of quality control. The engagements selected represented a reasonable cross-section of the firm's accounting and auditing practice with emphasis on higher-risk engagements. The engagements selected included among others, engagements performed under Government Auditing Standards. Prior to concluding the review, we reassessed the adequacy of the scope of the peer review procedures and met with firm management to discuss the results of our review. We believe that the procedures we performed provide a reasonable basis for our opinion.

In performing our review, we obtained an understanding of the system of quality control for the firm's accounting and auditing practice. In addition, we tested compliance with the firm's quality control policies and procedures to the extent we considered appropriate. These tests covered the application of the firm's policies and procedures on selected engagements. Our review was based on selected tests therefore it would not necessarily detect all weaknesses in the system of quality control or all instances of noncompliance with it. There are inherent limitations in the effectiveness of any system of quality control and therefore noncompliance with the system of quality control may occur and not be detected. Projection of any evaluation of a system of quality control to future periods is subject to the risk that the system of quality control may become inadequate because of changes in conditions, or because the degree of compliance with the policies or procedures may deteriorate.

In our opinion, the system of quality control for the accounting and auditing practice of Alexander, Van Loon, Sloan, Levens & Favre, PLLC in effect for the year ended June 30, 2008 has been

Page 2

designed to meet the requirements of the quality control standards for an accounting and auditing practice established by the AICPA and was complied with during the year then ended to provide the firm with reasonable assurance of conforming with professional standards.

Wilson, Price, Barranco, Blankenship & Billingsley, P.C.

* *

There was no further discussion regarding derelict properties at this time.

* *

Appointments to the Planning Commission, Wards 2 and 3, were taken under advisement until the next regular meeting.

* *

Harrison County Development Commission, Economic Development Director was taken under advisement until the next regular meeting.

* *

There came on for consideration the Coast Transit Authority, Harrison County Motor Vehicle for Hire Commission and, after considerable discussion, Alderman Parker made motion seconded by Alderman Carrubba and unanimously carried to deny the request for an annual operating subsidy in the amount $1,000. There were no comments from the Mayor and Board of Aldermen regarding the Harrison County Motor Vehicle for Hire Commission's final draft of rules and regulations.

****

There came on for consideration the Tax Abatement Ordinance #582. After considerable discussion, the City Attorney was directed to prepare amendments to said ordinance reflecting a 50/50 square foot mixed use ratio for residential and retail/other, for consideration at the next regular meeting, October 18, 2011.

****

There was no New Business to be discussed.

****

The City Attorney reported on the Arbor Station litigation, however, no official action was required or taken at this time.

****

The Mayor opened the floor for public comment regarding general items not appearing on the agenda, as follows:

PUBLIC COMMENTS PERTAINING TO MATTERS NOT APPEARING ON THE AGENDA		
NOTE: All comments shall be directed to the Chairman (Mayor) at the end of the meeting. Comments of a personal nature regarding individual members of the Governing Authority (Mayor and Board of Aldermen), City Staff and/or Personnel, other Citizens, disruptive comments or improper actions will not be permitted. Public Comments will be limited to a total of **ten (10) minutes** and limited to a maximum of **two (2) minutes** per person. Except as otherwise directed by the Chairman (Mayor), Public Comments will not be permitted before or after the allotted time. Disruption of the regular business meeting will be cause for removal from the public meeting.		
	PLEASE PRINT: NAME / ADDRESS / TELEPHONE	SUBJECT MATTER
1	JOANNE MORGAN 615 GARDENDALE AVE 864-6220	613 Gardendale Ave abandoned property
2	MARCIA KRUSE 19015 REDBUD DR	PUBLIC HOUSING
3		
4		
5		
6		
7		
8		
9		
10		

City of Long Beach, Mississippi
Mayor and Board of Aldermen Meeting
Date:_____

Excel Worksheet: public comments - agenda PUBLIC COMMENTS-NOT ON 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 Ponthieux 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. Schruff, City Clerk