

**Minutes of August 2, 2011
Mayor and Board of Aldermen**

Be it remembered that nine (9) 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 2nd day of August, 2011, in the Long Beach City Hall, 201 Jeff Davis Avenue, in said City, and the same being the time, date and place fixed by order of the Mayor and Board of Aldermen for holding said public hearings.

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

Alderman Mark E. Lishen was absent the public hearings.

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

The first public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach at 522 West Old Pass Road and assessed to Herbie Young, is in such a state of uncleanness as to constitute a menace to the public health and safety of the community, all in accordance with §21-19-11 of the Mississippi Code 1972, as amended.

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

- The Clerk reported that, pursuant to that certain order of the Mayor and Board of Aldermen at a regular meeting duly held and convened on July 5, 2011, she did cause to be sent, via certified mail, return receipt requested, Legal Notice of Public Hearing, to Herbie Young, 522 West Old Pass Road, Long Beach, Mississippi, 39560, as the same appears of record on the Harrison County 2010 Real Property Tax Rolls.
- The Clerk further reported that the legal notice was processed through the sort facility by the USPS with no further information available. Said notice as follows:

Minutes of August 2, 2011
Mayor and Board of Aldermen

City of Long Beach

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



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruff

CITY ATTORNEY
James C. Simpson, Jr.

MAILED

Date: 7/6/11

July 5, 2011

Herbie E. Young
522 W. Old Pass Road
Long Beach, MS 39560

71 7108 2133 3938 5856 3942

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, August 2, 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 Herbie E. Young, and situated in the City of Long Beach, Mississippi, at 522 W. Old Pass Road, is in such a state of uncleanliness as to be a menace to the public health and safety of the community, all in accordance with Section 21-19-11 of the Mississippi Code of 1972, as amended. Said property is more particularly described, as follows:

Address: 522 West Old Pass Road
Parcel Number: 0612C-02-050.000
Legal Description: BEG AT COR OF ALEXANDER RD & OLDPC RD RUN E ALONG OLD PC RD 78.975 FT TO BEG N 167 FT EASTERLY 78.975 FT S 167 FT TO N LINE OF OLD PC RD W 78.975 FT TO BEG

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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Minutes of August 2, 2011
Mayor and Board of Aldermen

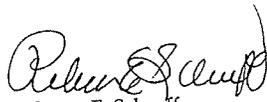
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expense of cleaning of said property shall not exceed an aggregate amount of Twenty Thousand Dollars (\$20,000.00) per year, or the fair market value of the property subsequent to cleaning, whichever is less. If it is determined by the governing authority 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 5th day of July, 2011.



Rebecca E. Schruoff
City Clerk

Minutes of August 2, 2011
Mayor and Board of Aldermen

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Page 1 of 1

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GET EMAIL UPDATES

YOUR LABEL NUMBER	SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
9171082133393898663942	First-Class Mail®	Notice Left	August 01, 2011, 11:03 am	LONG BEACH, MS 39580	Certified Mail™
		Arrival at Unit	August 01, 2011, 6:07 am	LONG BEACH, MS 39560	
		Processed through Sort Facility	August 01, 2011, 3:57 am	GULFPORT, MS 39503	
		Processed through Sort Facility	July 29, 2011, 10:13 pm	JACKSON, MS 39201	
		Processed through Sort Facility	July 28, 2011, 8:06 pm	JACKSON, MS 39201	
		Processed through Sort Facility	July 27, 2011, 2:48 pm	JACKSON, MS 39201	
		Processed through Sort Facility	July 08, 2011, 6:47 pm	GULFPORT, MS 39503	
		Accepted at origin sort facility	July 06, 2011, 6:47 pm	GULFPORT, MS 39503	
		Electronic Shipping Info Received	July 05, 2011		

Check on Another Item

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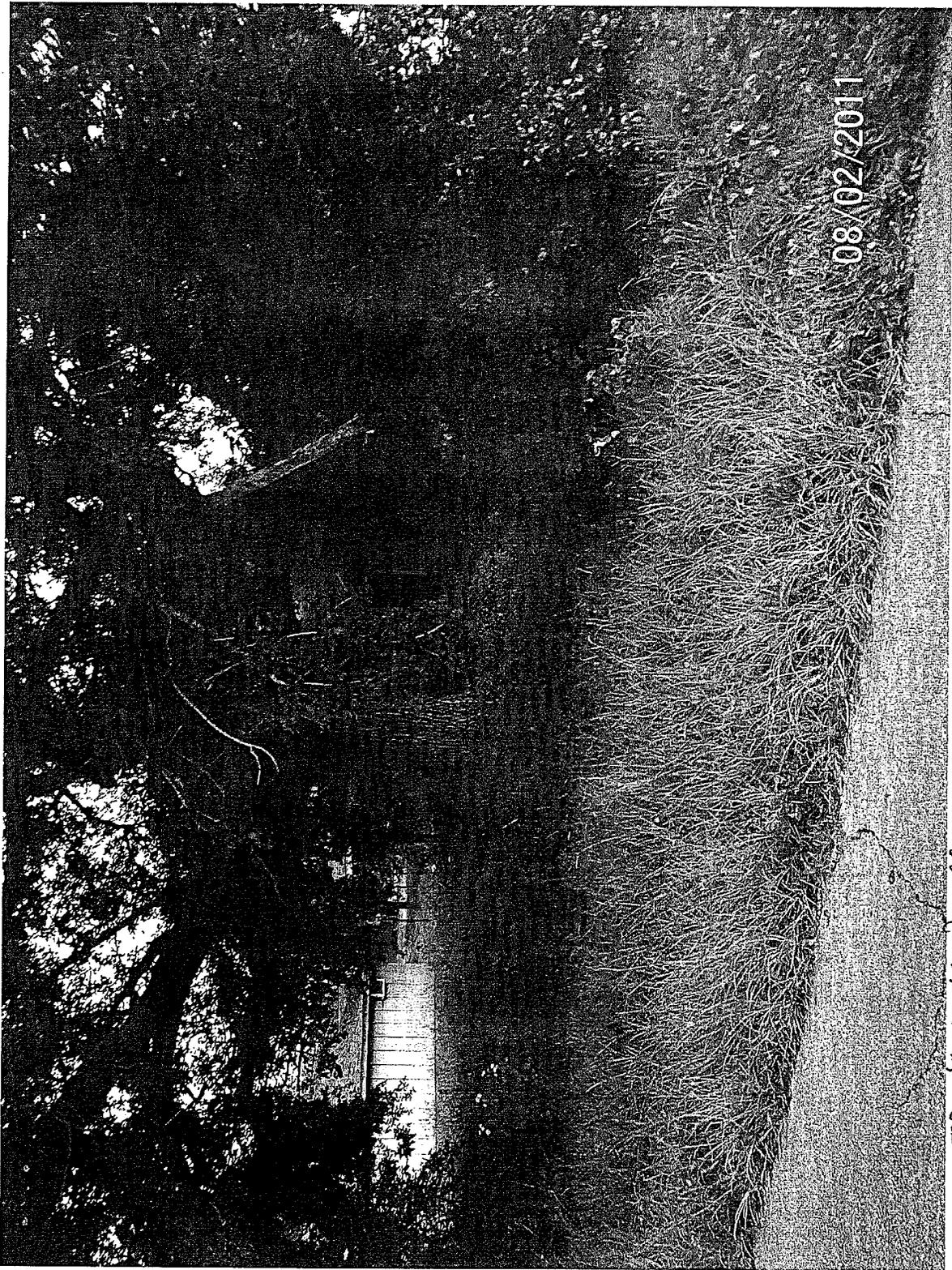
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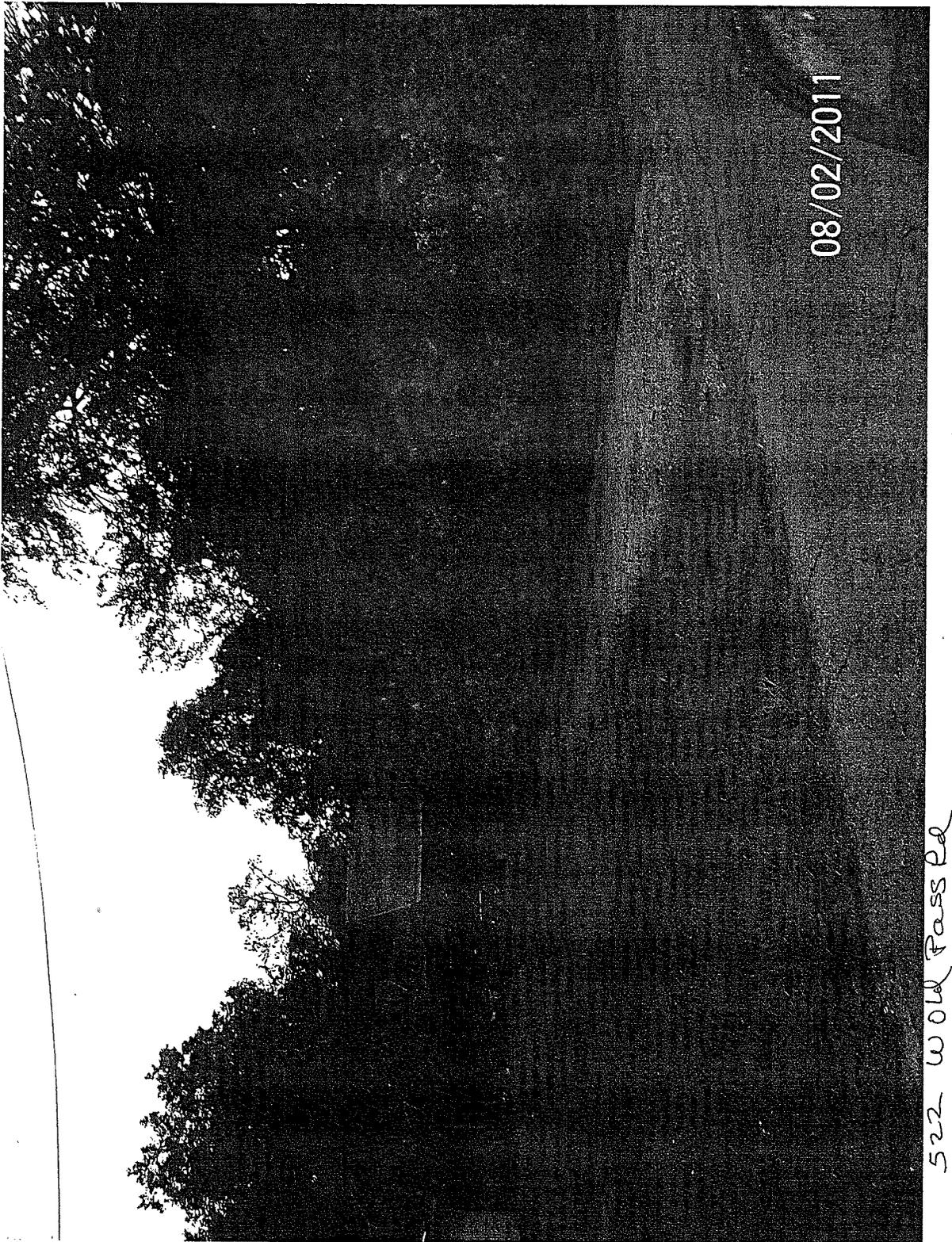
8/2/2011

- The Clerk further reported that the Legal Notice of Public Hearing was posted at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi and on the subject property 522 West Old Pass Road, Long Beach, Mississippi, by Building Official Earl Levens.
- The Clerk submitted photographs depicting the subject property taken on August 2, 2011, by Building Official Earl Levens, as follows:



08/02/2011

502 West Old Pass Rd



- 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, 522 West Old Pass Road, Long Beach, Mississippi, as of August 2, 2011; said affidavit is as follows:

Minutes of August 2, 2011
Mayor and Board of Aldermen

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

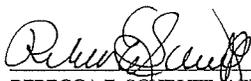
BEFORE ME, the under signed legal authority authorized to administer oaths in and for the jurisdiction aforesaid, on this day personally appeared EARL LEVENS, known to me to be the Building Official of the City of Long Beach, Mississippi, who being by me first duly sworn, deposes and says on oath as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

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

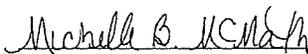
2. That in such capacity, he is responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of uncleanliness as to constitute a menace to the public health and safety of the community; he is responsible for the taking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

3. That on or before July 18, 2011, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Herbie E. Young and located at 522 West Old Pass Road, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on August 2, 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 August 2, 2011.

This the 2nd day of August, 2011.


REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 2nd day of August, 2011.


NOTARY PUBLIC

-My Commission Expires-



AFFIDAVIT-PHOTOS;POST NOTICE

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

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

**Minutes of August 2, 2011
Mayor and Board of Aldermen**

The Mayor and Board of Aldermen, Long Beach, Mississippi, took up the matter of the public hearing on the property located at 522 West Old Pass Road, Long Beach, Mississippi, to determine and consider the condition of said property. After conducting the hearing and considering all matters produced there at and after hearing all persons interested and appearing, the Board of Aldermen declared the hearing finally closed. After a discussion of the subject, Alderman Ponthieux 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 522 WEST OLD PASS ROAD, LONG BEACH, MISSISSIPPI, TO BE
A MENACE TO THE PUBLIC HEALTH AND SAFETY OF THE COMMUNITY AND
REQUIRING OWNER OF SUCH PROPERTY TO CLEAN SAID PROPERTY.**

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

1. That on complaint and motion of the Governing Authorities of the City of Long Beach wherein lies the property known as 522 West Old Pass Road, Long Beach, Mississippi, (hereinafter referred to as the subject parcel), and after discussion of same, the Mayor and Board of Aldermen, at its regular meeting of July 5, 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 uncleanness 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 August 2, 2011, and directed notice of said hearing be served on the owner of said property in the manner as provided by said MCA Section

Minutes of August 2, 2011
Mayor and Board of Aldermen

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 dated June 8, 2010, and attached hereto.

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

Alderman Parker 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:

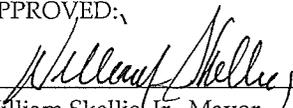
Alderman Bernie Parker	voted	Aye
Alderman Gary J. Ponthieux	voted	Aye
Alderman Kaye H. Couvillon	voted	Aye
Alderman Carolyn J. Anderson	voted	Aye
Alderman Leonard G. Carrubba, Sr.	voted	Aye
Alderman Mark E. Lishen	voted	Absent, Not Voting

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Mayor and Board of Aldermen

Alderman Ronnie Hammons, Jr. voted Aye

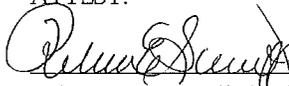
The question having received the Affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the resolution and order adopted and approved this the 2nd day of August, 2011.

APPROVED:



William Skellie, Jr., Mayor

ATTEST:



Rebecca E. Schruoff, City Clerk

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Mayor and Board of Aldermen

City of Long Beach

BOARD OF ALDERMEN
Leonard G. Carrubba, Sr. - At-Large
Gary J. Ponthieux - Ward 1
Bernie Parker - Ward 2
Kaye H. Couvillon - Ward 3
Ronnie Hammons, Jr. - Ward 4
Mark E. Lishen - Ward 5
Carolyn J. Anderson - Ward 6
June 8, 2011



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schraff

CITY ATTORNEY
James C. Simpson, Jr.

NOTICE OF NON COMPLIANCE WITH ZONING ORDINANCE

Young
522 W Old Pass Road
Long Beach, Ms 39560

91 7108 2133 3938 0606 9450

Reference: 522 West Old Pass Parcel # 0612C-02-050 .000
Long Beach, MS 39560

Dear Mr. Young,

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, #302.4, #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 me within these SEVEN days. My cell # 228-669-2318, for directions & or corrective measures. This phone is available 7 days a week. If I do not answer, please leave a message and I will call you back. This home has become a threat to the safety & welfare of the neighborhood.

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 & Ordinance

201 Jeff Davis • P.O. Box 928 • Long Beach, MS 39560 • 863-1556 • FAX 965-1811
www.cityoflongbeachms.com

The second public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach at 211 Ferguson Avenue and assessed to Reginald W. Hudson, 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 Couvillon made motion seconded by Alderman Parker and unanimously carried to

**Minutes of August 2, 2011
Mayor and Board of Aldermen**

make the aforesaid report a part of the record of this public hearing, collective Exhibit "A", as follows:

- The Clerk reported that, pursuant to that certain order of the Mayor and Board of Alderman at a regular meeting duly held and convened on July 5, 2011, she did cause to be sent, via certified mail, return receipt requested, Legal Notice of Public Hearing to Reginald W. Hudson, 211 Ferguson Avenue, Long Beach, Mississippi, 39560, as the same appears of record on the Harrison County 2010 Real Estate Property Tax Rolls.
- The Clerk further reported that the legal notice was returned, Moved Left No Forwarding Address, by the USPS. Said notice is as follows:

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Mayor and Board of Aldermen

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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: 7/6/11

July 5, 2011

91 7108 2133 3938 9856 3935

Reginald W. Hudson
211 Ferguson Avenue
Long Beach, MS 39560

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Mayor and Board of Aldermen of The City of Long Beach, Mississippi, will, in accordance with motion duly made, seconded and adopted at its regular meeting July 5, 2011, hold a public hearing at 5:00 p.m., Tuesday, August 2, 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 Reginald W. Hudson, and situated in the City of Long Beach, Mississippi, at 211 Ferguson 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: 211 Ferguson Avenue
Parcel Number: 0611P-05-058.000
Legal Description: S 8.34 FT OF LOT 11 & ALL LOTS 12 & 13 & N 8.33 FT OF LOT 14 BLK 6 BRAZELTON SUBD

If at such hearing, the governing authority shall, in its resolution, adjudicate such parcel of land in its then condition to be a menace to the public health and safety of the community, the governing authority shall, if the owner does not do so himself, proceed to clean the land, by the use of municipal employees or by contract, by cutting weeds; filling cisterns; removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris; filling swimming pools; and draining cesspools and standing water therefrom. Thereafter, the governing authority shall, at its next regular meeting, by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty of One Thousand Five Hundred Dollars(\$1,500.00) or fifty (50%) of such actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, or, at the option of the governing authority, an assessment against the property. The cost assessed against the property means the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done. 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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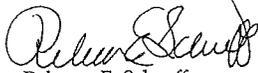
Minutes of August 2, 2011
Mayor and Board of Aldermen

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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 5th day of July, 2011.



Rebecca E. Schruoff
City Clerk

Minutes of August 2, 2011 Mayor and Board of Aldermen

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9171082133393898563935

SERVICE

First-Class Mail[®]

STATUS OF YOUR ITEM

Notice Left

DATE & TIME

July 29, 2011, 9:05 am

LOCATION

LONG BEACH, MS 39580

FEATURES

Certified Mail[™]

Processed through Sort Facility

July 29, 2011, 4:44 am

GULFPORT, MS 39503

Processed through Sort Facility

July 27, 2011, 4:18 pm

JACKSON, MS 39201

Processed through Sort Facility

July 26, 2011, 10:30 pm

JACKSON, MS 39201

Moved, Left no Address

July 07, 2011, 8:34 am

LONG BEACH, MS

Undeliverable as Addressed

July 07, 2011, 8:28 am

LONG BEACH, MS 39580

Arrival at Unit

July 07, 2011, 8:17 am

LONG BEACH, MS 39580

Processed through Sort Facility

July 07, 2011, 4:23 am

GULFPORT, MS 39503

Accepted at origin sort facility

July 06, 2011, 6:47 pm

GULFPORT, MS 39503

Processed through Sort Facility

July 06, 2011, 6:47 pm

GULFPORT, MS 39503

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July 05, 2011

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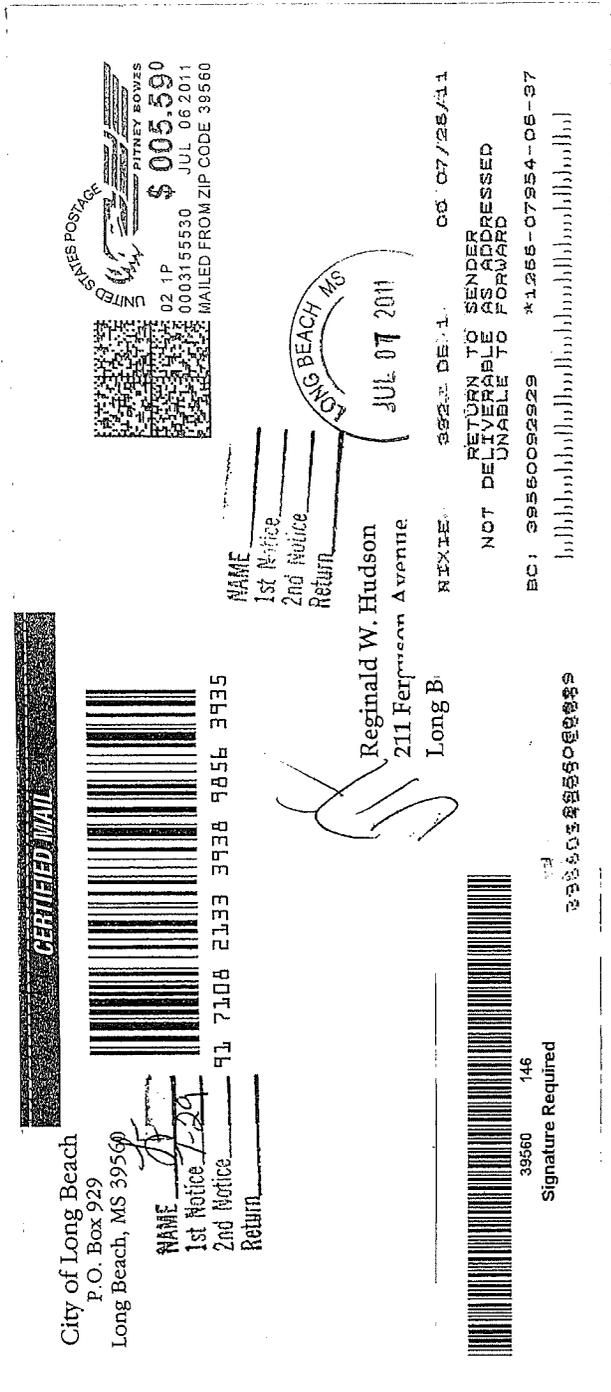
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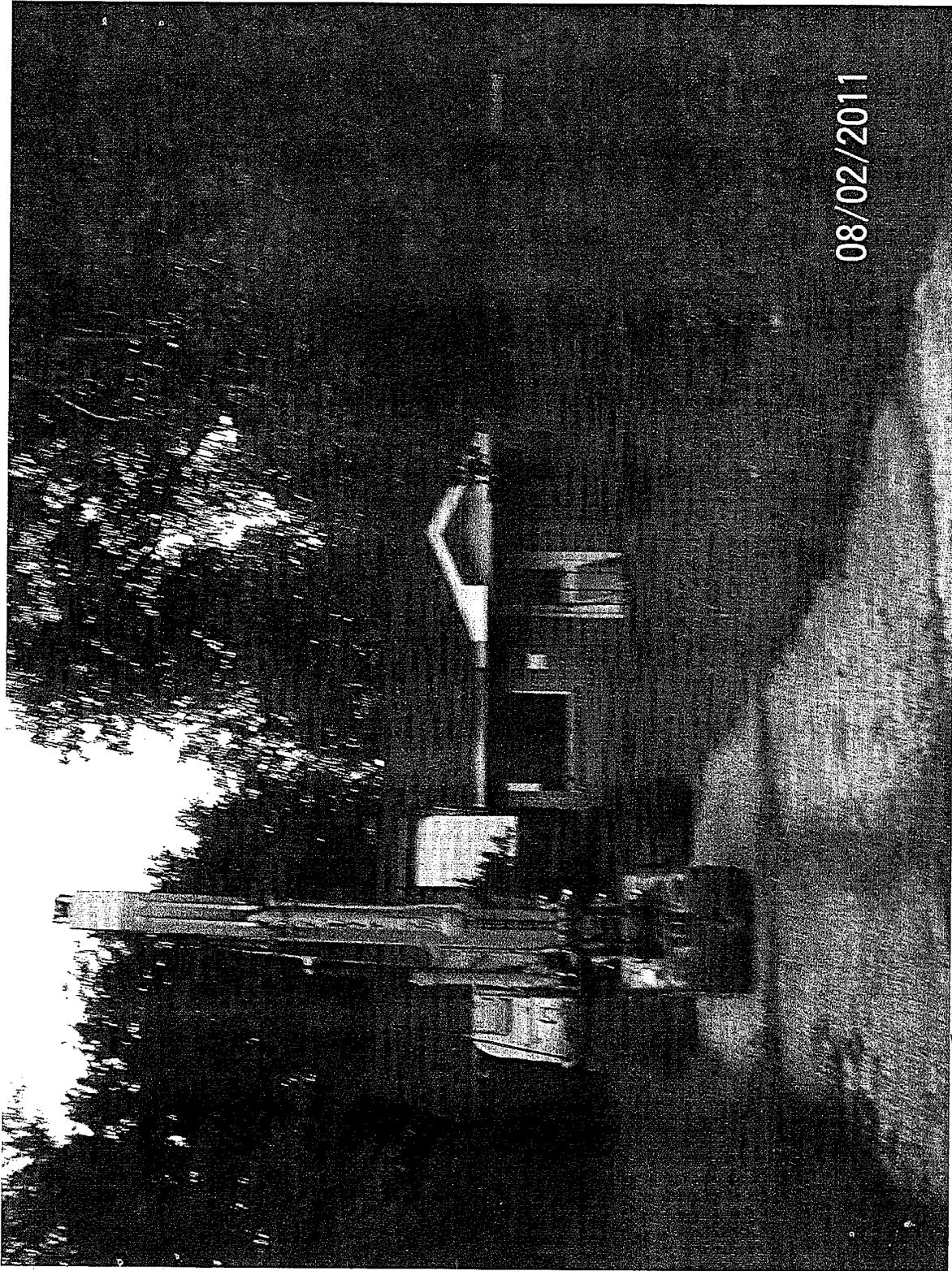
<https://tools.usps.com/go/TrackConfirmAction.action>

7/29/2011

Minutes of August 2, 2011
Mayor and Board of Aldermen



- 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 211 Ferguson Avenue, Long Beach, Mississippi, by Building Official Earl Levens.
- The Clerk submitted photographs depicting the subject property taken on August 2, 2011, by Building Official Earl Levens, and copies of a permit for building demolition, as follows:



08/02/2011

211 Ferguson

Minutes of August 2, 2011
Mayor and Board of Aldermen



Long Beach
Building
Demolition: Demolition
PERMIT # 5843

Contractor A & C INDUSTRIAL INC						Permit Date 02-Aug-11	
Owner REGGIE HUDSON				Business Name			
Job Address 211 FERGUSON AV				City, State Zip LONG BEACH, MS 39560			
Section	Township	Range	Lot	Block	Ward	Subdivision Name	
Use of Building RESIDENTIAL						Flood Zone	Base Fld Elev
Description of Work DEMO OF BURN STRUCTURE				Community Panel Number 285257		Min Gnd Elev	
				Surveyor			
				Surveyor #			
Remarks							
Valuation of Work \$ \$0.00				Permit Fee: \$50.00			
				Type of Const.	Occupancy Group Residential		
				SqFt. Living Area	Occupancy Work Type Demolition		
Plans Checked by		Date		SqFt. Accessory Area	Zoning Class	Foundation	
Permit Validated by EL		Date 8/2/2011		Number of Stories	Bedrooms	Baths	
<p align="center">NOTICE</p> <p>THIS PERMIT IS ISSUED SUBJECT TO THE PARTY TO WHOM IT IS ISSUED FULLY COMPLYING WITH ALL REQUIREMENTS OF THE BUILDING CODE AND ALL PERTINENT LAWS AND ORDINANCES REGULATING THE USE AND CONSTRUCTION OF STRUCTURES AND THE WORK AUTHORIZED BY THIS PERMIT, OTHERWISE IT SHALL BECOME VOID AND THE PARTY LIABLE TO SUCH PENALTIES AS MAY BE PROVIDED FOR VIOLATION OF SAID ORDINANCES.</p> <p>THIS PERMIT SHALL BE VOID IF NOT KEPT AT APPROVED LOCATION OF WORK. THIS PERMIT IS VALID FOR 6 MONTHS. AFTER 6 MONTHS, PERMIT MUST BE UPDATED AND AFTER 1 YEAR THE PERMIT MUST BE RENEWED.</p> <p>I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATIONS CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION</p>				Parcel Number Legal Description Comments			
SIGNATURE OF CONTRACTOR OR AUTHORIZED AGENT				DATE			
SIGNATURE OF OWNER (IF OWNER BUILDER)				DATE			

Payment Type Check Re-Inspection Fee \$0.00
Check Number 6321

Minutes of August 2, 2011
 Mayor and Board of Aldermen

Office: 228-868-8881
 Fax: 228-868-0857
 andindustrial@gmail.com

A C INDUSTRIAL, INC
 P. O. Box 507
 Long Beach MS 38660

Daniel Allen: 228-223-7954
 Blake T. Carroll: 228-518-1972

	A	B	C	D	E
1	DATE: 8-1-11				
2	JOB LOCATION: 211 FERGUSON AVE. L.B. MS.				
3	NAME: REGGIE HUDSON 767-338-8481				
4	FAX: 767-338-1483				
5					
6	DENOLISH AND REMOVE HOUSE	UNIT	QTY	UNIT PRICE	EXTENSION
7		LS	1	\$3,800.00	\$3,800.00
8					
9					
10	SHED, DRIVEWAY, AND MAGNOLIA TREE				
11	TO REMAIN				
12					
13					
14	WORK TO BEGIN IN 1 TO 2 WEEKS	PENDING			
15	WEATHER				
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
32					
33					
34		TOTAL BASE BID			\$3,800.00
35					
36	Accepted by:	Date: 8-1-11			
37	<i>Reggie Hudson</i>				
38					
39					
40					
41					
42	Accepted by:	Date: 8-1-11			
43	<i>Blake Carroll</i>				
44					
45	A&C Industrial, Inc.				
46					

REGIE HUDSON

Minutes of August 2, 2011
 Mayor and Board of Aldermen

Office: 228-868-8891
 Fax: 228-868-9957
 ancindustrial@gmail.com

A C INDUSTRIAL, INC
 P. O. Box 507
 Long Beach MS 39560

Daniel Allen: 228-223-7954
 Blake T. Carroll: 228-518-1972

	A	B	C	D	E
1	DATE: 8-1-11				
2	JOB LOCATION: 211 FERGUSON AVE. L.B.MS.				
3	NAME:REGGIE HUDSON 757-336-9401				
4	FAX: 757-336-1483				
5		UNIT	QTY	UNIT PRICE	EXTENSION
6	DEMOLISH AND REMOVE HOUSE	LS	1	\$3,800.00	\$3,800.00
7					
8					
9					
10	SHED,DRIVEWAY,AND MAGNOLIA TREE				
11	TO REMAIN				
12					
13					
14	WORK TO BEGIN IN 1 TO 2 WEEKS PENDING				
15	WEATHER				
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24					
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26					
27					
28					
29					
30					
31					
32					
33	TOTAL BASE BID				\$3,800.00
34					
35	Accepted by: _____ Date: _____				
36					
37					
38					
39					
40					
41					
42	Accepted by: _____ Date: _____				
43					
44	<i>Blake T. Carroll</i>				
45	A&C Industrial, Inc.				
46					

REGIE HUDSON

- 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, 211 Ferguson Avenue, Long Beach, Mississippi, as of August 2, 2011; said affidavit is as follows:

Minutes of August 2, 2011
Mayor and Board of Aldermen

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

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

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

2. That in such capacity, he is responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of uncleanness 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 July 18, 2011, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Reginald W. Hudson and located at 211 Ferguson Avenue, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on August 2, 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 August 2, 2011.

This the 2nd day of August, 2011.


REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 2nd day of August, 2011.


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.

Upon discussion, it was the consensus of the Mayor and Board of Aldermen to adjudicate the property and allow fourteen (14) days to satisfactorily complete the demolition and bring the property into compliance.

Alderman Carrubba made motion seconded by Alderman Anderson and unanimously carried to close the public hearing and take official action, as follows:

**Minutes of August 2, 2011
Mayor and Board of Aldermen**

The Mayor and Board of Aldermen, Long Beach, Mississippi, took up the matter of the public hearing on the property located at 211 Ferguson Avenue, Long Beach, Mississippi, to determine and consider the condition of said property. After conducting the hearing and considering all matters produced there at and after hearing all persons interested and appearing, the Board of Aldermen declared the hearing finally closed. After a discussion of the subject, Alderman 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 211 FERGUSON 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 211 Ferguson 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 July 5, 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 uncleanness 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 August 2, 2011, and directed notice of said hearing be served on the owner of said property in the manner as provided by said MCA Section

**Minutes of August 2, 2011
Mayor and Board of Aldermen**

21-19-11;

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

3. That the Mayor and Board of Aldermen having considered testimony evidence adduced at hearing regarding the condition of the subject property and the observations of individual Aldermen concerning the condition of the subject property in its condition on the date of hearing, and being fully advised in the premises, do find and adjudicate that the property is, in its present condition, in such a state of uncleanness 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 211 Ferguson Avenue, Long Beach, Mississippi, which parcel of land is identified by Harrison County Tax Parcel Number 0611P-05-058.000, and according to said tax records is owned by Reginald W. Hudson, is at present in such a state of uncleanness 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

**Minutes of August 2, 2011
Mayor and Board of Aldermen**

within fourteen (14) 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 June 8, 2011, and attached hereto.

3. That in the event that said owner shall fail to complete cleaning of the subject property within fourteen (14) 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 Carrubba 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	Absent, Not Voting

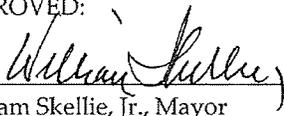
Minutes of August 2, 2011
Mayor and Board of Aldermen

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Alderman Ronnie Hammons, Jr. voted Aye

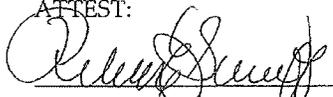
The question having received the Affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the resolution and order adopted and approved this the 2nd day of August, 2011.

APPROVED:



William Skellie, Jr., Mayor

ATTEST:



Rebecca E. Schruoff, City Clerk

Minutes of August 2, 2011
Mayor and Board of Aldermen

City of Long Beach

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



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Sahruff

CITY ATTORNEY
James C. Simpson, Jr.

June 8, 2011

NOTICE OF NON COMPLIANCE WITH ZONING ORDINANCE

Hudson
211 Ferguson Avenue
Long Beach, Ms. 39560

Reference: 211 Ferguson
Parcel # 0611P-05-058.000

91 7108 2133 3938 0606 9474

Dear Mr. & Mrs. Hudson,

After receiving a complaint and inspecting the above referenced property, it has been determined that you are in violation of #108.1, #108.1.1, #108.1.3, #108.2 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. You may call 228-863-1554, or my cell # 228-669-2318, or take this notice with you to the Permit Office, located at 201 Jeff Davis Avenue for directions and/or corrective measures.

Specifically: Home Burned

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

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

The third public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach at 524 West Old Pass Road and assessed to Henry Dale Alexander, is in such a state of uncleanness as to constitute a menace to the public health and safety of the community, all in accordance with §21-19-11 of the Mississippi Code 1972, as amended.

The Mayor recognized the City Clerk for her report, whereupon, Alderman Hammons made motion seconded by Alderman Parker and unanimously carried to

make the aforesaid report a part of the record of this public hearing, collective Exhibit "A", as follows:

- The Clerk reported that, pursuant to the certain order of the Mayor and Board of Aldermen at a regular meeting duly held and convened on July 5, 2011, she did cause to be sent, via certified mail, return receipt requested, Legal Notice of Public Hearing to Henry Dale Alexander, P.O. Box 16973, Jackson, Mississippi, 39236, as the same appears of record on the Harrison County 2010 Real Property Tax Rolls.
- The Clerk further reported that said legal notice was returned, Moved Left No Address, by the USPS. Said notice is as follows:

Minutes of August 2, 2011
Mayor and Board of Aldermen

City of Long Beach

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



WILLIAM SKELLIE, JR.
MAYOR

July 5, 2011

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruoff

CITY ATTORNEY
James C. Simpson, Jr.

MAILED
Date: 7/6/11

Henry Dale Alexander
P.O. Box 16973
Jackson, MS 39236

91 7108 2133 3938 9856 3928

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, August 2, 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 Henry Dale Alexander, and situated in the City of Long Beach, Mississippi, at 524 W. Old Pass Road, is in such a state of uncleanness as to be a menace to the public health and safety of the community, all in accordance with Section 21-19-11 of the Mississippi Code of 1972, as amended. Said property is more particularly described, as follows:

Address: 524 West Old Pass Road
Parcel Number: 0612C-02-051.000
Legal Description: BEG ON NO LINE OF OLD PASS RD & E MARGIN OF ALEXANDER RD FOR BEG NO 167 FT N 71 DEG 42 MIN E 78.975 FT S 167 FT TO N MARGIN OF PC RD N 71 DEG 42 MIN W 78.975 FT ALONG N

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

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Mayor and Board of Aldermen

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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 5th day of July, 2011.


Rebecca E. Schruiff
City Clerk

Minutes of August 2, 2011 Mayor and Board of Aldermen

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YOUR LABEL NUMBER

9171082133393898563928

SERVICE

First-Class Mail[®]

STATUS OF YOUR ITEM

Delivered

DATE & TIME

July 21, 2011, 1:05 pm

LOCATION

LONG BEACH, MS 39580

FEATURES

Certified Mail[™]

Notice Left

July 21, 2011, 8:15 am

LONG BEACH, MS 39580

Processed through Sort Facility

July 21, 2011, 4:30 am

GULFPORT, MS 39503

Processed through Sort Facility

July 19, 2011, 6:47 pm

JACKSON, MS 39201

Processed through Sort Facility

July 18, 2011, 5:55 pm

JACKSON, MS 39201

Moved, Left no Address

July 09, 2011, 12:28 pm

JACKSON, MS

Notice Left

July 07, 2011, 9:55 am

JACKSON, MS 39238

Arrival at Unit

July 07, 2011, 9:53 am

JACKSON, MS 39211

Processed through Sort Facility

July 07, 2011, 3:44 am

JACKSON, MS 39201

Processed through Sort Facility

July 08, 2011, 6:47 pm

GULFPORT, MS 39503

Accepted at origin sort facility

July 06, 2011, 6:47 pm

GULFPORT, MS 39503

Electronic Shipping Info Received

July 05, 2011

[Check on Another Item](#)

What's your label (or receipt) number?



LEGAL

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- [FOIA](#)
- [No FEAR Act EEO Data](#)

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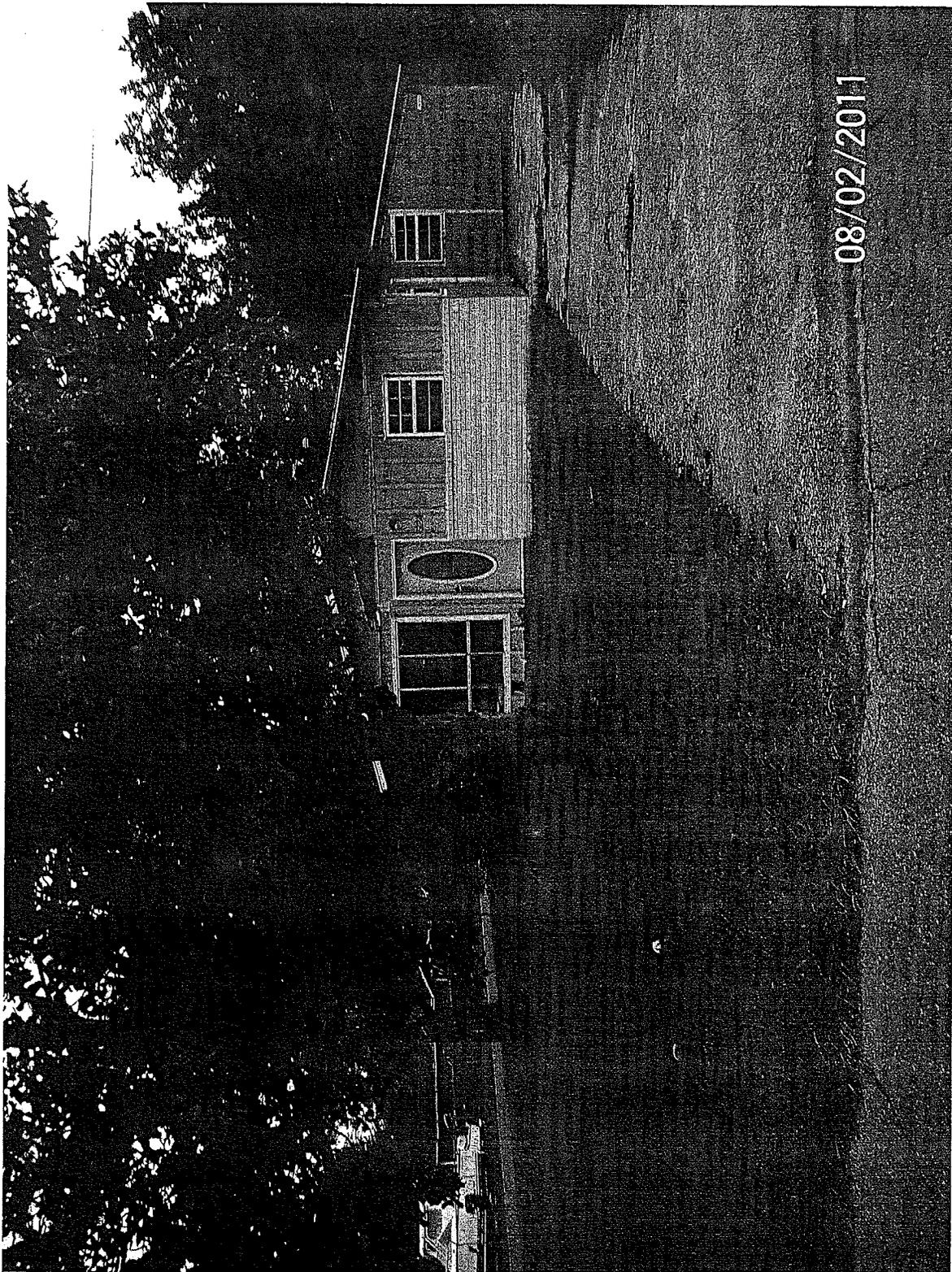
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7/29/2011



- 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, 524 West Old Pass Road, Long Beach, as of August 2, 2011; said affidavit is as follows:

Minutes of August 2, 2011
Mayor and Board of Aldermen

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

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

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

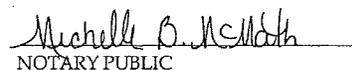
2. That in such capacity, he is responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of uncleanness as to constitute a menace to the public health and safety of the community; he is responsible for the taking of 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 July 18, 2011, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Henry Dale Alexander and located at 524 West Old Pass Road, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on August 2, 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 August 2, 2011.

This the 2nd day of August, 2011.


REBECCA E. SCHIRUFF, AFFIRANT

SWORN TO AND SUBSCRIBED before me on this the 2nd day of August, 2011.


NOTARY PUBLIC

-My Commission Expires-



AFFIDAVIT-PHOTOS;POST NOTICE

The Mayor opened the floor for public comments from the property owner or his representative and Henry Dale Alexander came forward with comments, as follows:

- He never had the address of P.O. Box 16973, Jackson, Mississippi, 39236.
- His current address is 9267 Cuandet Road, Lot 27, Gulfport, Mississippi, 39503.
- He has been working on the house and property.

There being no further discussion, Alderman Parker made motion seconded by Alderman Anderson and unanimously carried to close the public hearing, finding that

Minutes of August 2, 2011
Mayor and Board of Aldermen

the subject property, 524 West Old Pass Road, Long Beach, Mississippi, in its present condition, is in compliance with city ordinances and state statutes at this time.

The fourth public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach at 403 Gulf View Avenue and assessed to Homer T. Womack and Robert S. Sistrunk, is in such a state of uncleanness as to constitute a menace to the public health and safety of the community, all in accordance with §21-19-11 of the Mississippi Code 1972, as amended.

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

- The Clerk reported that, pursuant to that certain order of the Mayor and Board of Aldermen at a regular meeting duly held and convened on July 5, 2011, she did cause to be sent, via certified mail, return receipt requested, Legal Notice of Public Hearing to Homer T. Womack and Robert S. Sistrunk, at the mailing address, P.O. Box 849, Grayson, KY, 41143, as the same appears of record on the Harrison County 2010 Real Property Tax Rolls.
- The Clerk further reported that the legal notice was delivered by the USPS on July 13, 2011. Said notice is as follows:

Minutes of August 2, 2011
Mayor and Board of Aldermen

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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: 7/6/11

July 5, 2011

Robert F. Sistrunk
P.O. Box 849
Grayson, KY 41143

91 7108 2133 3938 9856 3904

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, August 2, 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 Homer T. Womack & Robert F. Sistrunk, and situated in the City of Long Beach, Mississippi, at 403 Gulf View Avenue, is in such a state of uncleanness as to be a menace to the public health and safety of the community, all in accordance with Section 21-19-11 of the Mississippi Code of 1972, as amended. Said property is more particularly described, as follows:

Address: 403 Gulf View Avenue
Parcel Number: 0612A-03-016.000
Legal Description: LOTS 2 & 3 BLK 1 GULF VIEW COURT RESURVEY

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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Minutes of August 2, 2011
Mayor and Board of Aldermen

Page 2 of 2

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 5th day of July, 2011.


Rebecca E. Schrüff
City Clerk

Minutes of August 2, 2011 Mayor and Board of Aldermen

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YOUR LABEL NUMBER	SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
91710821333898663804	First-Class Mail®	Delivered	July 13, 2011, 10:04 am	GRAYSON, KY 41143	Certified Mail™
		Notice Left	July 09, 2011, 9:12 am	GRAYSON, KY 41143	
		Processed through Sort Facility	July 09, 2011, 12:38 am	ASHLAND, KY 41101	
		Processed through Sort Facility	July 06, 2011, 10:20 pm	GULFPORT, MS 39503	
		Accepted at origin sort facility	July 06, 2011, 6:47 pm	GULFPORT, MS 39503	
		Electronic Shipping Info Received	July 05, 2011		

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7/29/2011

Minutes of August 2, 2011
Mayor and Board of Aldermen

City of Long Beach

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Gary J. Ponthieux - Ward 1
Bernie Parker - Ward 2
Kaye H. Couvillon - Ward 3
Ronnie Hammons, Jr. - Ward 4
Mark E. Lishen - Ward 5
Carolyn J. Anderson - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruoff

CITY ATTORNEY
James C. Simpson, Jr.

July 5, 2011

Homer T. Womack
P.O. Box 849
Grayson, KY 41143

91 7108 2133 3938 7856 3911

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, August 2, 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 Homer T. Womack & Robert F. Sistrunk, and situated in the City of Long Beach, Mississippi, at 403 Gulf View Avenue, is in such a state of uncleanness as to be a menace to the public health and safety of the community, all in accordance with Section 21-19-11 of the Mississippi Code of 1972, as amended. Said property is more particularly described, as follows:

Address: 403 Gulf View Avenue
Parcel Number: 0612A-03-016.000
Legal Description: LOTS 2 & 3 BLK 1 GULF VIEW COURT RESURVEY

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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Minutes of August 2, 2011
Mayor and Board of Aldermen

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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 5th day of July, 2011.


Rebecca E. Schruoff
City Clerk

Minutes of August 2, 2011 Mayor and Board of Aldermen

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		Notice Left	July 09, 2011, 9:12 am	GRAYSON, KY 41143	
		Processed through Sort Facility	July 09, 2011, 12:38 am	ASHLAND, KY 41101	
		Processed through Sort Facility	July 08, 2011, 10:21 pm	GULFPORT, MS 39503	
		Accepted at origin sort facility	July 08, 2011, 6:47 pm	GULFPORT, MS 39503	
		Electronic Shipping Info Received	July 05, 2011		

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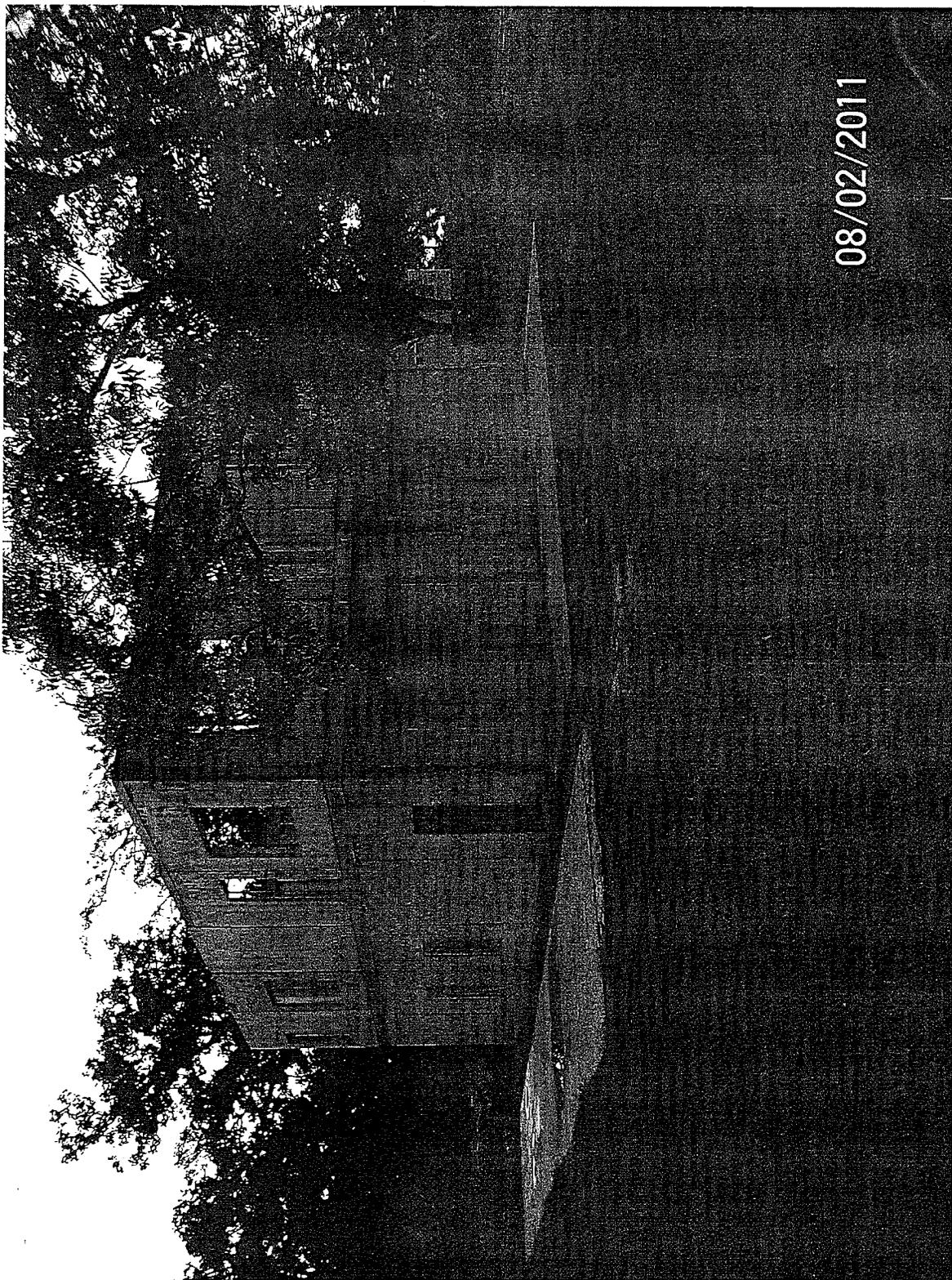


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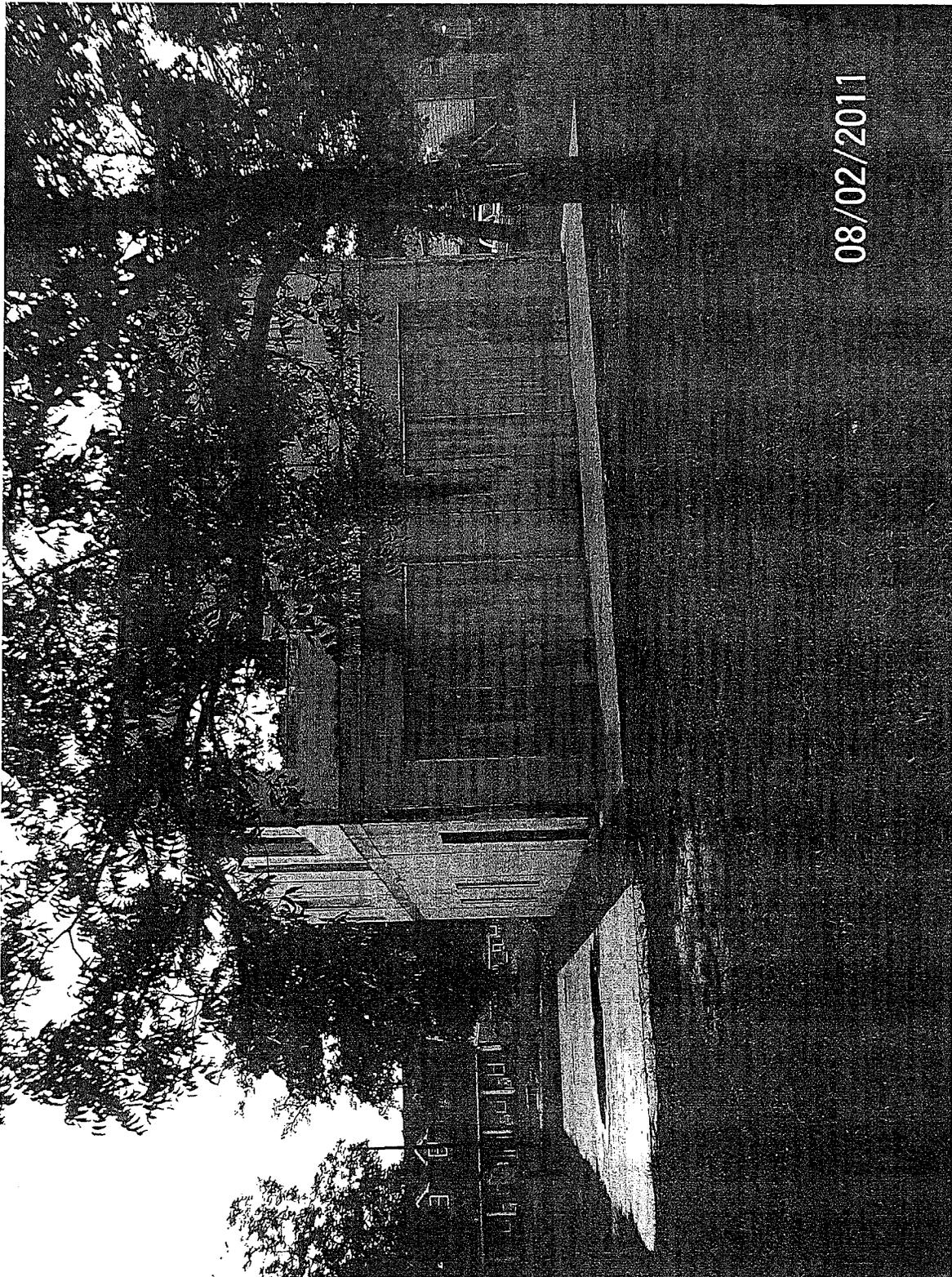
7/29/2011

- 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, 403 Gulf View Avenue, Long Beach, Mississippi by Building Official Earl Levens.
- The Clerk submitted photographs depicting the subject property taken on August 2, 2011, as follows:



08/02/2011

403 Golf View



- 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, 403 Gulf View Avenue, Long Beach, Mississippi, as of August 2, 2011; said affidavit is as follows:

Minutes of August 2, 2011
Mayor and Board of Aldermen

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

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

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

2. That in such capacity, he is responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of uncleanness 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 July 18, 2011, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Homer T. Wornack & Robert F. Sistrunk and located at 403 Gulf View Avenue, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on August 2, 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 August 2, 2011.

This the 2nd day of August, 2011.


REBECCA E. SCHRUFF, ALDEIANT

SWORN TO AND SUBSCRIBED before me on this the 2nd day of August, 2011.


NOTARY PUBLIC

-My Commission Expires-



AFFIDAVIT-PHOTOS, POST NOTICE

- The Clerk submitted a letter from Eric Stinson, V.P. Commercial Lending, First National Bank of Grayson, whereupon, Alderman Carrubba made motion seconded by Alderman Couvillon to make said letter a part of the record of this public hearing, as follows:

Minutes of August 2, 2011
Mayor and Board of Aldermen



Eric Stinson
VP / Commercial Lending



www.fnbgrayson.com
200 S. Carol Malone Blvd. (606) 475-5190
P. O. Box 67 Fax: (606) 474-6626
Grayson, Kentucky 41143-0067 Cell: (606) 776-9002
Email: estinson@fnbgrayson.com

July 19, 2011

City of Long Beach
PO BOX 929
Long Beach, MS 39560
Attn: Rebecca Schruff

Ref: 403 Gulf View Avenue
Parcel 0612A-03-016.000

Dear Mayor Skellie, Aldermen, and Mrs. Schruff:

First National Bank of Grayson has recently acquired property at 403 Gulf View Avenue through legal action. We were forwarded a letter addressed to the previous owner notifying them of the pending hearing on August 2, 2011. We immediately contacted Mrs. Schruff and Mr. Levens who have been extremely helpful in directing us in what must be done to correct the situation. We have now contracted a local contractor, Mr. Ronnie Barker, to clean up and maintain the property while it is owned by First National Bank. Mr. Barker will be: removing and/or securing all construction materials and debris, boarding up and securing the premise, and mowing and maintaining the property on a regular basis. If you have any other questions or concerns please contact me at First National Bank of Grayson.

Sincerely,

Eric Stinson
V.P. Commercial Lending

200 S. Carol Malone Blvd, PO Box 67
Grayson, Kentucky 41143
(606) 474-2000
www.fnbgrayson.com

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

There being no further discussion or comments, Alderman Carrubba made motion seconded by Alderman Couvillon and unanimously carried to close the public hearing, finding that the subject property, 403 Gulf View Avenue, Long Beach, Mississippi, is in compliance with city ordinances and state statutes at this time.

The fifth public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach at 6 Linda Lane and assessed to Kevin M. Erhard, 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 Carrubba 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 July 5, 2011, she did cause sent, via certified mail, return receipt requested, Legal Notice, Public Hearing, to Kevin M. Erhard, P.O. Box 6874, Gulfport, Mississippi, 39506, as the same appears of record on the Harrison County 2010 Real Property Tax Rolls.
- The Clerk further reported that the legal notice was returned marked, Moved-Left No Address, by the USPS. Said notice is as follows:

Minutes of August 2, 2011
Mayor and Board of Aldermen

City of Long Beach

BOARD OF ALDERMEN

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



WILLIAM SKELLIE, JR.
MAYOR

July 5, 2011

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruff

CITY ATTORNEY
James C. Simpson, Jr.

MAILED

Date: 7/6/11

Kevin M. Erhard
P.O. Box 6874
Gulfport, MS 39506

91 7108 2133 3938 9856 3898

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, August 2, 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 Kevin M. Erhard, and situated in the City of Long Beach, Mississippi, at 6 Linda Lane, is in such a state of uncleanness as to be a menace to the public health and safety of the community, all in accordance with Section 21-19-11 of the Mississippi Code of 1972, as amended. Said property is more particularly described, as follows:

Address: 6 Linda Lane
Parcel Number: 0611N-01-040.000
Legal Description: LOT 4 BLK 3 BETTER HOMES SUBD

If at such hearing, the governing authority shall, in its resolution, adjudicate such parcel of land in its then condition to be a menace to the public health and safety of the community, the governing authority shall, if the owner does not do so himself, proceed to clean the land, by the use of municipal employees or by contract, by cutting weeds; filling cisterns; removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris; filling swimming pools; and draining cesspools and standing water therefrom. Thereafter, the governing authority shall, at its next regular meeting, by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty of One Thousand Five Hundred Dollars(\$1,500.00) or fifty (50%) of such actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, or, at the option of the governing authority, an assessment against the property. The cost assessed against the property means the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done. 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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Minutes of August 2, 2011
Mayor and Board of Aldermen

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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 5th day of July, 2011.


Rebecca E. Schrüff
City Clerk

Minutes of August 2, 2011 Mayor and Board of Aldermen

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SERVICE

First-Class Mail®

STATUS OF YOUR ITEM

Notice Left

DATE & TIME

July 29, 2011, 6:05 am

LOCATION

LONG BEACH, MS 39560

FEATURES

Certified Mail™

Processed through Sort Facility

July 29, 2011, 4:44 am

GULFPORT, MS 39503

Processed through Sort Facility

July 27, 2011, 4:11 pm

JACKSON, MS 39201

Processed through Sort Facility

July 26, 2011, 10:31 pm

JACKSON, MS 39201

Moved, Left no Address

July 07, 2011, 9:57 am

GULFPORT, MS

Notice Left

July 07, 2011, 6:07 am

GULFPORT, MS 39506

Arrival at Unit

July 07, 2011, 7:55 am

GULFPORT, MS 39507

Processed through Sort Facility

July 07, 2011, 1:36 am

GULFPORT, MS 39503

Processed through Sort Facility

July 08, 2011, 6:47 pm

GULFPORT, MS 39503

Accepted at origin sort facility

July 08, 2011, 6:47 pm

GULFPORT, MS 39503

Electronic Shipping Info Received

July 05, 2011

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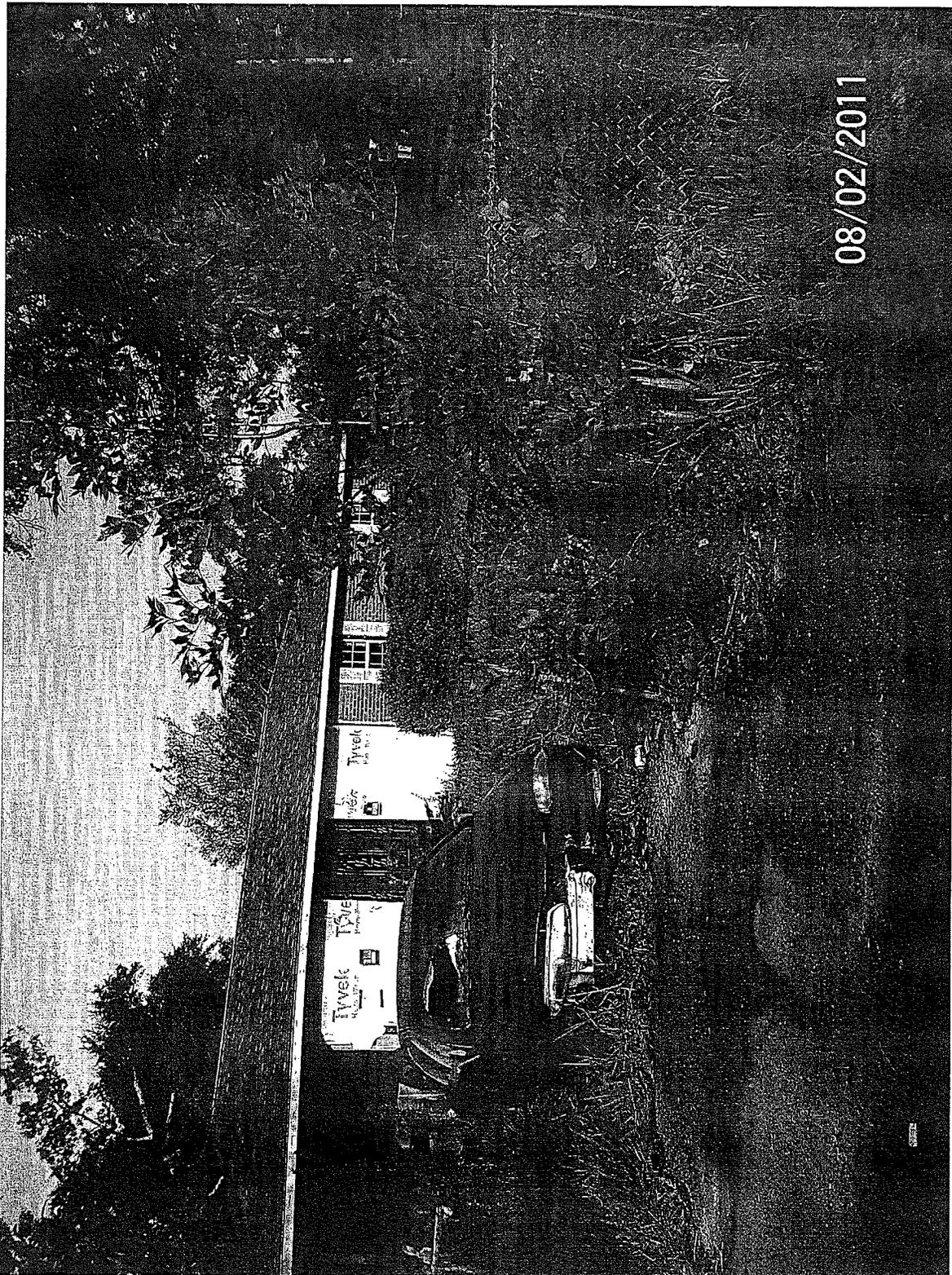
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7/29/2011



- The Clerk submitted a sworn affidavit affirming the posting of said Notice of Public Hearing and the validity of photographs depicting the subject property, 6 Linda Lane, Long Beach, Mississippi, as of August 2, 2011; said affidavit is as follows:

Minutes of August 2, 2011
Mayor and Board of Aldermen

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

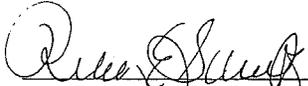
BEFORE ME, the under signed legal authority authorized to administer oaths in and for the jurisdiction aforesaid, on this day personally appeared EARL LEVENS, known to me to be the Building Official of the City of Long Beach, Mississippi, who being by me first duly sworn, deposes and says on oath as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

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

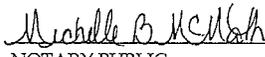
2. That in such capacity, he is responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of uncleanliness as to constitute a menace to the public health and safety of the community; he is responsible for the taking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

3. That on or before July 18, 2011, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Kevin M. Erhard and located at 6 Linda Lane, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on August 2, 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 August 2, 2011.

This the 2nd day of August, 2011.


REBECCA E. SCHIRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 2nd day of August, 2011.


NOTARY PUBLIC

-My Commission Expires-



AFFIDAVIT-PHOTOS;POST NOTICE

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

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

**Minutes of August 2, 2011
Mayor and Board of Aldermen**

The Mayor and Board of Aldermen, Long Beach, Mississippi, took up the matter of the public hearing on the property located at 6 Linda Lane, Long Beach, Mississippi, to determine and consider the condition of said property. After conducting the hearing and considering all matters produced there at and after hearing all persons interested and appearing, the Board of Aldermen declared the hearing finally closed. After a discussion of the subject, Alderman Couvillon 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 6 LINDA LANE, 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 6 Linda Lane, 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 July 5, 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 August 2, 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;

**Minutes of August 2, 2011
Mayor and Board of Aldermen**

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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 6 Linda Lane, Long Beach, Mississippi, which parcel of land is identified by Harrison County Tax Parcel Number 0611N-01-040.000, and according to said tax records is owned by Kevin M. Erhard, 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:

Minutes of August 2, 2011
 Mayor and Board of Aldermen

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 June 6, 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 Carrubba 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:

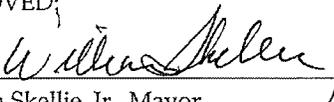
Alderman Bernie Parker	voted	Aye
Alderman Gary J. Ponthieux	voted	Aye
Alderman Kaye H. Couvillon	voted	Aye
Alderman Carolyn J. Anderson	voted	Aye
Alderman Leonard G. Carrubba, Sr.	voted	Aye
Alderman Mark E. Lishen	voted	Absent, Not Voting
Alderman Ronnie Hammons, Jr.	voted	Aye

Minutes of August 2, 2011
Mayor and Board of Aldermen

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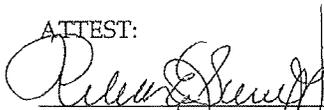
The question having received the Affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the resolution and order adopted and approved this the 2nd day of August, 2011.

APPROVED;



William Skellie, Jr., Mayor

ATTEST:



Rebecca E. Schuff, City Clerk

Minutes of August 2, 2011
Mayor and Board of Aldermen

City of Long Beach

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



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruff

CITY ATTORNEY
James C. Simpson, Jr.

91 7108 2133 3938 0606 7412

June 6, 2011

NOTICE OF NON COMPLIANCE WITH ZONING ORDINANCE

Erhard
PO711 South Hill Court
Biloxi, Ms. 39532

Reference: # 6 Linda Lane

Parcel # 0611N-01-040.000

Dear Mr. Erhard,

You are hereby notified that you are in violation of the following:

(X) INTERNATIONAL PROPERTY MAINTENCE CODE
CHAPTER 3 SECTION(s) #301.2,#302.1,#301.3 #302.1,# 302.4,#302.8 (see attached)

After receiving a complaint and inspecting the above referenced property, it has been determined that you are in violation of the above referenced lot. You have 7 (seven) days to bring this matter into compliance by calling my cell# 228-669-2318 for directions & /or corrective measures. This phone is on seven days a week. Leave a message and I will call you back.

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 Department

201 Jeff Davis • P.O. Box 929 • Long Beach, MS 39560 • 863-1556 • FAX 865-0823
www.cityoflongbeach.ms.com

The sixth public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach at 607 West Old Pass Road and assessed to Katherine Rodgers 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 the aforesaid report a part of the record of this public hearing, collective Exhibit "A", as follows:

- The Clerk reported that, pursuant to that certain order of the Mayor and Board of Aldermen at a regular meeting duly held and convened July 5, 2011, she did cause to be sent, via certified mail, return receipt requested, Legal Notice, Public Hearing, to Katherine Rodgers, 939 Neptune Court, Apt. E, Mountain View, CA, 94043, as the same appears of record on the Harrison County 2010 Real Property Tax Rolls.
- The Clerk further reported that the legal notice was returned, Undeliverable, by the USPS. Said notice is as follows:

Minutes of August 2, 2011
Mayor and Board of Aldermen

City of Long Beach

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



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruoff

CITY ATTORNEY
James C. Simpson, Jr.

MAILED
Date: 7/6/11

July 5, 2011

Katherine Rodgers
939 Neptune Ct. Apt. E
Mountain View, CA 94043

91 7108 2133 3938 9856 3881

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, August 2, 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 Katherine Rodgers, and situated in the City of Long Beach, Mississippi, at 607 West Old Pass Road, is in such a state of uncleanness as to be a menace to the public health and safety of the community, all in accordance with Section 21-19-11 of the Mississippi Code of 1972, as amended. Said property is more particularly described, as follows:

Address: 607 West Old Pass Road
Parcel Number: 0612D-03-005.000
Legal Description: BEG 1050 FT N OF N LINE OF R/W OF L&N RR & NE COR OF KILLILIA ON S LINE OF RD E.100 FT S 150 FT TO 10 FT ROAD W 100 FT N 150 FT TO BEG LOT 53 H-S-H SU

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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www.cityoflongbeachms.com

Minutes of August 2, 2011
Mayor and Board of Aldermen

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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 5th day of July, 2011.



Rebecca E. Schuff
City Clerk

Minutes of August 2, 2011 Mayor and Board of Aldermen

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YOUR LABEL NUMBER

9171062133393898663881

SERVICE

First-Class Mail[®]

STATUS OF YOUR ITEM

Delivered

DATE & TIME

July 13, 2011, 2:47 pm

LOCATION

LONG BEACH, MS 39560

FEATURES

Certified Mail[™]

Notice Left

July 13, 2011, 8:47 am

LONG BEACH, MS 39560

Processed through Sort Facility

July 13, 2011, 4:29 am

GULFPORT, MS 39503

Undeliverable as Addressed

July 08, 2011, 9:22 am

MOUNTAIN VIEW, CA 94043

Arrival at Unit

July 08, 2011, 7:46 am

MOUNTAIN VIEW, CA 94043

Processed through Sort Facility

July 08, 2011, 2:55 am

BURLINGAME, CA 94010

Processed through Sort Facility

July 06, 2011, 10:20 pm

GULFPORT, MS 39503

Accepted at origin sort facility

July 06, 2011, 6:47 pm

GULFPORT, MS 39503

Electronic Shipping Info Received

July 05, 2011

[Check on Another Item](#)

What's your label (or receipt) number?



LEGAL

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7/29/2011



- 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, 607 West Old Pass Road, Long Beach, Mississippi, as of August 2, 2011; said affidavit is as follows:

Minutes of August 2, 2011
Mayor and Board of Aldermen

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

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

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

2. That in such capacity, he is responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of unclearness 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;

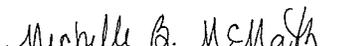
3. That on or before July 18, 2011, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Katherine Rodgers and located at 607 West Old Pass Road, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on August 2, 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 August 2, 2011.

This the 2nd day of August, 2011.


REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 2nd day of August, 2011.




NOTARY PUBLIC

AFFIDAVIT-PHOTOS;POST NOTICE

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

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

**Minutes of August 2, 2011
Mayor and Board of Aldermen**

The Mayor and Board of Aldermen, Long Beach, Mississippi, took up the matter of the public hearing on the property located at 607 West Old Pass Road, Long Beach, Mississippi, to determine and consider the condition of said property. After conducting the hearing and considering all matters produced there at and after hearing all persons interested and appearing, the Board of Aldermen declared the hearing finally closed. After a discussion of the subject, Alderman Anderson 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 607 WEST OLD PASS ROAD, LONG BEACH, MISSISSIPPI, TO BE
A MENACE TO THE PUBLIC HEALTH AND SAFETY OF THE COMMUNITY AND
REQUIRING OWNER OF SUCH PROPERTY TO CLEAN SAID PROPERTY.**

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

1. That on complaint and motion of the Governing Authorities of the City of Long Beach wherein lies the property known as 607 West Old Pass Road, Long Beach, Mississippi, (hereinafter referred to as the subject parcel), and after discussion of same, the Mayor and Board of Aldermen, at its regular meeting of July 5, 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 uncleanness 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 August 2, 2011, and directed notice of said hearing be served on the owner of said property in the manner as provided by said MCA Section

**Minutes of August 2, 2011
Mayor and Board of Aldermen**

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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 607 West Old Pass Road, Long Beach, Mississippi, which parcel of land is identified by Harrison County Tax Parcel Number 0612D-03-005.000, and according to said tax records is owned by Katherine D. Rodgers, 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

Minutes of August 2, 2011
Mayor and Board of Aldermen

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 June 6, 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 Couvillon 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	Absent, Not Voting

Minutes of August 2, 2011
Mayor and Board of Aldermen

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Alderman Ronnie Hammons, Jr. voted Aye

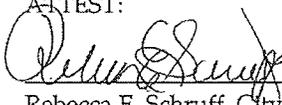
The question having received the Affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the resolution and order adopted and approved this the 2nd day of August, 2011.

APPROVED:



William Skellie, Jr., Mayor

ATTEST:



Rebecca E. Schruff, City Clerk

Minutes of August 2, 2011
Mayor and Board of Aldermen

City of Long Beach

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



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruoff

CITY ATTORNEY
James C. Simpson, Jr.

7-20-09

NOTICE OF NON-COMPLIANCE WITH ZONING ORDINANCE

Katherine Rodgers - 607 W Old Pass

You are hereby notified that you are in violation of the following: *but not limited to the following.*

- Zoning Ordinance 344, Section _____
- International Property Maintenance Code, Chapter 3
- Section(s) See attached

Specifically + State law 21-19-11

After receiving a complaint, and inspecting the above referenced property, it has been determined that you are in violation of Zoning Ordinance 344/2003 International Property Maintenance Code for the City of Long Beach, MS, as listed above. You have fourteen days (14) from receipt of this notice to comply. You may call 228-863-1554 or take this notice with you to the Permit Office located at the Long Beach Fire Department Complex at 645 Klondyke Road for directions and/or corrective measures. Failure to comply with this notice constitutes a violation of Section 1107 of the Ordinance and is chargeable as a misdemeanor.

Zoning Enforcement Officer
City of Long Beach

Cc: Mayor Billy Skellie

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TENANT. A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

TOILET ROOM. A room containing a water closet or urinal but not a bathtub or shower.

VENTILATION. The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

WORKMANLIKE. Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

YARD. An open space on the same lot with a structure.

2003 International Property Maintenance Code / CHAPTER 3 GENERAL REQUIREMENTS

CHAPTER 3
GENERAL REQUIREMENTS

2003 International Property Maintenance Code / CHAPTER 3 GENERAL REQUIREMENTS / SECTION 301 GENERAL

SECTION 301
GENERAL

2003 International Property Maintenance Code / CHAPTER 3 GENERAL REQUIREMENTS / SECTION 301 GENERAL / 301.1 Scope.

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.

2003 International Property Maintenance Code / CHAPTER 3 GENERAL REQUIREMENTS / SECTION 301 GENERAL / 301.2 Responsibility.

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.

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**Minutes of August 2, 2011
Mayor and Board of Aldermen**

301.2 (cont)

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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.

2003 International Property Maintenance Code / CHAPTER 3 GENERAL REQUIREMENTS / SECTION 301 GENERAL / 301.3 Vacant structures and land.

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.

2003 International Property Maintenance Code / CHAPTER 3 GENERAL REQUIREMENTS / SECTION 302 EXTERIOR PROPERTY AREAS

**SECTION 302
EXTERIOR PROPERTY AREAS**

2003 International Property Maintenance Code / CHAPTER 3 GENERAL REQUIREMENTS / SECTION 302 EXTERIOR PROPERTY AREAS / 302.1 Sanitation.

302.1 Sanitation.

All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

2003 International Property Maintenance Code / CHAPTER 3 GENERAL REQUIREMENTS / SECTION 302 EXTERIOR PROPERTY AREAS / 302.2 Grading and drainage.

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.

2003 International Property Maintenance Code / CHAPTER 3 GENERAL REQUIREMENTS / SECTION 302 EXTERIOR PROPERTY AREAS / 302.3 Sidewalks and driveways.

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.

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Minutes of August 2, 2011
Mayor and Board of Aldermen

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basement windows.

304.17 Guards for basement windows.

Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.

2003 International Property Maintenance Code / CHAPTER 3 GENERAL
REQUIREMENTS / SECTION 304 EXTERIOR STRUCTURE / 304.18 Building security.

304.18 Building security.

Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within.

2003 International Property Maintenance Code / CHAPTER 3 GENERAL
REQUIREMENTS / SECTION 304 EXTERIOR STRUCTURE / 304.18 Building security.
/ 304.18.1 Doors.

304.18.1 Doors.

Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock meeting specifications set forth herein. Such deadbolt locks shall be operated only by the turning of a knob or a key and shall have a lock throw of not less than 1-inch. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock. Such deadbolt locks shall be installed according to manufacturer's specifications and maintained in good working order. All deadbolt locks required by this section shall be designed and installed in such a manner so as to be operable inside of the dwelling unit, rooming unit or housekeeping unit without the use of a key, tool, combination thereof or any other special knowledge or effort.

2003 International Property Maintenance Code / CHAPTER 3 GENERAL
REQUIREMENTS / SECTION 304 EXTERIOR STRUCTURE / 304.18 Building security.
/ 304.18.2 Windows.

304.18.2 Windows.

Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a windowsash locking devices.

2003 International Property Maintenance Code / CHAPTER 3 GENERAL
REQUIREMENTS / SECTION 304 EXTERIOR STRUCTURE / 304.18 Building security.
/ 304.18.3 Basement hatchways.

304.18.3 Basement hatchways.

Basement hatchways that provide access to a dwelling unit, rooming unit or house-keeping unit that is rented, leased or let shall be equipped with devices that secure the units from

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Minutes of August 2, 2011
Mayor and Board of Aldermen

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unauthorized entry.

2003 International Property Maintenance Code / CHAPTER 3 GENERAL
REQUIREMENTS / SECTION 305 INTERIOR STRUCTURE

SECTION 305
INTERIOR STRUCTURE

2003 International Property Maintenance Code / CHAPTER 3 GENERAL
REQUIREMENTS / SECTION 305 INTERIOR STRUCTURE / 305.1 General.

305.1 General.

The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

2003 International Property Maintenance Code / CHAPTER 3 GENERAL
REQUIREMENTS / SECTION 305 INTERIOR STRUCTURE / 305.2 Structural members.

305.2 Structural members.

All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

2003 International Property Maintenance Code / CHAPTER 3 GENERAL
REQUIREMENTS / SECTION 305 INTERIOR STRUCTURE / 305.3 Interior surfaces.

305.3 Interior surfaces.

All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

2003 International Property Maintenance Code / CHAPTER 3 GENERAL
REQUIREMENTS / SECTION 305 INTERIOR STRUCTURE / 305.4 Stairs and walking surfaces.

305.4 Stairs and walking surfaces.

Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

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The seventh public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach at 311 McCaughan Avenue, Long Beach, Mississippi, and assessed to Real Estate Development, LLC, is in such a state of uncleanness as to constitute a menace to the public health and safety of the community, all in accordance with §21-19-11 of the Mississippi Code 1972, as amended.

The Mayor recognized the City Clerk for her report, whereupon, Alderman Hammons made motion seconded by Alderman Anderson and unanimously carried to

Minutes of August 2, 2011
Mayor and Board of Aldermen

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make the aforesaid report a part of the record of this public hearing, collective Exhibit "A", as follows:

- The Clerk reported that, pursuant to that certain order of the Mayor and Board of Aldermen at a regular meeting duly held and convened on July 5, 2011, she did cause to be sent, via certified mail, return receipt requested, to Real Estate Development, LLC, 1244 Kensington Drive, Biloxi, Mississippi, 39531, as the same appears of record on the Harrison County 2010 Real Property Tax Rolls.
- The Clerk further reported that the legal notice was delivered to the property owners on July 7, 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

July 5, 2011

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruff

CITY ATTORNEY
James C. Simpson, Jr.

MAILED

Date: 7/6/11

Real Estate Development LLC
1244 Kensington Drive
Biloxi, MS 39531

91 7108 2133 3938 9856 3874

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, August 2, 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 Real Estate Development LLC, and situated in the City of Long Beach, Mississippi, at 311 McCaughan Avenue, is in such a state of uncleanness as to be a menace to the public health and safety of the community, all in accordance with Section 21-19-11 of the Mississippi Code of 1972, as amended. Said property is more particularly described, as follows:

Address: 311 McCaughan Avenue
Parcel Number: 0611P-04-010.000
Legal Description: LOTS 44 TO 49 BLK 1 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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Minutes of August 2, 2011
Mayor and Board of Aldermen

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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 5th day of July, 2011.


Rebecca E. Schruiff
City Clerk

Minutes of August 2, 2011 Mayor and Board of Aldermen

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9171082133393898563874	First-Class Mail®	Delivered	July 07, 2011, 9:17 am	BILOXI, MS 39530	Certified Mail™
		Arrival at Unit	July 07, 2011, 7:07 am	BILOXI, MS 39530	
		Processed through Sort Facility	July 07, 2011, 1:58 am	GULFPORT, MS 39503	
		Processed through Sort Facility	July 06, 2011, 8:47 pm	GULFPORT, MS 39503	
		Accepted at origin sort facility	July 06, 2011, 8:47 pm	GULFPORT, MS 39503	
		Electronic Shipping Info Received	July 05, 2011		

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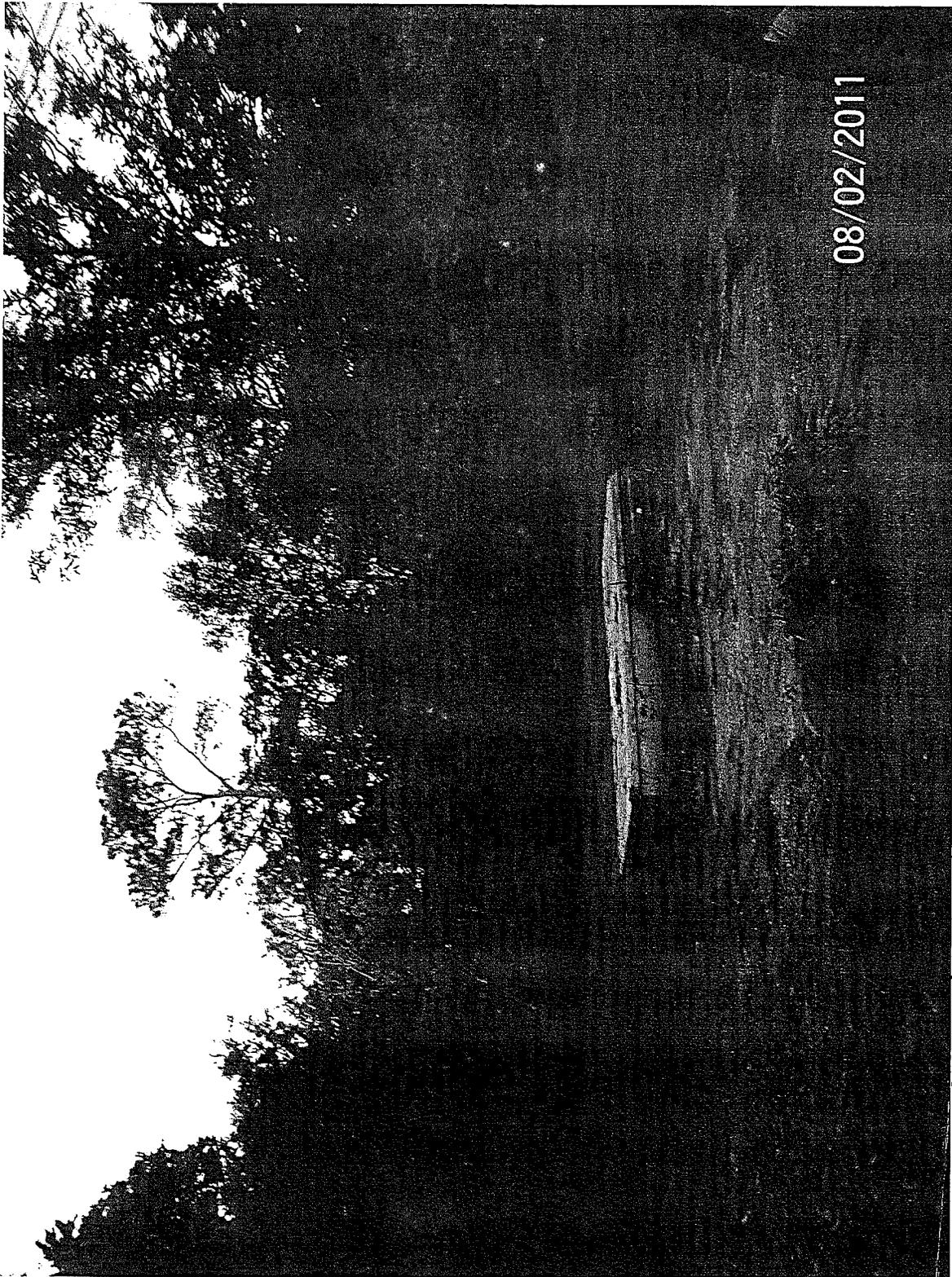
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7/29/2011

- 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, 311 McCaughan Avenue, Long Beach, Mississippi, by Building Official Earl Levens.
- The Clerk submitted photographs depicting the subject property taken on August 2, 2011, as follows:



- 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, 311 McCaughan Avenue, Long Beach, Mississippi, as of August 2, 2011; said affidavit is as follows:

Minutes of August 2, 2011
Mayor and Board of Aldermen

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

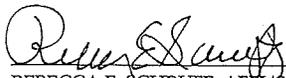
BEFORE ME, the under signed legal authority authorized to administer oaths in and for the jurisdiction aforesaid, on this day personally appeared EARL LEVENS, known to me to be the Building Official of the City of Long Beach, Mississippi, who being by me first duly sworn, deposes and says on oath as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

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

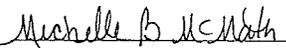
2. That in such capacity, he is responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of uncleanliness as to constitute a menace to the public health and safety of the community; he is responsible for the taking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

3. That on or before July 18, 2011, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Real Estate Development, LLC, and located at 311 McCaughan Avenue, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on August 2, 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 August 2, 2011.

This the 2nd day of August, 2011.


REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 2nd day of August, 2011.


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.

There being no further discussion or comments, Alderman Hammons made motion seconded by Alderman Couvillon and unanimously carried to close the public hearing, finding that the subject property, 311 McCaughan Avenue, in its present condition, is in compliance with city ordinances and state statutes at this time.

Minutes of August 2, 2011
Mayor and Board of Aldermen

The eighth public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach at 500 South Nicholson Avenue and assessed to Katherine D. Taylor, 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 the aforesaid report a part of the record of this public hearing, collective Exhibit "A", as follows:

- The Clerk reported that pursuant to that certain order of the Mayor and Board of Aldermen at a regular meeting duly held and convened on July 5, 2011, she did cause to be sent, via certified mail, return receipt requested, Legal Notice, Public Hearing, to Katherine D. Taylor, 500 South Nicholson Avenue, Long Beach, Mississippi, 39560, as the same appears of record on the Harrison County 2010 Real Property Tax Rolls.
- The Clerk further reported that the legal notice was returned, Undeliverable, by the USPS. Said notice is as follows:

Minutes of August 2, 2011
Mayor and Board of Aldermen

City of Long Beach

BOARD OF ALDERMEN

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



WILLIAM SKELLIE, JR.
MAYOR

July 5, 2011

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruff

CITY ATTORNEY
James C. Simpson, Jr.

MAILED
Date: 7/6/11

Katherine D. Taylor
500 South Nicholson Avenue
Long Beach, MS 39560

91 7108 2133 3938 9856 3867

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, August 2, 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 Katherine D. Taylor, and situated in the City of Long Beach, Mississippi, at 500 South Nicholson 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: 500 South Nicholson Avenue
Parcel Number: 0612A-03-005.000
Legal Description: LOT 200 X 100 ON NICHOLSON AVE GULF VIEW COURT RESUR. BLK 1

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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Minutes of August 2, 2011
Mayor and Board of Aldermen

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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 5th day of July, 2011.



Rebecca E. Schruiff
City Clerk

Minutes of August 2, 2011

Mayor and Board of Aldermen

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LOCATION

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FEATURES

Certified Mail™

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July 29, 2011, 4:44 am

GULFPORT, MS 39503

Processed through Sort Facility

July 27, 2011, 4:12 pm

JACKSON, MS 39201

Processed through Sort Facility

July 26, 2011, 10:30 pm

JACKSON, MS 39201

No Such Number

July 07, 2011, 8:35 am

LONG BEACH, MS

Undeliverable as Addressed

July 07, 2011, 8:32 am

LONG BEACH, MS 39580

Arrival at Unit

July 07, 2011, 8:17 am

LONG BEACH, MS 39580

Processed through Sort Facility

July 07, 2011, 4:23 am

GULFPORT, MS 39503

Accepted at origin sort facility

July 08, 2011, 6:47 pm

GULFPORT, MS 39503

Processed through Sort Facility

July 06, 2011, 6:47 pm

GULFPORT, MS 39503

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July 05, 2011

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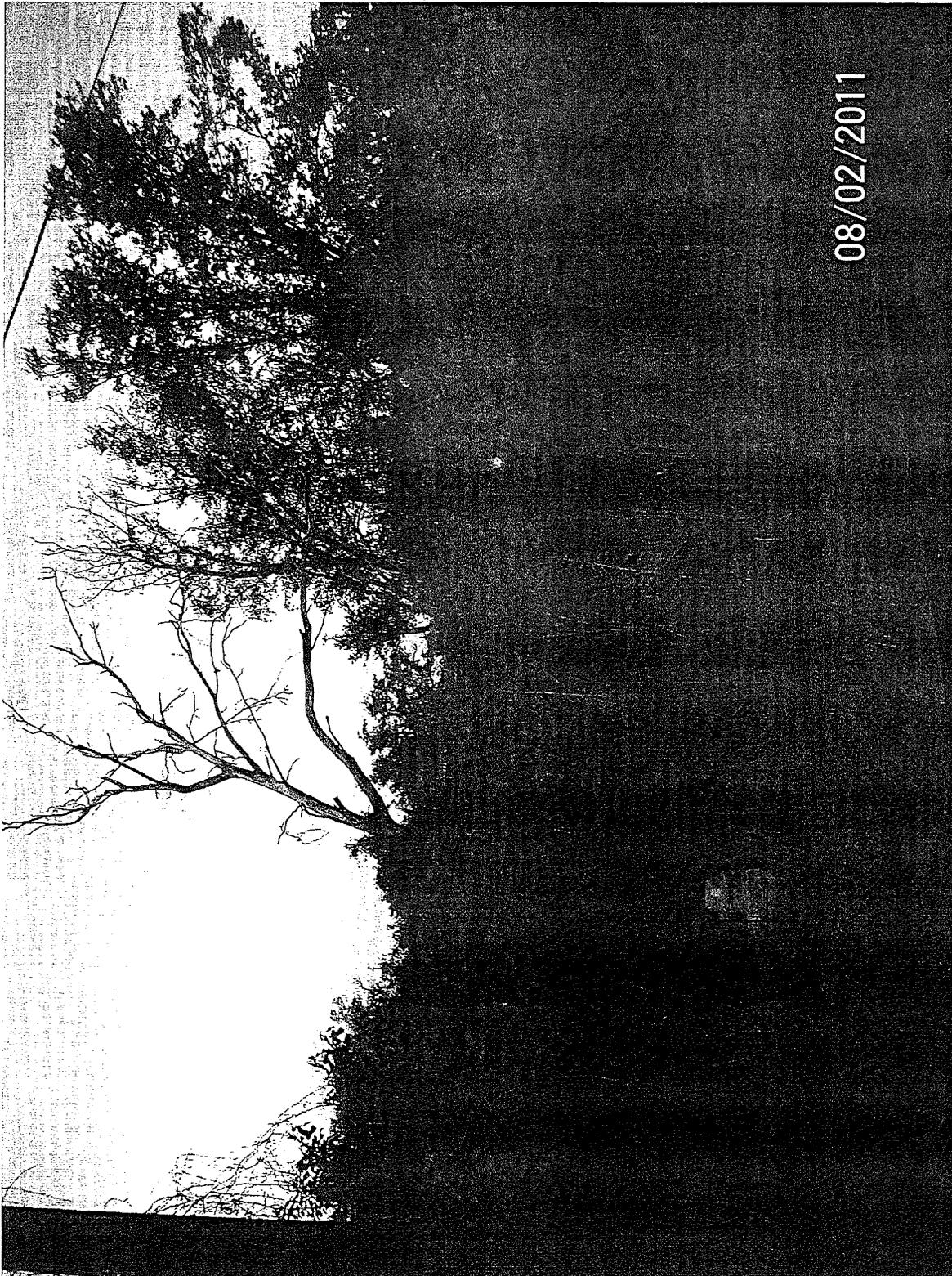
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7/29/2011

Minutes of August 2, 2011
Mayor and Board of Aldermen



- The Clerk submitted a sworn affidavit affirming the posting of said Notice of Public Hearing and the validity of the photographs depicting the subject property, 500 South Nicholson Avenue, Long Beach, Mississippi, as of August 2, 2011; said affidavit is as follows:

Minutes of August 2, 2011 Mayor and Board of Aldermen

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

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

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

2. That in such capacity, he is responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of uncleanness 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;

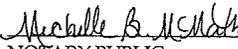
3. That on or before July 18, 2011, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Katherine D. Taylor, and located at 500 South Nicholson Avenue, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on August 2, 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 August 2, 2011.

This the 2nd day of August, 2011.


REBECCA E. SCHRUFF, AFFIDANT

SWORN TO AND SUBSCRIBED before me on this the 2nd day of August, 2011.




NOTARY PUBLIC

AFFIDAVIT- PHOTOS; POST NOTICE

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

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

**Minutes of August 2, 2011
Mayor and Board of Aldermen**

The Mayor and Board of Aldermen, Long Beach, Mississippi, took up the matter of the public hearing on the property located at 500 South Nicholson Avenue, Long Beach, Mississippi, to determine and consider the condition of said property. After conducting the hearing and considering all matters produced there at and after hearing all persons interested and appearing, the Board of Aldermen declared the hearing finally closed. After a discussion of the subject, Alderman Couvillon 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 500 SOUTH NICHOLSON 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 500 South Nicholson 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 July 5, 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 uncleanness 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 August 2, 2011, and directed notice of said hearing be

**Minutes of August 2, 2011
Mayor and Board of Aldermen**

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 500 South Nicholson Avenue, Long Beach, Mississippi, which parcel of land is identified by Harrison County Tax Parcel Number 0612A-03-005.000, and according to said tax records is owned by Katherine D. Taylor, 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.

Minutes of August 2, 2011
Mayor and Board of Aldermen

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 June 13, 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 Ponthieux 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:

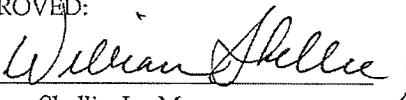
Alderman Bernie Parker	voted	Aye
Alderman Gary J. Ponthieux	voted	Aye
Alderman Kaye H. Couvillon	voted	Aye
Alderman Carolyn J. Anderson	voted	Aye
Alderman Leonard G. Carrubba, Sr.	voted	Aye

Minutes of August 2, 2011 Mayor and Board of Aldermen

Alderman Mark E. Lishen	voted	Absent, Not Voting
Alderman Ronnie Hammons, Jr.	voted	Aye

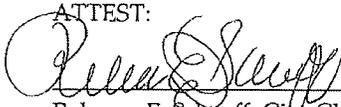
The question having received the Affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the resolution and order adopted and approved this the 2nd day of August, 2011.

APPROVED:



 William Skellie, Jr., Mayor

ATTEST:



 Rebecca E. Schuff, City Clerk

Minutes of August 2, 2011
Mayor and Board of Aldermen

City of Long Beach

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



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schraff

CITY ATTORNEY
James C. Simpson, Jr.

June 13, 2011

91 7108 2133 3938 0606 9481

NOTICE OF NON COMPLIANCE WITH ZONING ORDINANCE

Taylor
500 Nicholson Avenue
Long beach, Ms. 39560

Reference: 500 So Nicholson Long Beach, Ms. 39560
Parcel # 0612A -03-005.000

Dear Ms. Taylor,

You are hereby notified that you are in violation of the following:
INTERNATIONAL PROPERTY MAINTENCE CODE: CHAPTER 3 : SECTION
301.3, 302.1, 302.4 & 302.5 (SEE ATTACHED)

After inspecting the above referenced property, it has been determined that you are in violation of overgrown grass and weeds. You have 14 days to bring this matter into compliance. You may call the office, 228-863-1554, my cell 228-669-2318, or take this notice with you to the Permit Office, located at 201 Jeff Davis Avenue 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

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

The ninth and final public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach at 136 Markham Drive and assessed to Terrapin Holdings, LLC, 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 Ponthieux made motion seconded by Alderman Anderson and unanimously carried to

**Minutes of August 2, 2011
Mayor and Board of Aldermen**

make the aforesaid report a part of the record of this public hearing, collective Exhibit "A", as follows:

- The Clerk reported that, pursuant to that certain order of the Mayor and Board of Aldermen at a regular meeting duly held and convened on July 5, 2011, she did cause to be sent, via certified mail, return receipt requested, Legal Notice of Public Hearing, to Terrapin Holdings, LLC, 136 Markham Drive, Long Beach, Mississippi, 39560, as the same appears of record on the Harrison County 2010 Real Property Tax Rolls.
- The Clerk further reported that the legal notice was reported as Undeliverable as Addressed by the USPS. Said notice is as follows:

Minutes of August 2, 2011
Mayor and Board of Aldermen

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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

July 5, 2011

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruff

CITY ATTORNEY
James C. Simpson, Jr.

MAILED
Date: 7/8/11

Terrapin Holdings, LLC
136 Markham Drive
Long Beach, Mississippi 39560

91 7108 2133 3938 9856 3959

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, August 2, 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 Terrapin Holdings, LLC, and situated in the City of Long Beach, Mississippi, at 136 Markham Drive, 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: 136 Markham Drive

Parcel Number: 0512J-01-010.000

Legal Description: LOTS 20 TO 24 INC BLK 4 THOMAS SUBD. PART OF LOTS 33 TO 35 WHITE & CALVERT SURVEY S OF L & N RR SEC. 22-8-12

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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Minutes of August 2, 2011
Mayor and Board of Aldermen

Page 2 of 2

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 5th day of July, 2011.


Rebecca E. Schuff
City Clerk

Minutes of August 2, 2011
Mayor and Board of Aldermen

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YOUR LABEL NUMBER	SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
9171082133393898663969	First-Class Mail®	Moved, Left no Address	July 05, 2011, 9:38 am	LONG BEACH, MS	Expected Delivery By: July 9, 2011 Certified Mail Return Receipt Electronic
		Undeliverable as Addressed	July 08, 2011, 8:34 am	LONG BEACH, MS 39560	
		Arrival at Unit	July 09, 2011, 8:09 am	LONG BEACH, MS 39580	
		Acceptance	July 08, 2011, 1:53 pm	LONG BEACH, MS 39560	
		Electronic Shipping Info Received	July 07, 2011		

Check on Another Item
What's your label (or receipt) number?



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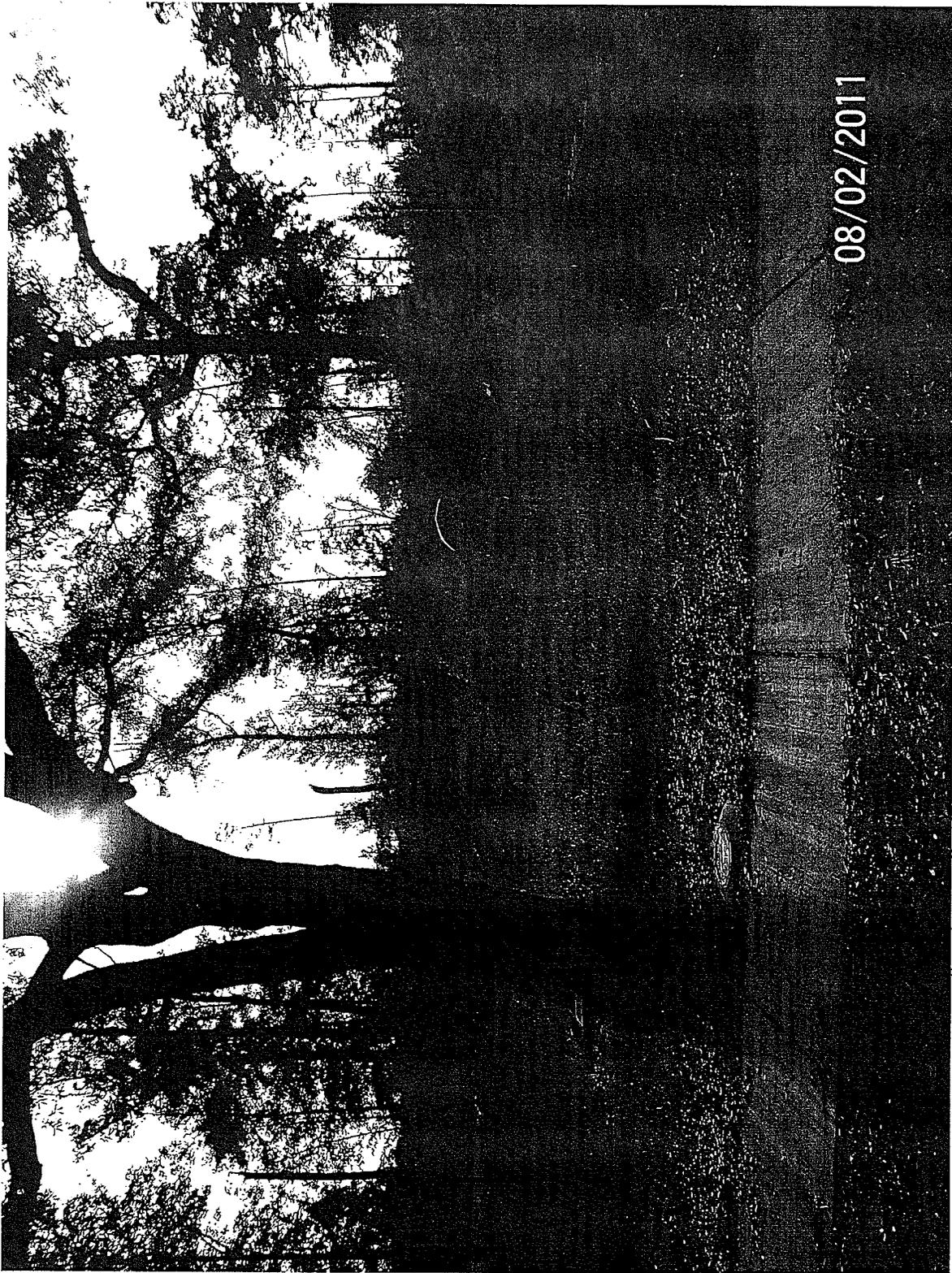
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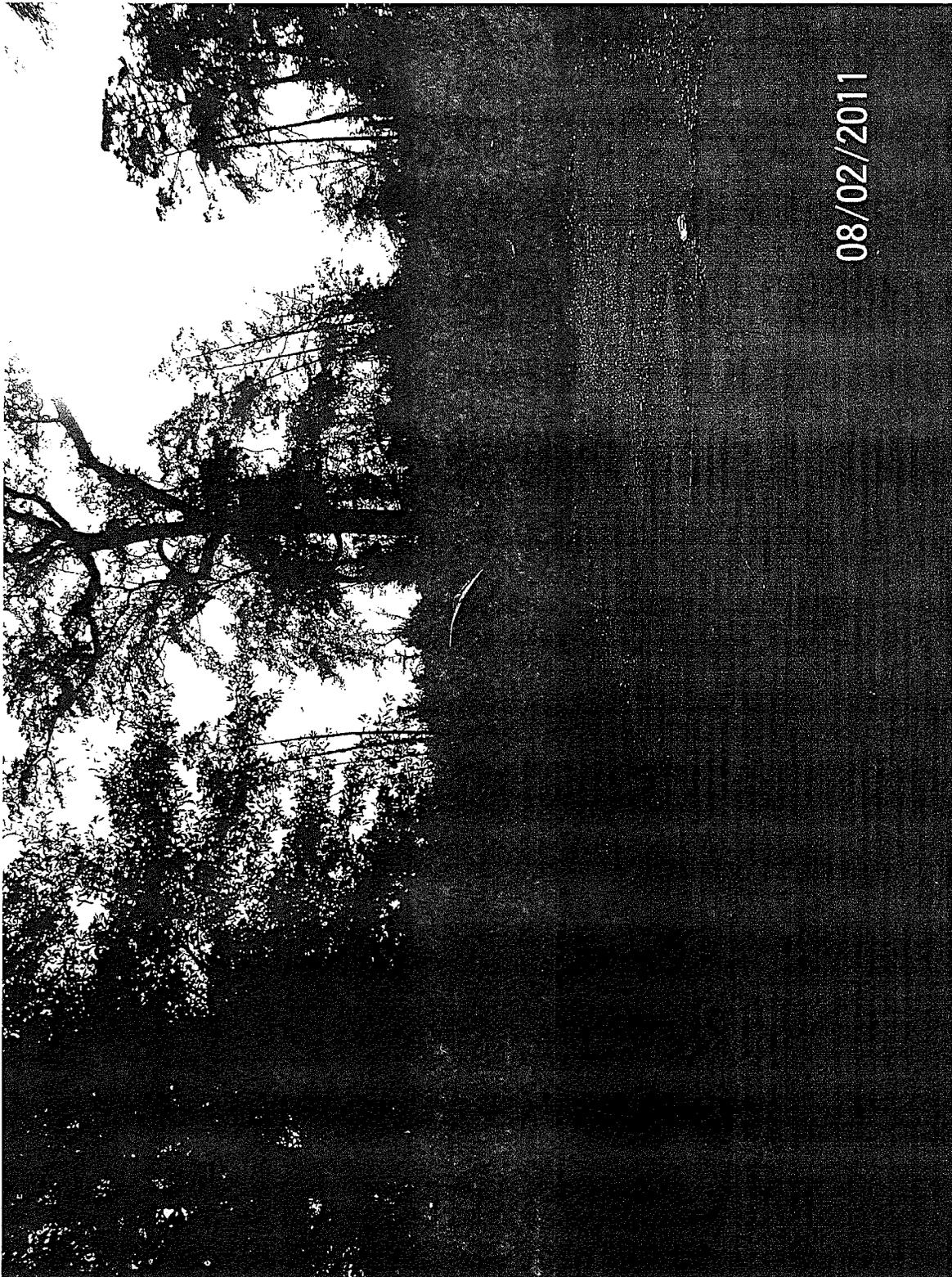
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<https://tools.usps.com/go/TrackConfirmAction.action>

7/29/2011

- 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, 136 Markham Drive, Long Beach, Mississippi, by Building Official Earl Levens.
- The Clerk submitted photographs depicting the subject property taken on August 2, 2011, by Building Official Earl Levens, as follows:





- 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, 136 Markham Drive, Long Beach, Mississippi, as of August 2, 2011; said affidavit is as follows:

Minutes of August 2, 2011 Mayor and Board of Aldermen

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

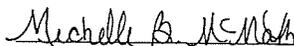
BEFORE ME, the under signed legal authority authorized to administer oaths in and for the jurisdiction aforesaid, on this day personally appeared EARL LEVENS, known to me to be the Building Official of the City of Long Beach, Mississippi, who being by me first duly sworn, deposes and says on oath as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

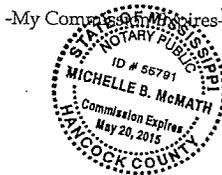
1. That he is the duly appointed and acting Building Official of the City of Long Beach, Mississippi;
2. That in such capacity, he is responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of uncleanness as to constitute 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 July 18, 2011, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Terrapin Holdings, Inc., and located at 136 Markham Drive, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on August 2, 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 August 2, 2011.

This the 2nd day of August, 2011.


REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 2nd day of August, 2011.


NOTARY PUBLIC



AFFIDAVIT-PHOTOS;POST NOTICE

- The Clerk submitted an e-mail from George Mercier, whereupon, Alderman Carrubba made motion seconded by Alderman Anderson and unanimously carried to make said e-mail a part of the record of this public hearing, as follows:

Minutes of August 2, 2011
Mayor and Board of Aldermen

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Earl Levens

From: George Mercier [gsmercier@gmail.com]
Sent: Tuesday, August 02, 2011 6:18 AM
To: zoningenforcement@cityoflongbeachms.com; earl@cityoflongbeachms.com;
mayor@cityoflongbeachms.com
Subject: RE: Property Complaint

RE: 136 Markham Drive, Long Beach, MS 39560

Claire, Earl, and Mayor

I'm writing to let you know that I have removed my trailer and mowed at my property at my lot on Markham (136 Markham Dr.).

There is still some wood to cut and mowing to be done, I'll get this completed this week weather permitting. I will also move my ski boat this week.

Please let the City Council know that it is not necessary for them to take action on my parcel. I do have some building materials there with which I intend to use build a utility shed to keep my mower and tools in as I start rebuilding. I will get with Earl regarding permitting for this in the near future.

Sincerely,

George Mercier
228-669-9464

The Mayor opened the floor for public comments from the property owner or their representative and Mr. George Mercier came forward with comments, as follows:

- Mr. Mercier reiterated his statements contained in his e-mail as set forth above.

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

**Minutes of August 2, 2011
Mayor and Board of Aldermen**

The Mayor and Board of Aldermen, Long Beach, Mississippi, took up the matter of the public hearing on the property located at 136 Markham Drive, Long Beach, Mississippi, to determine and consider the condition of said property. After conducting the hearing and considering all matters produced there at and after hearing all persons interested and appearing, the Board of Aldermen declared the hearing finally closed. After a discussion of the subject, Alderman Couvillon 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 136 MARKHAM DRIVE, 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 136 Markham Drive, 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 July 5, 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 uncleanness 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 August 2, 2011, and directed notice of said hearing be served on the owner of said property in the manner as provided by said MCA Section

**Minutes of August 2, 2011
Mayor and Board of Aldermen**

21-19-11;

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

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

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

1. That the parcel of land lying and being situated in the City of Long Beach, First Judicial District of Harrison County, Mississippi, and having the street address of 136 Markham Drive, Long Beach, Mississippi, which parcel of land is identified by Harrison County Tax Parcel Number 0512J-01-010.000, and according to said tax records is owned by Terrapin Holdings, LLC, 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

**Minutes of August 2, 2011
Mayor and Board of Aldermen**

within fourteen (14) 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 March 4, 2011, and attached hereto.

3. That in the event that said owner shall fail to complete cleaning of the subject property within fourteen (14) 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 Ponthieux 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	Absent, Not Voting

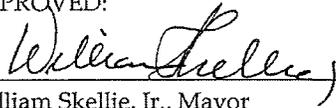
Minutes of August 2, 2011
Mayor and Board of Aldermen

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Alderman Ronnie Hammons, Jr. voted Aye

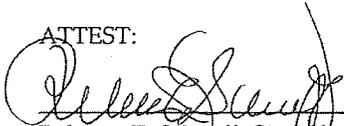
The question having received the Affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the resolution and order adopted and approved this the 2nd day of August, 2011.

APPROVED:



William Skellie, Jr., Mayor

ATTEST:



Rebecca E. Schrupf, City Clerk

Minutes of August 2, 2011
Mayor and Board of Aldermen

City of Long Beach

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



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruff

CITY ATTORNEY
James C. Simpson, Jr.

March 4, 2011,

91 7108 2133 3938 0606 8873

NOTICE OF NON COMPLIANCE WITH ZONING ORDINANCE

Terrapin Holdings LLC
136 Markham Drive
Long Beach, Ms.39560

Parcel # 0512J-01-010.000 Ref: 136 Markham Long Beach, Ms.39560

Dear Terrapin Holdings LLC

You are hereby notified that you are in violation of the following:

(X) INTERNATIONAL PROPERTY MAINTENCE CODE
CHAPTER 3 SECTION(s) 302.8 (see attached)
Trailer properly licensed and tagged.

(X) ORDINANCE 344
SECTION V1 CHART OF USES: BOAT STORAGE IN REIDENTIAL AREA

After receiving a complaint and inspecting the above referenced property, it has been determined that you are in violation of storing trailer and boat on the above referenced lot. You have 14 (fourteen) days to bring this matter into compliance. You may call my cell 228-669-2318, or take this notice with you to the Zoning Office, located at 201 Jeff Davis, Long Beach, Ms. 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
228-669-2318

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

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

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

Minutes of August 2, 2011
Mayor and Board of Aldermen

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

Alderman Mark E. Lishen was absent the meeting.

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

The meeting was called to order and the award of bids, Town Green War Memorial, remained under advisement until further notice.

There were no announcements, presentations or proclamations.

There were no amendments to the Municipal Docket.

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

Minutes of August 2, 2011
Mayor and Board of Aldermen

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	Sandy Chesnut 121 Carroll Ave LB 228-424-2519	XII (2)	Drainage - Carroll Ave
2	George MERCIER 228 136 MARKHAM DR. 669-9464	PUBLIC HEMPHILL	RE: DERELICT PROPERTY 136 - MARKHAM DR.
3	David Reusche		Drainage - Carroll Ave
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

Considerable discussion followed regarding drainage problems on Carroll Avenue. It was determined that the City Engineer will meet with the contractors, Hemphill Construction, to resolve the problem.

Alderman Parker made motion seconded by Alderman Anderson and unanimously carried to approve minutes of the Mayor and Board of Aldermen, as follows:

- Work Session minutes dated July 18, 2011, as submitted.

Minutes of August 2, 2011
Mayor and Board of Aldermen

- Regular Meeting minutes dated July 19, 2011, as submitted.
- Work Session minutes dated July 26, 2011, as submitted.

Alderman Parker made motion seconded by Alderman Anderson and unanimously carried to approve the regular meeting minutes of the Planning Commission dated July 28, 2011, as submitted.

After considerable discussion and clarification, Alderman Hammons made motion seconded by Alderman Anderson and unanimously carried to approve the regular minutes of the Port Commission dated July 21, 2011, as submitted.

Alderman Hammons made motion seconded by Alderman Parker and unanimously carried to approve payment of invoices as listed in Docket of Claims number 080211, inclusive of three (3) invoices to James E. Joest, Appraiser, on the FMA Residential Acquisition Program, as follows:

- \$400.00, Property #4, 1215 Wisteria Lane, Invoice #U071129.
- \$400.00, Property #5, 206 N. Burke Avenue, Invoice #U071130.
- \$400.00, Property #2, 1103 Hickory Drive, Invoice #U071127.

There was no official report from the Mayor's Office.

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

- New Hire (transfer) Firefighter 1st Class Chad Epperson FS-9-I, effective August 16, 2011.
- Resignation Firefighter Grady Holder, Jr., effective July 31, 2011.

Alderman Hammons made motion seconded by Alderman Parker and unanimously carried to approve CDBG four (4) Requests for Cash and payment of six (6) invoices, as follows:

Minutes of August 2, 2011
Mayor and Board of Aldermen

MEMO

DATE: July 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 28 in the amount of \$95.29
For Architect/Engineering expense

Also enclosed is "Request for Cash and Summary Support Sheet No. 36" in the amount of \$95.29 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. 36" 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: July 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-109-235-03-KCR
Town Green
Request for Cash and Summary Support Sheet

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

1. JBHM
Invoice number 25 in the amount of \$1,041.08
For Special Consultants expense

Also enclosed is "Request for Cash and Summary Support Sheet No. 27" in the amount of \$1,041.08 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. 27" and return it along with the supporting documentation for processing to our office at the following address:

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

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

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

Minutes of August 2, 2011
Mayor and Board of Aldermen

MEMO

DATE: July 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-109-235-02-KCR
Municipal Complex Project
Request for Cash and Summary Support Sheet

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

1. JBHM
Invoice number 36 in the amount of \$159.08
For Architect/Engineering expense

Also enclosed is "Request for Cash and Summary Support Sheet No. 40" in the amount of \$159.08 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. 40" and return it along with the supporting documentation for processing to our office at the following address:

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

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

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: July 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. Neel-Schaffer
Invoice number 996125 in the amount of \$713.00
For Architect/Engineering expense
2. Neel-Schaffer
Invoice number 996126 in the amount of \$1,781.20
For Architect/Engineering expense
3. Jimmy Gouras
Invoice number 8190 in the amount of \$4,141.56
For Administration expense

Also enclosed is "Request for Cash and Summary Support Sheet No. 53 in the amount of \$6,635.76 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. 53" 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.

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 Parker made motion seconded by Alderman Hammons and unanimously carried to approve CDBG Budget Modification #7, Fire Station #2, as follows:

532

Minutes of August 2, 2011 Mayor and Board of Aldermen

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: 7 5. Grant Identifier: (Funding Source & Year) CFDA Number: 14.219 & 14.228 6. Beginning and Ending Date January 2, 2008 – September 30, 2011 7. Page 1 of <u> 3 </u>																
8. As a result of this modification, funds obligated are changed as follows: <table style="width: 100%; border: none;"> <thead> <tr> <th style="text-align: center; border: none;"><u>KCDBG</u></th> <th style="text-align: center; border: none;"><u>OTHER FEDERAL</u></th> <th style="text-align: center; border: none;"><u>OTHER (LOCAL-PRIVATE)</u></th> </tr> </thead> <tbody> <tr> <td style="border: none;">FROM: No change</td> <td style="border: none;">FROM: No change</td> <td style="border: none;">FROM: No change</td> </tr> <tr> <td style="border: none;">TO:</td> <td style="border: none;">TO:</td> <td style="border: none;">TO:</td> </tr> <tr> <td style="border: none;">INCREASE:</td> <td style="border: none;">INCREASE:</td> <td style="border: none;">INCREASE:</td> </tr> <tr> <td style="border: none;">DECREASE:</td> <td style="border: none;">DECREASE:</td> <td style="border: none;">DECREASE:</td> </tr> </tbody> </table>			<u>KCDBG</u>	<u>OTHER FEDERAL</u>	<u>OTHER (LOCAL-PRIVATE)</u>	FROM: No change	FROM: No change	FROM: No change	TO:	TO:	TO:	INCREASE:	INCREASE:	INCREASE:	DECREASE:	DECREASE:	DECREASE:
<u>KCDBG</u>	<u>OTHER FEDERAL</u>	<u>OTHER (LOCAL-PRIVATE)</u>															
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 shift \$45,000 from the Contingency line item to the Fire Protection line item to cover construction costs for the new fire station.																	
10. Except as hereby modified, all terms and conditions of the subcontract remain unchanged.																	
12. Approved for Agency: <u>Below threshold – MDA approval not required</u> Signature _____ Date _____ Name: Title:	13. Approved for Recipient: Signature _____ Date _____ Name: William Skellie, Jr. Title: Mayor																

After considerable discussion, Alderman Ponthieux made motion seconded by Alderman Parker and unanimously carried to take the Final Settlement, Infrastructure Repairs, Area 5, Hemphill Construction, under advisement until the next regular

**Minutes of August 2, 2011
Mayor and Board of Aldermen**

meeting, August 16, 2011, to allow the city engineer to meet with representatives of Hemphill Construction regarding drainage problems in the area.

Based upon the recommendation Police Chief Wayne McDowell and certification by the Civil Service Commission, Alderman Parker made motion seconded by Alderman Anderson and unanimously carried to accept the resignation of Police Officer Marvin White effective August 1, 2011.

Based upon the recommendation of City Clerk Rebecca E. Schruff and Library Director Carrie J. Ripoll and certification by the Civil Service Commission, Alderman Anderson made motion seconded by Alderman Parker and unanimously carried to approve Library personnel matters, as follows:

- Step Increase, Children's Librarian Charlene Rayburn, CSA-4-IX, effective August 1, 2011.
- Step Increase, Director Carrie J. Ripoll, CSA-8-VII, effective August 1, 2011.
- Step Increase, Library Clerk Melissa Szkolnik, CSA-1-I, effective August 1, 2011.

Alderman Parker made motion seconded by Alderman Hammons and unanimously carried to approve the purchase of two (2) cemetery plots, SE ¼ Lot 202, from Claudia and Elliott M. Freeman, Sr., in the amount of \$500.00 each for a total of \$1,000.

Alderman Ponthieux made motion seconded by Alderman Carrubba and unanimously carried to spread the Oath of Office, Prosecutor Pro-Tempore James Steele, upon the minutes of the meeting in words and figures, as follows:

Minutes of August 2, 2011
Mayor and Board of Aldermen

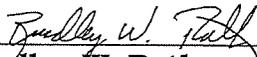
OATH OF OFFICE

I, James Steele, do solemnly swear that I will faithfully support the Constitution of the United States, the Constitution of the State of Mississippi, the ordinances of the City of Long Beach and to obey the laws thereof; that I am not disqualified from holding the office of Municipal Court Prosecuting Attorney Pro-Tempore in and for the City of Long Beach, Mississippi; that I will faithfully discharge the duties of the office which I shall enter into on the 22nd day of June, 2011. So help me God.



James Steele
Prosecuting Attorney Pro-Tempore
City of Long Beach, Mississippi

WITNESS:



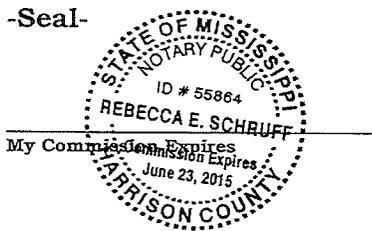
Bradley W. Rath
Municipal Court Judge

Sworn to and subscribed before me, this the 22 day
of July, 2011.



Notary Public

-Seal-



**Minutes of August 2, 2011
Mayor and Board of Aldermen**

There was no discussion regarding derelict properties at this time.

Appointments to the Planning Commissions for Wards 2, 3, and 5, were taken under advisement until the next regular meeting, August 16, 2011.

Alderman Anderson made motion seconded by Alderman Parker and unanimously carried to approve the Jingle Bell 5-K Run scheduled for December 3, 2011.

Upon further discussion of drainage problems on Carroll Avenue, Alderman Ponthieux stated that when drainage repairs are made by Hemphill Construction, yards damaged by those repairs should be restored by the contractor.

Alderman Couvillon made motion seconded by Alderman Anderson and unanimously carried to appoint Stan Snodgrass as the Ward 3 representative on the Port Commission, present-May/2013, to fill the unexpired term of David Blackstock, Jr.

The water/sewer bill, Lovers Lane Christian Church, was taken under advisement until the next regular meeting, August 16, 2011.

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

The Mayor opened the floor for public comments regarding matters not appearing on the agenda, as follows:

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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	PAUL KIES 228-524-5501	ACOSTIES
2		
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 Hammons and unanimously carried to adjourn until the next regular meeting in due course.

Minutes of August 2, 2011
Mayor and Board of Aldermen

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