

**Minutes of May 3, 2011
Mayor and Board of Aldermen**

Be it remembered that two public hearings before the Mayor and Board of Aldermen, Long Beach, Mississippi, were begun and held, at 5:00 o'clock p.m., Tuesday, the 3rd day of May, 2011, in the Long Beach City Hall, 201 Jeff Davis Avenue, in said City, and the same being the time, date and place fixed by order of the Mayor and Board of Aldermen for holding said public hearings.

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

City Attorney James C. Simpson, Jr. 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 18441 28th Street and assessed to David and Lisa Waits 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 Lishen 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 March 15, 2011, she did cause to be sent, via certified mail, return receipt requested, Legal Notice of Public Hearing, to David and Lisa Waits, at the mailing address, 18441 28th Street, 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, unable to forward, by the United States Postal Service. 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. Schruoff

CITY ATTORNEY
James C. Simpson, Jr.

91 7108 2133 3938 9856 3706

MAILED
Date: 3/16/11

March 16, 2011

Name: David and Lisa Waits
Address: 18441 28th Street
City, State, Zip Code: Long Beach, MS 39560

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Mayor and Board of Aldermen of The City of Long Beach, Mississippi, will, in accordance with motion duly made, seconded and adopted at its regular meeting, March 15, 2010, hold a public hearing at 5:00 p.m. Tuesday, May 3, 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 David and Lisa Waits, and situated in the City of Long Beach, Mississippi, at 18441 28th Street, 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: 18441 28th Street, Long Beach, MS 39560
Parcel Number: 0611B-02-015.000
Legal Description: E ½ OF W ½ OF E ½ OF NW ¼ OF NW ¼ SEC 1-8-12

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.

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

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

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

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

Done by order of the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, this the 15th day of March, 2011.


Rebecca E. Schruiff
City Clerk

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Mayor and Board of Aldermen

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

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

Done by order of the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, this the 15th day of March, 2011.


Rebecca E. Schuff
City Clerk

Minutes of May 3, 2011 Mayor and Board of Aldermen

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Label/Receipt Number: 9171 0821 3339 3998 5637 06
Expected Delivery Date: March 17, 2011
Class: First-Class Mail®
Service(s): Certified Mail™
Return Receipt Electronic
Status: Delivered

Your item was delivered at 3:17 pm on March 25, 2011 in LONG BEACH, MS 39560.

Detailed Results:

- Delivered, March 25, 2011, 3:17 pm, LONG BEACH, MS 39560
- Notice Left, March 25, 2011, 8:43 am, LONG BEACH, MS 39560
- Moved, Left no Address, March 17, 2011, 8:02 am, LONG BEACH, MS
- Undeliverable as Addressed, March 17, 2011, 8:57 am, LONG BEACH, MS 39560
- Arrival at Unit, March 17, 2011, 8:25 am, LONG BEACH, MS 39560
- Electronic Shipping Info Received, March 16, 2011
- Acceptance, March 16, 2011, 2:42 pm, LONG BEACH, MS 39560

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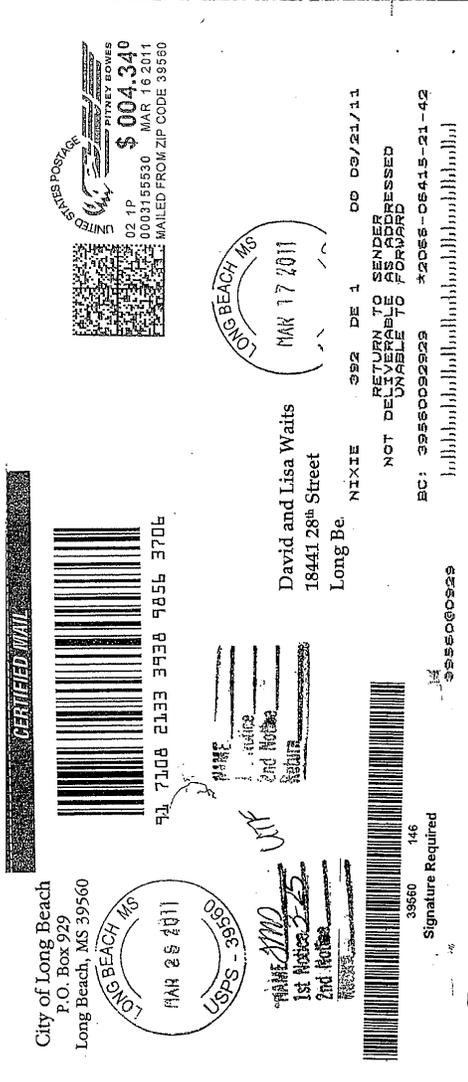
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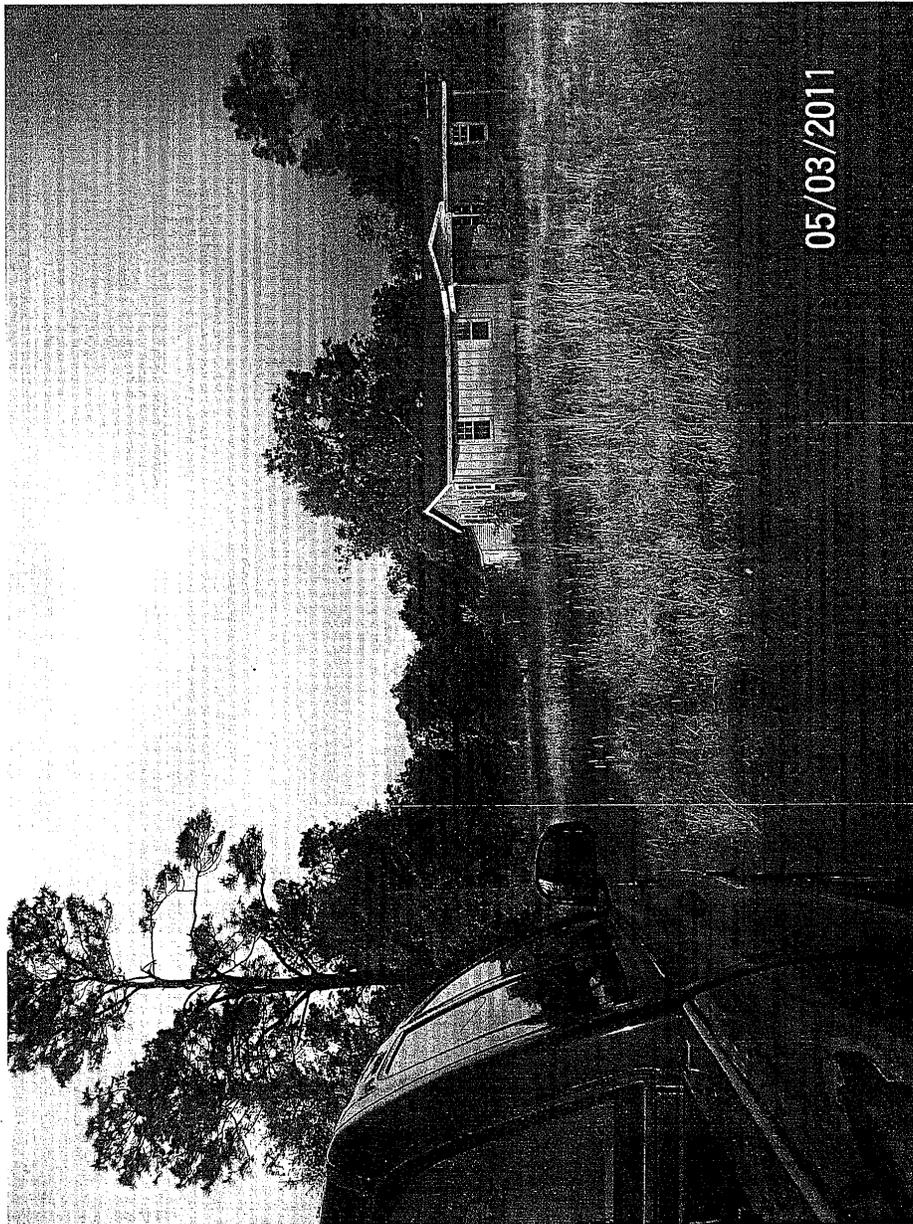
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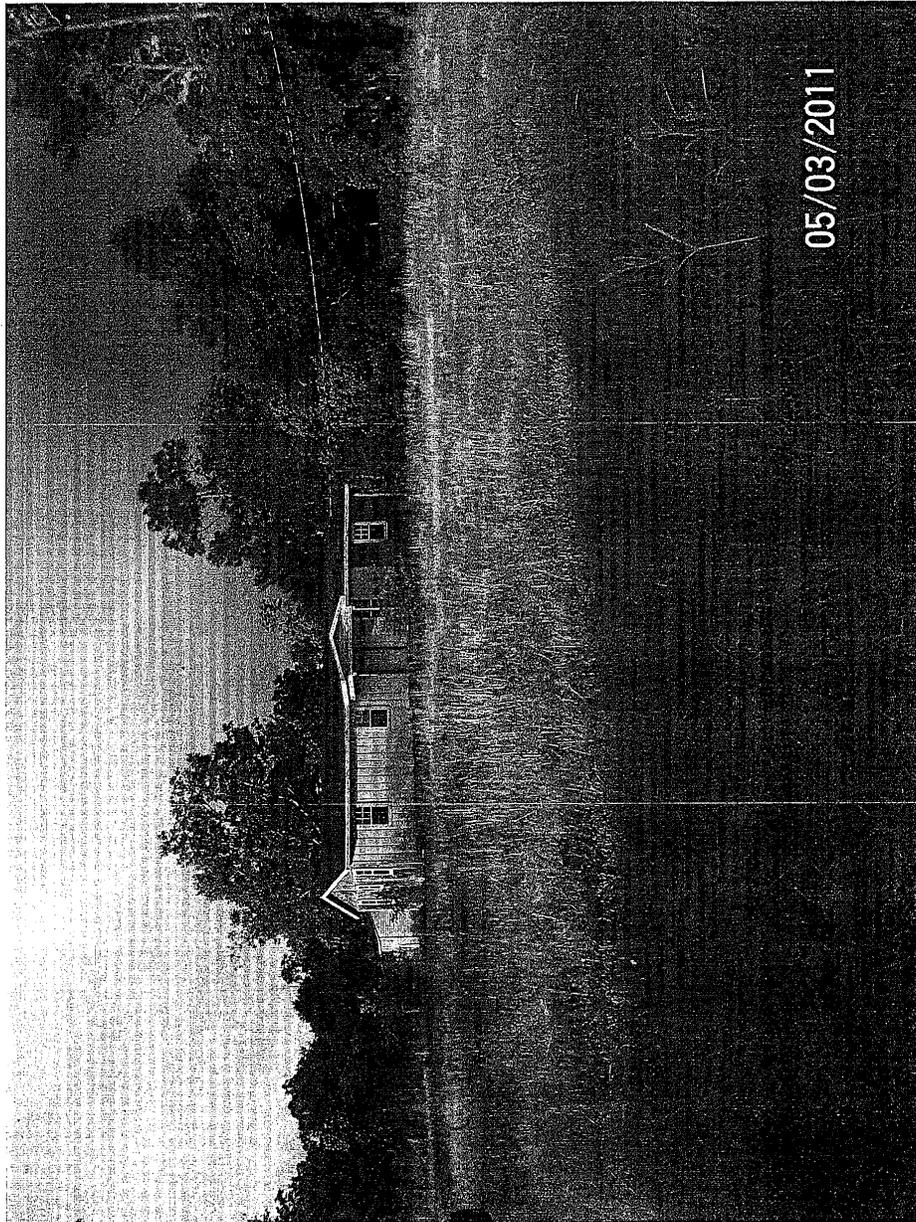
4/28/2011



- 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 18441 28th Street, Long Beach, Mississippi, by Building Official Earl Levens.
- The Clerk submitted photographs depicting the subject property taken on May 3, 2011, by Building Official Earl Levens, as follows:

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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, 18441 28th Street, Long Beach, Mississippi, as of May 3, 2011; said affidavit is as follows:

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Mayor and Board of Aldermen

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

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

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

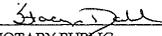
2. That in such capacity, he is responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of uncleanliness as to constitute a menace to the public health and safety of the community; he is responsible for the taking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

3. That on or before April 18, 2011, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to David and Lisa Waits and located at 18441 28th Street, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on May 3, 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 May 3, 2011.

This the 3rd day of May, 2011.


REBECCA E. SCHRUFF, AFFRANT

SWORN TO AND SUBSCRIBED before me on this the 3rd day of May, 2011.

-My Commission Expires- 
NOTARY PUBLIC



AFFIDAVIT-PHOTOS;POST NOTICE

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

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

The Mayor and Board of Aldermen took up the matter of the public hearing on the property located at 18441 28th Street 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 Carrubba 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 18441 28TH STREET, 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 18441 28th Street, 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 March 15, 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 May 3, 2011, and directed notice of said hearing be served on the owner of said property in the manner as provided by said MCA Section 21-19-11;

2. That, having served the owner of said property, either by registered mail as is evidenced by the return receipt included in the materials produced at said hearing,

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Mayor and Board of Aldermen**

or by personal service by police officer as evidenced by the return of service of such police officer, or my posting and publication of same, such service being in accordance with said MCA Section 21-19-11, and proof of same being spread upon the minutes of the Governing Authorities taken of such hearing, hereby made a part of the record of these proceedings;

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

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

1. That the parcel of land lying and being situated in the City of Long Beach, First Judicial District of Harrison County, Mississippi, and having the street address of Long Beach, Mississippi, which parcel of land is identified by Harrison County Tax Parcel Number 0611B-02-015.000, and according to said tax records is owned by David and Lisa Waits is at present in such a state of uncleanliness as to be a menace to the public health and safety of the community and an attractive nuisance.

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

Removal of all discarded materials, dangerous items, and such other rubbish
and/or debris as described in any notice or as appearing on said property

contributing to the property constituting a nuisance and menace overall to the public health and safety, and abate or cause to be abated the conditions otherwise existing and constituting a menace to public safety and health as testified and/or described in general at the hearing, and as contained in the report letter from the Building Code Official Earl Levens dated August 30, 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.

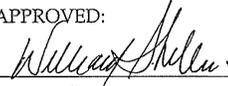
Alderman Couvillon seconded the motion to adopt the foregoing resolution and order, and the question being put to a roll call vote by the Mayor, the result was as follows:

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	Aye
Alderman Ronnie Hammons, Jr.	voted	Aye

The question having received the Affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the resolution and order adopted and approved this 3rd day of May, 2011.

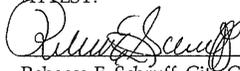
Minutes of May 3, 2011
Mayor and Board of Aldermen

APPROVED:



William Skellie, Jr., Mayor)

ATTEST:



Rebecca E. Schruff, City Clerk

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 311 Charles Avenue and assessed to Clinthea McDonnell 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 Lishen 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 March 15, 2011, she did cause to be sent, via certified mail, return receipt requested, Legal Notice of Public Hearing to Clinthia McDonnell, at the mailing address, 311 Charles 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, unable to forward, by the United States Postal Service. Said notice is as follows:

Minutes of May 3, 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 9856 3670

MAILED 
Date: 3/16/11

March 16, 2011

Name: Clinthea McDonnell
Address: 311 Charles Avenue
City, State, Zip Code: Long Beach, MS 39560

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Mayor and Board of Aldermen of The City of Long Beach, Mississippi, will, in accordance with motion duly made, seconded and adopted at its regular meeting, March 15, 2010, hold a public hearing at 5:00 p.m. Tuesday, May 3, 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 Clinthea McDonnell, and situated in the City of Long Beach, Mississippi, at 311 Charles 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 Charles Avenue
Parcel Number: 0611P-04-108.000
Legal Description: LOTS 5, 6 & N 10 FT LOT 7 BLK 3 GATES SUBD

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

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Mayor and Board of Aldermen

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

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

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

Done by order of the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, this the 15th day of March, 2011.


Rebecca E. Schuff
City Clerk



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Label/Receipt Number: 9171 0821 3339 3898 6636 90
Expected Delivery Date: March 17, 2011
Class: First-Class Mail®
Service(s): Certified Mail™
Return Receipt Electronic
Status: Delivered

Your item was delivered at 1:18 pm on April 04, 2011 in LONG BEACH, MS 39560.

Detailed Results:

- Delivered, April 04, 2011, 1:18 pm, LONG BEACH, MS 39560
- Notice Left, April 01, 2011, 11:02 am, LONG BEACH, MS 39560
- Processed through Sort Facility, April 01, 2011, 4:43 am, GULFPORT, MS 39603
- Moved, Left no Address, March 18, 2011, 1:46 pm, LONG BEACH, MS
- Undeliverable as Addressed, March 17, 2011, 1:35 pm, LONG BEACH, MS 39560
- Arrival at Unit, March 17, 2011, 8:25 am, LONG BEACH, MS 39560
- Electronic Shipping Info Received, March 16, 2011
- Acceptance, March 16, 2011, 2:43 pm, LONG BEACH, MS 39560

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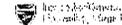
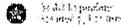
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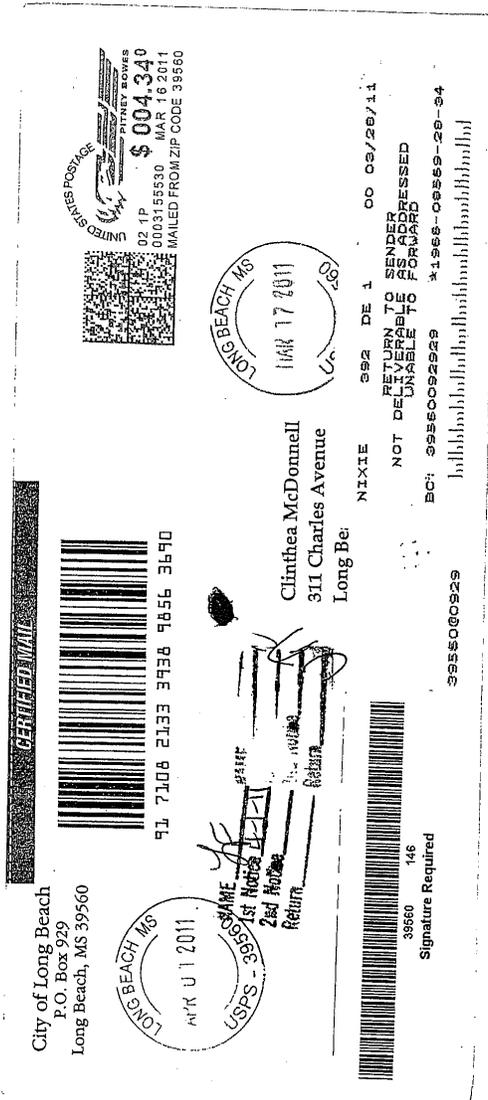
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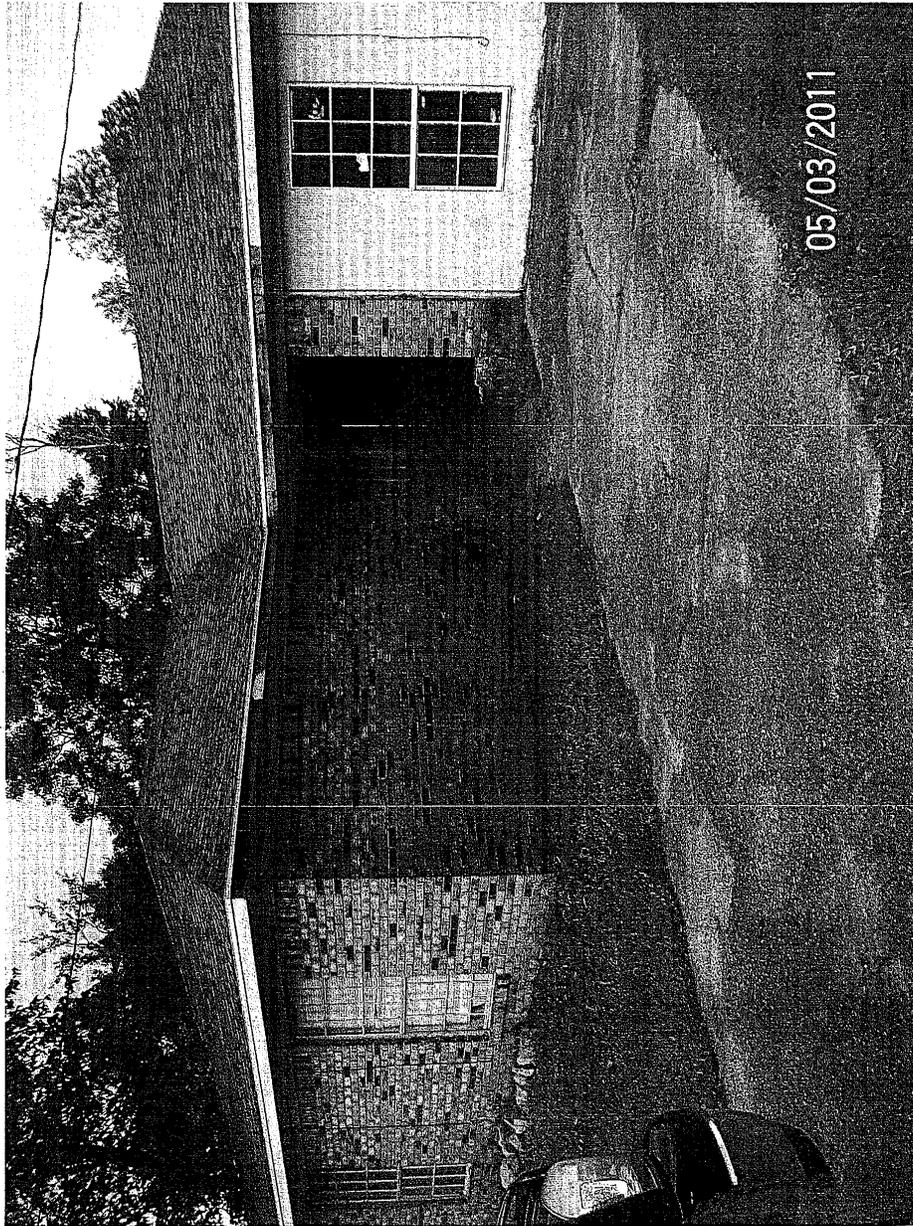
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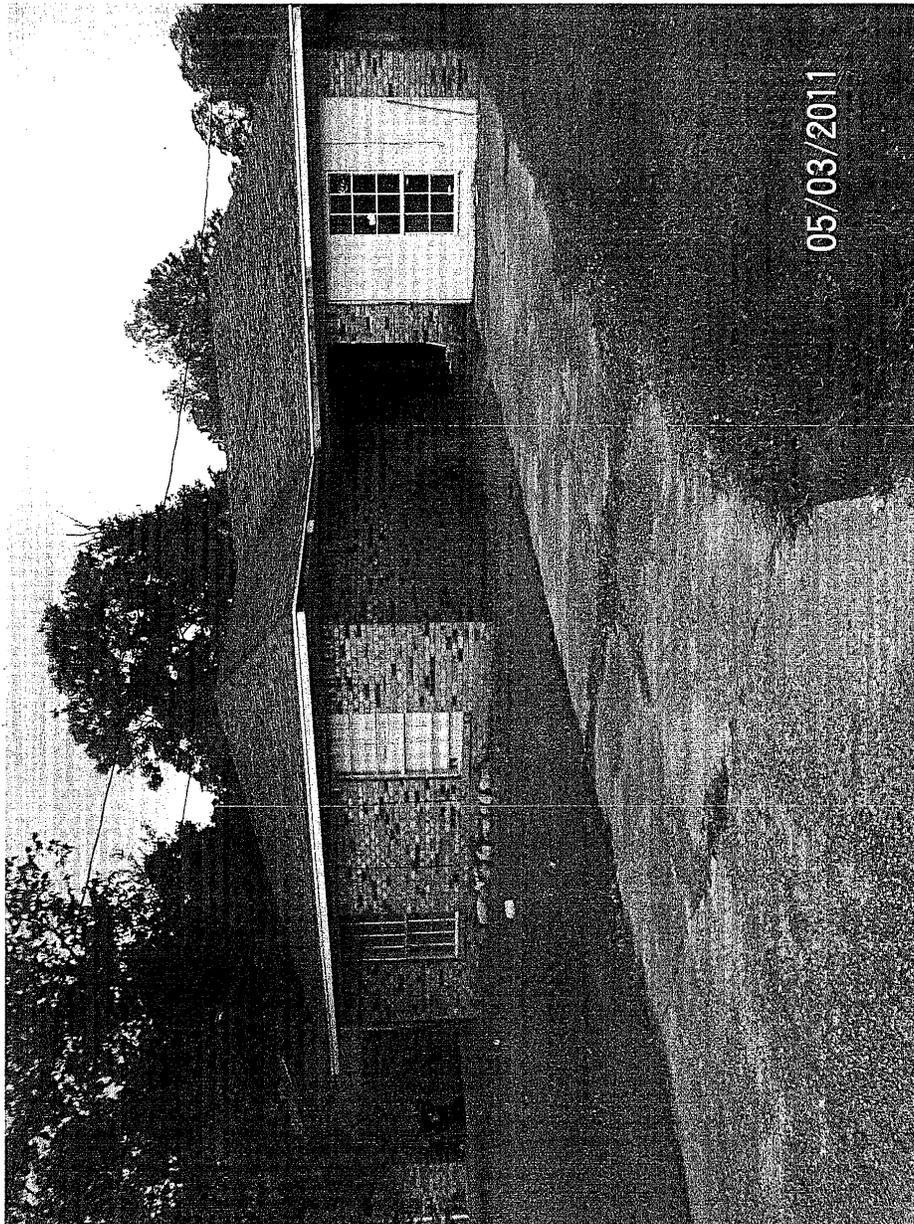
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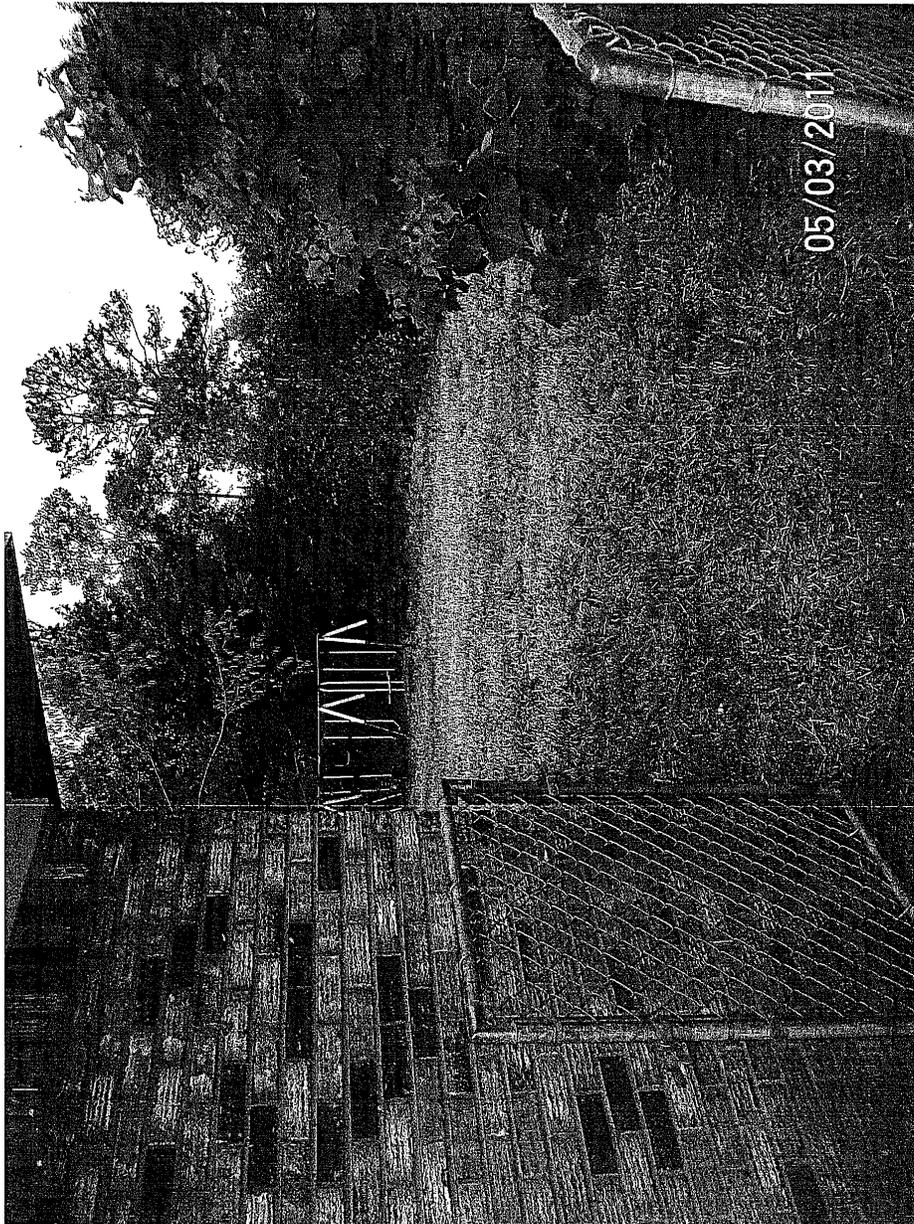
- The Clerk further reported that the Legal Notice of Public Hearing was posted at City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi and on the subject property, 311 Charles Avenue, Long Beach, Mississippi, property by Building Official Earl Levens.
- The Clerk submitted photographs depicting the subject property taken on May 3, 2011, as follows:





05/03/2011

311 Charles



- 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 Charles Avenue, Long Beach, Mississippi, as of May 3, 2011; said affidavit is as follows:

Minutes of May 3, 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;

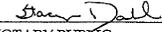
3. That on or before April 18, 2011, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Clinthea McDonnell and located at 311 Charles Avenue, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on May 3, 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 May 3, 2011.

This the 3rd day of May, 2011.


REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 3rd day of May, 2011.

-My Commission Expires



NOTARY PUBLIC

AFFIDAVIT-PHOTOS;POST NOTICE

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

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

Alderman Carrubba made motion seconded by Alderman Couvillon and unanimously carried finding that the subject property, 311 Charles Avenue, in its present condition, is in compliance with city ordinance and state statutes at this time.

Minutes of May 3, 2011
Mayor and Board of Aldermen

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 May, 2011, and the same being the time, date and place fixed by Laws of the State of Mississippi and ordinance of the City of Long Beach for holding said meeting.

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

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

City Attorney James C. Simpson, Jr., arrived late and was preliminarily absent the meeting.

Due to public hearings, the regular meeting was called to order late.

Alderman Anderson made motion seconded by Alderman Lishen and unanimously carried authorizing the advertisement for bids, "PEDESTRIAN/BICYCLE TRAIL", said bids to be opened June 9, 2011, at 10:00 a.m. in the Office of the City Clerk.

Alderman Parker made motion seconded by Alderman Ponthieux and unanimously carried authorizing the advertisement for bids, "PINEVILLE ROAD BRIDGE REPLACEMENT", said bids to be opened June 9, 2011, 10:00 a.m. in the Office of the City Clerk.

The Mayor and Board of Aldermen proclaimed the week of May 1-7, 2011, Goodwill Industries International Week.

Alderman Hammons made motion seconded by Alderman Carrubba and unanimously carried to suspend the rules and amend the Municipal Docket to include the following:

**Minutes of May 3, 2011
Mayor and Board of Aldermen**

Item IX.1.a. APPROVE DOCKET OF CLAIMS NUMBER(S): 050311; Aaron Parks Invoice, Library Cleaning, \$150.00;

Item IX.1.b. APPROVE DOCKET OF CLAIMS NUMBER(S): 050311; Payment in the Amount of \$2,020.74 to Magnolia Printing & Copying for Mandatory Mail-Out, Water and Sewer Utility Billing.

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

PUBLIC COMMENTS PERTAINING TO MATTERS ON THE AGENDA ONLY		
NOTE: All comments <u>shall</u> 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 <u>will not</u> 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 <i>Jane Stokes</i>	<i>8(3)</i>	<i>Port Commission</i>
2 <i>JOAN DAWSON</i>	<i>8(3)</i>	<i>Port Commission</i>
3 <i>LAURIE CALDWELL</i>	<i>8(3)</i>	<i>Port Commission</i>
4 <i>Camille Tate</i>	<i>XII</i>	<i>Women of the Forum</i>
5		
6		
7		
8		
9		
10		

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

Minutes of May 3, 2011
Mayor and Board of Aldermen

Alderman Carrubba made motion seconded by Alderman Lishen and unanimously carried to approve the regular meeting minutes and work session minutes of the Mayor and Board of Aldermen dated April 19, 2011, and April 27, 2011, respectively, as submitted.

Alderman Hammons made motion seconded by Alderman Anderson and unanimously carried to approve the regular meeting minutes and work session minutes of the Planning commission dated April 19, 2011, and April 27, 2011, respectively, as submitted.

Alderman Anderson made motion seconded by Alderman Lishen and unanimously carried to approve the regular meeting minutes of the Port Commission dated April 21, 2011, as submitted.

* * *

Upon discussion of the April 26, 2011, Port Commission minutes, Alderman Anderson made motion seconded by Alderman Hammons and unanimously carried to take said minutes under advisement for further consideration upon the arrival of City Attorney James C. Simpson, Jr.

Alderman Parker made motion seconded by Alderman Ponthieux and unanimously carried to approve payment of invoices as listed in Docket of Claims number 050311 and additional invoices, as follows:

Aaron Parks invoice in the amount of \$150.00 for Library janitorial services, April 1, 2011 through April 29, 2011;

Magnolia Printing & Copying invoice (quotation 21663) in the amount of \$2,030.74 for mandatory mail-out, Water and Sewer Utility Billing.

Alderman Carrubba made motion seconded by Alderman Anderson and unanimously carried to release payment in the amount of \$72,091.71 to Stark's Construction, Inc., City Hall Project, stating for the record that no additional checks will be released until the punch list is satisfactorily complete.

It was the consensus of the Mayor and Board of Aldermen to contact JBHM Architects and relay problems with the sound system and acoustics in the meeting room.

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

City Attorney James C. Simpson, Jr., arrived at the public meeting, whereupon, discussion was held regarding the April 26, 2011, Port Commission.

After a brief discussion, Alderman Anderson made motion seconded by Alderman Carrubba and unanimously carried to meet in closed session to preliminarily determine whether or not to declare an executive session.

* * *

Upon motion duly made, seconded and unanimously carried in executive session, the Mayor and Board of Aldermen met in executive session for the transaction of public business, to-wit: to discuss with and seek the legal advice and counsel of the City Attorney regarding the Public Trust Tidelands Lease Agreement.

* * *

The meeting resumed in open session and, based upon discussion held and information obtained in executive session, Alderman Lishen made motion seconded by Alderman Anderson and unanimously to approve the recess meeting minutes of the Port Commission dated April 26, 2011, with exception to the Public Trust Tidelands Lease Agreement with the Secretary of State Public Lands Division, taking said lease agreement under advisement for further review and consideration at a later date.

City Attorney James C. Simpson, Jr. was absent the meeting and in conference with Ray Carter, Secretary of State's Office and representatives of the Long Beach Yacht Club.

Alderman Couvillon made motion seconded by Alderman Anderson and unanimously carried to approve CDBG four (4) Requests for Cash and payment of eight (8) invoices, as follows:

Minutes of May 3, 2011
Mayor and Board of Aldermen

MEMO

DATE: April 30, 2011
TO: Honorable William Skellie, Jr.
City of Long Beach
FROM: Ann Frazier
Jimmy G. Gouras Urban Planning
City of Long Beach
RE: CDBG Project #R-109-235-04-KCR
Fire Station
Request for Cash and Summary Support Sheet

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

1. Jimmy Gouras
Invoice number 9127 in the amount of \$1,708.33
For Administration expense
2. Jimmy Gouras
Invoice number 9128 in the amount of \$1,708.33
For Administration expense
3. JBHM
Invoice number 25 in the amount of \$293.20
For Architect/Engineering expense

Also enclosed is "Request for Cash and Summary Support Sheet No. 32" in the amount of \$3,709.86 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. 32" 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

MEMO

DATE: April 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 34 in the amount of \$636.34
For Architect/Engineering expense

Also enclosed is "Request for Cash and Summary Support Sheet No. 38" in the amount of \$636.34 for payment of the above invoices.

Please have the above invoices and Request for Cash and the supporting documentation placed on your next agenda for approval. After its approval, the appropriate official should sign the "Request for Cash and Cash Summary Support Sheet No. 38" and return it along with the supporting documentation for processing to our office at the following address:

Debra Tompkins
Jimmy Gouras Urban Planning
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 May 3, 2011
Mayor and Board of Aldermen**

MEMO

DATE: April 31, 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. J. Levens
 Invoice number 25 in the amount of \$3,405.00
 For Street & Road Improvement
2. Neel-Schaffer
 Invoice number 994595 in the amount of \$4,200.00
 For Architect/Engineering expense

Also enclosed is "Request for Cash and Summary Support Sheet No. 52 in the amount of \$7,605.00 for payment of the above invoices.

Please have the above invoices and Request for Cash and the supporting documentation placed on your next agenda for approval. After its approval, the appropriate official should sign the "Request for Cash and Cash Summary Support Sheet No. 52" 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: April 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. AFC
Invoice number 11 in the amount of \$39,762.44
For Town Green Construction expense
2. JBHM
Invoice number 22 in the amount of \$780.81
For Special Consultants expense

Also enclosed is "Request for Cash and Summary Support Sheet No. 24" in the amount of \$40,543.25 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. 24" and return it along with the supporting documentation for processing to our office at the following address:

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

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

JIMMY G. GOURAS

URBAN PLANNING CONSULTANTS, INC.

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

Alderman Hammons made motion seconded by Alderman Couvillon and unanimously carried to approve Budget Modification #5, CDBG Planning and Administration Project, Fringe Area Study, and to publish legal notice, Request for Proposals, Professional Planning Services, as follows:

Minutes of May 3, 2011
Mayor and Board of Aldermen

BUDGET MODIFICATION WORKSHEET

Recipient: City of Long Beach Contract Number: R-103-235-01-KP

Activity	Current Budget	Proposed Budget	Change (+ -)
Planning	\$ 450,000.00	\$ 480,000.00	+\$ 30,000.00
Administration	\$ 17,500.00	\$ 17,500.00	\$ 0.00
Application Preparation	\$ 2,500.00	\$ 2,500.00	\$ 0.00
	TOTAL	TOTAL	TOTAL
	\$ 470,000.00	\$ 500,000.00	+\$30,000.00

Comments:

Minutes of May 3, 2011
 Mayor and Board of Aldermen

Katrina Supplemental CDBG Program
 Budget Summary

Applicant: City of Long Beach

Funding Year: _____

Grant Year: _____

Contract: #R-103-235-01-KP

Description	MDA	IDIS	Other Funding Sources				Total
			Katrina CDBG				
Administration							
General Administration			\$ 17,600.00				\$ 17,600.00
Application Prep.			\$ 2,600.00				\$ 2,600.00
Audit							
Subtotal (A)			\$ 20,000.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 20,000.00
Public Facilities							
Acquisition							\$ 0.00
Architectural/Engineering							\$ 0.00
Bridges							\$ 0.00
Construction of Public Building							\$ 0.00
Contingency							\$ 0.00
Demolition							\$ 0.00
Drainage & Flood Protection							\$ 0.00
Fire protection							\$ 0.00
Legal							\$ 0.00
Public Service							\$ 0.00
Rail							\$ 0.00
Renovation of Public Building							\$ 0.00
Sewage Pumping Station							\$ 0.00
Sewage Treatment							\$ 0.00
Sewer Line(s)							\$ 0.00
Street & Road Improvements							\$ 0.00
Water Booster Station							\$ 0.00
Water Line(s)							\$ 0.00
Water Tank							\$ 0.00
Water Treatment							\$ 0.00
Water Well							\$ 0.00
Other							\$ 0.00
Planning Services			\$ 480,000.00				\$ 480,000.00
							\$ 0.00
Subtotal (B)			\$ 480,000.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 480,000.00
Grand Total (A + B)			\$ 500,000.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 500,000.00

Contract Amendment
Individual Work Activity Description

Recipient: City of Long Beach Contract Number: R-103-235-01-KP

The individual work activity description is provided to describe in detail each activity proposed to be amended. A separate work activity description must be completed for each activity proposed in contract amendment (i.e., sewer, water, streets, housing, etc.).

1. Work Activity: Fringe Area Study Activity No. _____

2. Community (area) problem to be addressed:

The Fringe Area Study is intended to analyze the characteristics of the unincorporated areas contiguous with the City of Long Beach and to determine the level and extent of services available and needed in these areas. The Fringe Area Study will address the needs of Long Beach to plan for and regulate the growth along the City's border. The Study is critical to proper planning for the long term and short term rebuilding, recovery and renewal of Long Beach and its adjacent environs.

3. Detailed description of work activity:

See attached Scope of Work.

4. Impact of increase in proposed scope of work (or new scope of work):

The Fringe Area Study (\$30,000) will assist the City in undertaking a thorough inventory and analysis of existing conditions on the City's periphery and will play a key role in determining measures that can be taken to insure the growth that is expected to occur north of the coast line is consistent and compatible with the goals and objectives of the City of Long Beach and with land development codes and standards of the City. The Study is a vital part of the long term recovery and rebuilding of the City and its path of growth in the future.

5. Number benefiting from proposed work activity. Show the number of increase in beneficiaries, or decrease if applicable. Show how this was determined.

The beneficiaries will not change, city wide benefit.

6. Identify how this proposed amendment addresses one or more of the national objectives:

- N/A A. Low-and moderate-income families:
- N/A B. Aid in prevention or elimination of slum and blight:
- N/A C. Meets other community development needs:

7. Documentation to verify public hearing on increase of scope of services (if applicable).

A public hearing was conducted on November 20, 2007 to discuss including the Fringe Area Study as part of the funded grant for the Comprehensive Plan, Zoning Ordinance and Map, Subdivision Regulations and Architectural Design Standards. No public opposition was received during the hearing. Additionally, the Mayor and Board of Aldermen will adopt in their minutes the execution of the budget modification attached hereto.

8. Describe any effects the proposed amendment of the work activities will have on the Environmental Assessment of the project:

This scope change will have no effect on the Environmental Exemption dated March 14, 2007.

Minutes of May 3, 2011
Mayor and Board of Aldermen

- 9. Describe any changes in the contract budgets that will be needed to complete the proposed amendment to the work activity:

The total project budget will increase from \$470,000 to \$500,000. The Planning line item within the budget will increase from \$450,000 to \$480,000.

After considerable discussion, Alderman Couvillon made motion seconded by Alderman Anderson and unanimously carried to take Change Order #04, CDBG Town Green Project under advisement until the next regular meeting, May 17, 2011, requesting that a representative from JBHM Architects attend to provide additional information regarding the project change order.

Minutes of May 3, 2011
Mayor and Board of Aldermen

Alderman Parker made motion seconded by Alderman Anderson and unanimously carried to approve Change Order Number 004, 005, 006 and the Certification of Substantial Completion, CDBG Project Fire Station #2, as follows:



GULF COAST OFFICE
2548 Beach Blvd, Ste. 100
Biloxi, Mississippi 39531

228.694.2200
FAX: 228.694.2020
EMAIL: info@jbhm.com

April 29, 2011

E-mail and United States Postal Service

Mayor William Skellie, Jr.
City of Long Beach
201 Jeff Davis Avenue
Long Beach, MS 39560

RE: LONG BEACH FIRE STATION NO. 2 - CHANGE ORDER 004

Dear Mayor Skellie:

The enclosed Change Order 004 for the new Fire Station No. 2 documents the following changes to the contract:

Furnish and install a complete FEMA 361 equipment screen at the exterior Mechanical and Electrical Equipment Yards. The total cost to perform this work is documented in the attached PCO-6; a cost increase of \$30,896.25 and a requested time extension of twelve (12) days.

The Hazard Mitigation Grant Program (HMGP) has approved a Scope of Work Change; the total amount of HMGP funding for this project has been increased by the amount of the Change Order.

I have reviewed all documentation and find the above requests to be in order and appropriate. Should the changes described above be approved by the Board of Aldermen, the Contract Sum and Contract Time will be increased as outlined above. Therefore, the Contract Sum for the project will become \$3,500,352.17 (\$1,847,079.92 for CDBG, PA, and Insurance, and \$1,653,272.25 for HMGP) and the date of Substantial Completion will become November 21, 2010.

Enclosed you will find 4 copies of the above mentioned Change Order. If approved by the Board of Aldermen, please sign all 4 documents and return all copies to our JBHM - Biloxi Office for further processing. We will mail you a fully executed copy. Should you have additional questions concerning this change order, please do not hesitate to contact me.

Sincerely,

Glenn Currie, AIA, Principal

OFFICES
Biloxi
Columbus
Jackson
Tupelo

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

JACK W. BALLARD, AIA
GLENN CURRIE, AIA

cc: Chief George Bass / Assistant Chief Mike Brown - Long Beach Fire Dept.
Larry Williamson / Buddy Poupart / Aaron Russell - ReflecTech, Inc.
Ann Frazier - Jimmy G. Gouras Urban Planning Consultants
Ron Robertson - Broaddus and Associates
Liston Conrad - HORNE LLP
Ryan Florreich / Carl Bradley - JBHM
JBHM #07153.00.07

Minutes of May 3, 2011
 Mayor and Board of Aldermen



GULF COAST OFFICE
 2548 Beach Blvd, Ste. 100
 Biloxi, Mississippi 39531

228.694.2200
 FAX 228.694.2020
 EMAIL info@jhma.com

AN UNO, JURE
 PARTNER
 ARCHITECTURE FIRM
 REGISTERED PROFESSIONAL
 ENGINEERS

OFFICES
 Biloxi
 Columbus
 Jackson
 Tupelo

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

JACK W. BALLARD, AIA
 GLENN CURRIE, AIA

April 29, 2011

E-mail and United States Postal Service

Mayor William Skellie, Jr.
 City of Long Beach
 201 Jeff Davis Avenue
 Long Beach, MS 39560

RE: LONG BEACH FIRE STATION NO. 2 – CHANGE ORDER 005

Dear Mayor Skellie:

The enclosed Change Order 005 for the new Fire Station No. 2 documents the following changes to the contract:

- 1) Upgrade the Kitchen Island Sink to an integral stainless steel unit. Refer to the attached PCO-06 for additional information; a total cost of \$1,386.00 and a requested time extension of zero (0) days.
- 2) Add additional Gypsum Board assemblies and finishing in the Ground Floor corridors and stairs. Refer to the attached PCO-07 for additional information; a total cost of \$12,135.65 and a requested time extension of zero (0) days.
- 3) Add additional Roller Shade units at selected locations. Refer to the attached PCO-08 for additional information; a total cost of \$3,139.05 and a requested time extension of zero (0) days.
- 4) Add additional Gear Storage Systems in the Apparatus Bay Storage Room. Refer to the attached PCO-09 for additional information; a total cost of \$492.84 and a requested time extension of zero (0) days.
- 5) Change the Slide Pole finish to stainless steel. Refer to the attached PCO-10 for additional information; a total cost of \$602.50 and a requested time extension of zero (0) days.
- 6) Add additional Ceiling Access Panels at selected locations. Refer to the attached PCO-14 for additional information; a total cost of \$2,426.87 and a requested time extension of zero (0) days.

I have reviewed all documentation and find the above requests to be in order and appropriate. Should the changes described above be approved by the Board of Aldermen, the Contract Sum and Contract Time will be increased by a total of \$20,182.91 and the Contract Time will be increased by zero (0) days. Therefore, the Contract Sum for the project will become \$3,520,535.08 (\$1,867,262.83 for CDBG, PA, and Insurance, and \$1,653,272.25 for HMGP) and the date of Substantial Completion will remain November 21, 2010.

Minutes of May 3, 2011
Mayor and Board of Aldermen



GULF COAST OFFICE
2518 Beach Blvd, Ste. 100
Biloxi, Mississippi 39531
228.694.2200
FAX 228.694.2020
EMAIL info@jsh.com

April 29, 2011

E-mail and United States Postal Service

Mayor William Skellie, Jr.
City of Long Beach
201 Jeff Davis Avenue
Long Beach, MS 39560

RE: LONG BEACH FIRE STATION NO. 2 -- CHANGE ORDER 006

Dear Mayor Skellie:

The enclosed Change Order 006 for the new Fire Station No. 2 documents the following changes to the contract:

ARCHITECT
147281250
LAPORATION ARCHITECTURE
1111 FORT BAY
CLEARING 147281250
150 3000 1250000000

- 1) Add a Bi-Directional Amplifier System to provide acceptable coverage for the Harrison County Emergency Communications Commission (HCECC). This system is required for the building to be in full compliance with Local Ordinance No. 517. Signal tests were performed by the HCECC at the project site; signal strength was found to be inadequate, therefore this system is required. Refer to the attached PCO-18 for additional information; a total cost of \$29,140.76 and a requested time extension of zero (0) days.
- 2) Add misc. additional Electrical scope and upgrades to the project. Refer to the attached PCO-17 for additional information; a total cost of \$26,380.67 and a requested time extension of zero (0) days.
- 3) Add a Lighting Control System to the main 'communal' areas of the building and repair all finishes to "like new" condition. Refer to the attached PCO-20 for additional information; a total cost of \$8,263.41 and a requested time extension of zero (0) days.

I have reviewed all documentation and find the above requests to be in order and appropriate. Should the changes described above be approved by the Board of Aldermen, the Contract Sum and Contract Time will be increased by a total of \$63,784.84 and the Contract Time will be increased by zero (0) days. Therefore, the Contract Sum for the project will become \$3,584,319.92 (\$1,931,047.67 for CDBG, PA, and Insurance, and \$1,653,272.25 for HMGP) and the date of Substantial Completion will remain November 21, 2010.

OFFICES
Biloxi
Columbus
Jackson
Tupelo

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

JACK W. BALLARD, AIA
GLENN CURRIE, AIA

Minutes of May 3, 2011
Mayor and Board of Aldermen



Certificate of Substantial Completion

PROJECT: <i>(Name and address)</i> City of Long Beach Fire Station No. 2 120 East Second Street Long Beach, Mississippi 39560	PROJECT NUMBER: 07153/ CONTRACT FOR: General Construction CONTRACT DATE: August 31, 2009	OWNER: <input checked="" type="checkbox"/> ARCHITECT: <input checked="" type="checkbox"/> CONTRACTOR: <input checked="" type="checkbox"/> FIELD: <input type="checkbox"/> OTHER: <input type="checkbox"/>
TO OWNER: <i>(Name and address)</i> City of Long Beach 201 Jeff Davis Avenue Long Beach, MS 39560	TO CONTRACTOR: <i>(Name and address)</i> ReflecTech, Inc. 100 Street A, Suite A Pacayune, Mississippi 39466	

PROJECT OR PORTION OF THE PROJECT DESIGNATED FOR PARTIAL OCCUPANCY OR USE SHALL INCLUDE:

The entire project is determined to be Substantially Complete as of April 21, 2011

The Work performed under this Contract has been reviewed and found, to the Architect's best knowledge, information and belief, to be substantially complete. Substantial Completion is the stage in the progress of the Work when the Work or designated portion is sufficiently complete in accordance with the Contract Documents so that the Owner can occupy or utilize the Work for its intended use. The date of Substantial Completion of the Project or portion designated above is the date of issuance established by this Certificate, which is also the date of commencement of applicable warranties required by the Contract Documents, except as stated below:

Warranty	Date of Commencement
Date of Substantial Completion per Article 9.8.4 of	April 20, 2011
Supplementary Conditions	

JBHM Architects, P.A.		4.21.11
ARCHITECT	BY	DATE OF ISSUANCE

A list of items to be completed or corrected is attached hereto. The failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents. Unless otherwise agreed to in writing, the date of commencement of warranties for items on the attached list will be the date of issuance of the final Certificate of Payment or the date of final payment.

Cost estimate of Work that is Incomplete or defective: \$175,000.00

The Contractor will complete or correct the Work on the list of items attached hereto within Thirty (30) days from the above date of Substantial Completion.

ReflecTech, Inc.		
CONTRACTOR	BY	DATE

The Owner accepts the Work or designated portion as substantially complete and will assume full possession at (time) on (date).

City of Long Beach		
OWNER	BY	DATE

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Alderman Parker made motion seconded by Alderman Anderson and unanimously carried to approve HMGP Pay Application #2, Police Department Shutters, and the Release Request, CIS Construction, as follows:

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April 28, 2011

To: Mayor William Skellie, Jr.
City of Long Beach
645 Klondyke Road
Long Beach, MS 39560

From: Patrick Moore
Project Manager
AMEC Earth and Environmental

RE: **City of Long Beach**
Hurricane shutter installation on existing Police Department
FEMA Project Number: DR-1604-MS-0375
HMGP Pay Application and Closeout

Mayor Skellie:

Enclosed find the following Certificate for Payment and Release Request from CIS Construction for the installation of Hurricane shutters on the City of Long Beach existing police department. Per the attached letter of recommendation from project engineer Capital Engineering, please place these documents on the agenda for approval and payment by the City's Board of Alderman at their May 3, 2011, board meeting.

Application and Certificate for Payment are attached as follows:

HMGP Payment, Police Department Shutters, amount due: \$19,700.00

If you have any questions, please contact me at 228-327-5166.

Sincerely,
Patrick Moore

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CAPITAL ENGINEERING, LLC
6933 Indianapolis Blvd.
Hammond, IN 46324
USA

Telephone: 219-844-1984
Fax: 219-845-9902

April 28, 2011

Mr. Patrick Moore
AMEC Earth and Environmental
9061 Hannah Lane
Biloxi, MS 39532

Subject: Long Beach, MS Police Station
Door & Window Shutters
CIS Construction Payment Application
SNC Lavalin Capital Engineering Project No. 8524

Dear Mr. Moore:

Enclosed please find the certified pay application for construction work on the Long Beach Police Station door and window shutters. I have certified this pay application for the total contract amount of \$19,700. Also enclosed is the CIS release of Liens.

This completes this project.

If you have any questions, please do not hesitate to contact me.

Sincerely yours,

A handwritten signature in cursive script that reads "Louis A. Traina".

Louis A. Traina, P.E.
Project Manager
SNC Lavalin Capital Engineering
Hammond, IN 46307
Ph: 219-844-1984
Cell: 219-718-8610
Email: louis.traina@snclavalin.com



Louis A. Traina
4-28-11

APPLICATION FOR PAYMENT - CONTINUATION SHEET

Client:
 CIS Construction, Inc.
 27 Fountain Abbey
 Pensacola, 32506

To:
 Long Beach Police Department
 202 Alexander Road
 Long Beach, MS 39560

Project:
 WINDOW SHUTTERS
 Long Beach Police Dept. Storm
 Shutters

Application No: 2
Application Date: 3/17/2011
Period To: 3/17/2011
Contract Date: 1/04/2011
Architects Project#:

A Item No	B Description of Work	C Contract Value	D Work Completed From Previous Application (D + E)	E Work Completed This Period	F Materials Presently Stored (Not In D or E)	G Total Completed and Stored To Date (D+E+F)	H % (G / C)	I Retainage (Variable Rate)
1	Storm Shutters	19,700.00	0.00	19,700.00	0.00	19,700.00	100	0.00
		19,700.00	0.00	19,700.00	0.00	19,700.00	100	0.00

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Release of Liens CAP706A

To Owner:

Long Beach Police Department
202 Alexander Road
Long Beach, MS 39560

Contract Date: 1/04/2011

Contract for:

Long Beach Police Station
Shutters

Architect's Project Number:

From:

CIS Construction, Inc.
27 Fountain Abbey
Pensacola, 32506

Distribute To:

Owner Contractor Other
 Architect Surety

Project:

WINDOW SHUTTERS
Long Beach Police Dept. Storm
Shutters

State of:

Mississippi

County of:

Harrison

Purpose

This Document is to certify that the undersigned, to the best of their knowledge, with the exceptions listed below, Release or Waivers of Lien include the following:

Contractor, Subcontractors, Suppliers and all workers or services who may have the right to assert liens against any property of the owner listed regarding the contract referenced in this document.

Exceptions:

Attached Supporting Documents:

1. Contractor's Release or Waiver of Liens, conditional upon receipt of final payment.
2. Separate Releases or Waivers of Liens from Subcontractors and material and equipment suppliers, to the extent required by the Owner, accompanied by a list thereof.

Contractor:

CIS Construction, Inc.
27 Fountain Abbey
Pensacola, 32506

BY:

Christopher Papillion
(signature of authorized representative)

Subscribed and sworn to before me on this date: 4/27/11

Notary Public: *Jessica Lindsey*

My Commission Expires: March 17, 2015

Christopher Papillion
(Printed Name and Title)



JESSICA LINDSEY
COMMISSION # EE 76122
EXPIRES: March 17, 2015

Notary Public - Florida - Notary System, Inc. - 1-800-833-9345 - Copyright 2007

Based upon the recommendation of 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 Joshua Williams effective April 19, 2011.

Based upon the recommendation of Harbor Master Bill Angley and certification by the Civil Service Commission, Alderman Hammons made motion seconded by

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Alderman Anderson and unanimously carried to reverse the disciplinary action (suspension) of Harbor Guard Don Dillistone and to compensate him sixty-four hours pay.

No official action was required or taken regarding derelict properties, drainage projects or tax exemption issues.

Alderman Hammons made motion seconded by Alderman Anderson and unanimously carried to appoint Kerry Caldarelli as the Ward 5 representative, Hazard Mitigation Council.

Alderman Lishen made motion seconded by Alderman Anderson and unanimously carried to re-appoint Phil Kies, Ward 5 representative, Long Beach Port Commission, May/2011-May/2016.

Alderman Lishen made motion seconded by Alderman Anderson and unanimously carried to schedule a joint work session with the Long Beach Planning Commission, Thursday, May 12, 2011, at 4:00 p.m. to discuss SmartCode, Transect Map, and the Comprehensive Plan.

There came on for consideration the following resolution:

A RESOLUTION OF THE CITY OF LONG BEACH BOARD OF ALDERMEN SUPPORTING THE LEGISLATION WHICH WOULD DEDICATE 80% OF CLEAN WATER ACT FINES PAID BY BP AND OTHER RESPONSIBLE PARTIES TO THE GULF COAST LONG TERM RECOVERY AND OTHER SIMILAR LEGISLATION HAS BEEN PROPOSED AND REQUESTING THE MISSISSIPPI CONGRESSIONAL REPRESENTATIVES TO SUPPORT SUCH LEGISLATION AND FOR RELATED PURPOSES.

WHEREAS, the BP oil spill on April 20, 2010, affected more than 650 miles of Gulf coastal habitats- salt, marsh, mudflat, mangroves, and sand beaches, including those on the Mississippi Gulf Coast, Harrison County, and Long Beach, Mississippi; and

WHEREAS, the economic and environmental damage to the five Gulf States was significant, and is still occurring as well as the harm to the waters to the Gulf itself and to the Mississippi Gulf Coast and the citizens of Harrison County, Long Beach, Mississippi; and

WHEREAS, under the *Clean Water Act*, BP and the other parties liable for the Deepwater Horizon disaster may pay a to be determined fine; and

WHEREAS, fine money goes into the Oil Spill Liability Trust Fund to clean up the next disaster, until the fund cap of \$2.7 billion is reached and any additional dollars may be used for any purpose Congress chooses; and

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WHEREAS, it is appropriate that any Deepwater Horizon Oil Spill fine should go to the Gulf States for restoration; and

WHEREAS, both the Gulf Coast Restoration Act (H.R. 56) introduced by Representative Steve Scalise R- LA), and the Gulf of Mexico Economic Environmental Restoration Act of 2011 (H.R. 480) introduced by Representative Kathy Castor (D-FL) would dedicate 80% of *Clean Water Act* fines paid by BP and other responsible parties to the Gulf Coast's long-term recovery and other similar legislation has been proposed; and

WHEREAS, on March 29, 2011, Women of the Storm, a non-partisan grassroots organization, brought more than 140 women from all five Gulf Coast states to Capitol Hill to send a bipartisan message supported by over 130,000 citizens around the nation who signed the petition at www.RestoretheGulf.com of this legislation; and

WHEREAS, the Board of Aldermen of the City of Long Beach, Mississippi desire to go on record as supporting the legislation which would dedicate 80% of the *Clean Water Act* fines paid by BP and other responsible parties to the Gulf Coast's long-term recovery and other similar legislation has been proposed and requesting the Mississippi Congressional representatives to support such legislation;

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NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:

SECTION I. The City of Long Beach Mayor and Board of Aldermen do hereby support the passage of legislation which would dedicate 80% of Clean Water Act fines paid by BP and other responsible parties to the Gulf Coast's long-term recovery and other similar legislation has been proposed.

SECTION II. The City of Long Beach Mayor and Board of Aldermen directs the City Clerk to send a certified copy of this Resolution to the Mississippi Congressional representatives to support such legislation.

SECTION III. A certified copy of this Resolution shall be spread upon the official minutes of the City of Long Beach.

Alderman Anderson moved the adoption of the foregoing Resolution, seconded by Alderman Parker, and the question being put to a roll call vote, the result was as follows:

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

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APPROVED:

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

Alderman Gary J. Ponthieux, Ward 1

Alderman Bernie Parker, Ward 2

Alderman Kaye H. Couvillon, Ward 3

Alderman Ronnie Hammons, Jr., Ward 4

Alderman Mark E. Lishen, Ward 5

Alderman Carolyn J. Anderson, Ward 6

Date

ATTEST:

Rebecca E. Schruoff, City Clerk