

**Minutes of April 17, 2012  
Mayor and Board of Aldermen**

Be it remembered that a public hearing before the Mayor and Board of Aldermen, Long Beach, Mississippi, was begun and held, at 5:00 o'clock p.m., Tuesday, the 17<sup>th</sup> day of April, 2012, 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 hearing.

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

Alderman Leonard G. Carrubba, Sr., was absent the public hearing.

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

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The public hearing to inform the public of the proposed redistricting plans to redraw voting district lines and to allow the public to offer any comments about the proposed plans was called to order.

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The Clerk reported that, pursuant to that certain order of the Mayor and Board of Aldermen a regular meeting duly held and convened on March 20, 2012, she did cause to be published in The Sun Herald, a newspaper with a general circulation in the City of Long Beach and published in Harrison County, Mississippi, Legal Notice, Public Hearing, as evidenced by the Publisher's Proof of Publication.

Alderman Anderson made motion seconded by Alderman Parker and unanimously carried to spread said Proof of Publication upon the record of this public hearing in words and figures, as follows:

PROOF OF PUBLICATION

LONG BEACH, MISSISSIPPI  
 LEGAL NOTICE  
 PUBLIC HEARING  
 Notice is hereby given that the Mayor and Board of Aldermen, Long Beach, Mississippi, will hold a public hearing on Tuesday, April 17, 2012 and Tuesday, May 1, 2012 at 6:00 o'clock p.m. at the City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi. The purpose of this public hearing is to receive public comments on a proposed redistricting plan, to redraw the voting district lines based on the 2010 census results. This public hearing will verify for the specific purpose of informing the public of the proposed redistricting and to allow the public to offer any comments about the proposed plans. This hearing will also allow citizens the opportunity to be heard and participate in the process leading to the adoption of a proposed redistricting plan which will be submitted to the United States Department of Justice for approval under Section 5 of the Voting Rights Act. Preliminary data to be presented at the hearing may be reviewed at the Office of the City Clerk and the Building Permit Office located at City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, from 8:00 a.m. to 4:30 p.m. Monday through Friday, beginning March 21, 2012. Copies of the redistricting plans are also on file at the Long Beach Public Library, 205 Jeff Davis Avenue, Long Beach, Mississippi and may be viewed on the City's website, www.cityoflongbeachms.com. Written comments may be mailed to Fabrice E. Seaton, City Clerk, P.O. Box 200, Long Beach, MS 38950. Written comments received by the Mayor and Board of Aldermen shall become a part of the public hearing record.  
 ORDERED this the 20th day of March, 2012, Mayor and Board of Aldermen, Long Beach, Mississippi.  
 Fabrice E. Seaton, City Clerk  
 ADV28,1MON

STATE OF MISSISSIPPI  
 COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared Angela Thomas who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city Gulfport in Harrison County, Mississippi, and the publication of the notice, a copy of which is hereto attached, has been made in said paper      times in the following numbers and on the following dates of such paper, viz:

- Vol. 128 No., 175 dated 26 day of March, 2012
- Vol.      No.,      dated      day of     , 20
- Vol.      No.,      dated      day of     ; 20
- Vol.      No.,      dated      day of     , 20

Affiant further states on oath that said newspaper has been established and published continuously in said country for a period of more than twelve months next prior to the first publication of said notice.

Angela Thomas  
 Clerk

Sworn to and subscribed before me this 26 day of March, A.D., 2012



Landi A. Benkley  
 Notary Public

The Clerk further reported that the Legal Notice of Public Hearing was posted on the bulletin boards at City Hall, the Building Permit Office, the Water Department, the Long Beach Public Library, on the City's official website, [www.cityoflongbeachms.com](http://www.cityoflongbeachms.com) and a public service announcement stating the date, time, place and subject matter of the public hearing was sent via the automated mass notification system, Blackboard Connect.

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Mayor and Board of Aldermen

Alderman Anderson made motion seconded by Alderman Parker and unanimously carried to make the aforesaid report a part of the record of this public hearing.

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The Mayor recognized Ms. Karen Clark, GIS Analyst, Southern Mississippi Planning and Development District, to answer questions and explain the process leading to the adoption of a proposed redistricting plan to redraw voting districts for submission to the United States Department of Justice for approval under Section 5 of the Voting Rights Act.

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

- Michael Wren, 302 Lynwood Circle (Ward 4), Long Beach, Mississippi, requested clarification regarding Plan #3 decreasing Ward 4 from the south and east and increasing to the west. He requested the difference in numbers and percentage of the population between the present voting district lines and the proposed lines shown on Plan #3. After considerable discussion, Ms. Clark stated that Long Beach is presently at 49% variation and Plan #1 depicts a 6.98% variation; Plan #2 an 8.44% variation; and Plan #3 a 5.68% variation for an optimal population of approximately 2,465 per ward. It was noted for the record that more specific details regarding population and percentages would be made available at the next public hearing, May 1, 2012.
- Steve Nicosia, 515 Gulf View Avenue (Ward 2), Long Beach, Mississippi, stated that he is in favor of continuing with three (3) separate wards south of the CSX Railroad; the beachfront ward adjacent to the Long Beach Harbor to the north should be represented in the same ward; Plan #2 appears to have the least movement of voting district lines, with no odd shapes or split neighborhoods.
- Marcia Kruse, 19015 Red Bud Drive (Ward 4), Long Beach, Mississippi, stated that she is in support of Plan #2 because it is the fairest and best statistically; she also commented on Plan #3.

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There being no further questions or discussion, Alderman Anderson made motion seconded by Alderman Couvillon and unanimously carried to close the public hearing. It was noted for the record that the second public hearing regarding

Minutes of April 17, 2012  
Mayor and Board of Aldermen

redistricting would be held on Tuesday, May 1, 2012, 5:00 o'clock p.m., City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi.

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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 second Tuesday in April, 2012, 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 Gary J. Ponthieux, Bernie Parker, Kaye H. Couvillon, Ronnie Hammons, Jr., Mark E. Lishen, Carolyn J. Anderson, City Clerk Rebecca E. Schruff, and City Attorney James C. Simpson, Jr.

Alderman Leonard G. Carrubba, Sr., was absent the meeting.

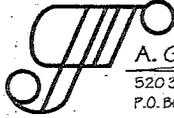
There being a quorum present sufficient to transact the business of the City, the following proceedings were had and done.

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The meeting was called to order and there came on for consideration again the matter of awarding bids, "Bait Shop Restoration, Long Beach Harbor", said matter having been taken under advisement from March 20, 2012, and April 3, 2012. It was noted for the record that the Proof of Publication and Clerk's report were a matter of record in the March 20, 2012, minutes of the Mayor and Board of Aldermen.

A letter with attachments from City Engineer David Ball is as follows:

Minutes of April 17, 2012  
 Mayor and Board of Aldermen



A. GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS

520 33<sup>RD</sup> STREET, GULFPORT, MS 39507  
 P.O. BOX 1677, GULFPORT, MS 39502

TEL (228) 863-0667  
 FAX (228) 863-5232

April 12, 2011

City of Long Beach  
 P.O. Box 929  
 Long Beach, MS 39560

**RE: Long Beach Harbor – Bait Shop Restoration**

Ladies and Gentlemen:

The City of Long Beach received bids for the performance of the referenced project on March 19, 2012. This project is for the construction of miscellaneous site improvements necessary to install and outfit the Bait Shop trailer in an area immediately north of the Harbormaster's building. I received four responsive bids and have attached a Certified Tabulation of the Bids.

The low bidder was Bay South Limited, Inc., with a price of \$121,322. I have worked with Bay South before; and are currently working with them on the BIG project in the Long Beach Harbor, and I expect no problems regarding their work. They confidently state that they have the manpower available to complete the job on schedule; and they have provided a list of references (attached hereto) for previous projects similar to this one. I have spoken with several of the contacts named, and although the recommendations are not without reservation with regard to timeliness and coordination with subcontractors, there is little hesitation to recommend Bay South with regards to their final work product. My previous experience with Bay South also leaves little doubt in that regard.

A local (in state) contractor was the second low bidder and was very close overall; within 2.9% of the total price. There has been some question regarding the responsibility or right of the City to award a contract to a local contractor when the bids are within 3%. I am unaware of the legal issues involved in this situation, and I must defer to the City Attorney regarding that situation. However, if it pleases the Board and pending the advice of your counsel, I recommend award of this contract to Bay South Limited in the amount of their bid, pending FEMA's review and approval.

Sincerely,

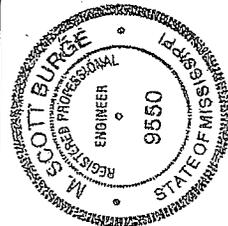
David Ball, P.E.

DB:1922  
 Enclosure

Page 1 of 1

**TABULATION OF BIDS (Items As per Addendum No. 1)**  
**CITY OF LONG BEACH**  
**BAIT SHOP RESTORATION - LONG BEACH SMALLCRAFT HARBOR**  
Bid Date: March 19, 2012

CONTRACTORS BIDDING:		Bay South Ltd., Inc.		Gibson Maintenance, LLC		Gill's Crane & Dozer Service, Inc.		Vision Constructors, Inc.		
Certificate of Responsibility No.:		09864-MC		13076-MC		12493-MC		16863-MC		
Debarment/Non-Collusion Certification:		Yes		Yes		Yes		Yes		
Acknowledgement of Addendum No. 1:		Yes		Yes		Yes		Yes		
Bid Bond:		Yes		Yes		Yes		Yes		
ITEM NO.	ITEM	PLAN QUANTITY	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
2-1	MOBILIZATION	1 L.S.	\$14,120.00	\$14,120.00	\$1,500.00	\$1,500.00	\$20,000.00	\$20,000.00	\$16,500.00	\$16,500.00
2-2	WASHER/DRYER CLOSET & UTILITY CONNECTIONS	1 L.S.	\$10,267.00	\$10,267.00	\$4,793.00	\$4,793.00	\$8,500.00	\$8,500.00	\$16,000.00	\$16,000.00
2-3	ALL OTHER WATER/SEWER SERVICES	1 L.S.	\$6,500.00	\$6,500.00	\$2,940.00	\$2,940.00	\$5,000.00	\$5,000.00	\$9,100.00	\$9,100.00
2-4	BAIT TANK AREA - WOODEN FENCE & GATE	1 L.S.	\$10,799.00	\$10,799.00	\$1,420.00	\$1,420.00	\$5,000.00	\$5,000.00	\$11,700.00	\$11,700.00
2-5	BAIT TANK AREA - STORAGE LOCKERS	1 L.S.	\$3,500.00	\$3,500.00	\$1,474.00	\$1,474.00	\$2,500.00	\$2,500.00	\$750.00	\$750.00
2-6	BAIT TANK AREA - SINK	1 L.S.	\$600.00	\$600.00	\$1,114.00	\$1,114.00	\$1,500.00	\$1,500.00	\$2,000.00	\$2,000.00
2-7	RAIL & DECKING AT TRAILER SOUTH ENTRANCE	1 L.S.	\$1,800.00	\$1,800.00	\$1,486.00	\$1,486.00	\$1,500.00	\$1,500.00	\$3,000.00	\$3,000.00
2-8	RAIL & GATE AT PIER ENTRANCE	1 L.S.	\$2,100.00	\$2,100.00	\$2,134.00	\$2,134.00	\$2,500.00	\$2,500.00	\$6,500.00	\$6,500.00
2-9	SIGNS	1 L.S.	\$250.00	\$250.00	\$865.00	\$865.00	\$1,500.00	\$1,500.00	\$250.00	\$250.00
2-10	MISCELLANEOUS SITE WORK	1 L.S.	\$1,000.00	\$1,000.00	\$32,278.00	\$32,278.00	\$5,000.00	\$5,000.00	\$13,300.00	\$13,300.00
3-1	ENVIRONMENTAL PROTECTION	1 L.S.	\$1,500.00	\$1,500.00	\$3,000.00	\$3,000.00	\$2,000.00	\$2,000.00	\$2,500.00	\$2,500.00
3-2	SITE DEMOLITION	1 L.S.	\$6,586.00	\$6,586.00	\$9,916.00	\$9,916.00	\$10,000.00	\$10,000.00	\$13,500.00	\$13,500.00
3-3	WIRE MESH GABIONS (PM)	40 C.Y.	\$725.00	\$29,000.00	\$655.40 *	\$26,216.00	\$1,000.00	\$40,000.00	\$625.00	\$25,000.00
3-4	CAST-IN-PLACE CONCRETE	34.55 C.Y.	\$400.00	\$13,820.00	\$324.60 *	\$11,215.00	\$800.00	\$27,640.00	\$810.00	\$21,075.50
3-5	#57 LIMESTONE (LYM)	78.00 C.Y.	\$65.00	\$5,070.00	\$145.04 *	\$11,313.00	\$75.00	\$5,850.00	\$65.00	\$5,070.00
4-1	WASHER/DRYER CLOSET ELECTRICAL WORK	1 L.S.	\$1,410.00	\$1,410.00	\$1,224.00	\$1,224.00	\$10,000.00	\$10,000.00	\$620.50	\$620.50
4-2	ALL OTHER ELECTRICAL WORK	1 L.S.	\$13,000.00	\$13,000.00	\$15,600.00	\$15,600.00	\$10,825.00	\$10,825.00	\$14,000.00	\$14,000.00
TOTAL BID:				\$121,322.00	\$124,888.00	\$159,315.00	\$160,866.00			



\* Engineer's Corrected Figure

*M. Scott Burge*  
M. Scott Burge, P.E.  
Cert. No. 9550  
March 19, 2012

Minutes of April 17, 2012  
Mayor and Board of Aldermen

After considerable discussion and based upon the recommendation of Mr. Ball and the advice of City Attorney James C. Simpson, Jr., Alderman Lishen made motion seconded by Alderman Parker and unanimously carried to award the contract, "Bait Shop Restoration, Long Beach Harbor", to Bay South Limited, Inc., as the lowest and best bid in the amount of \$121,322.00, all as set forth above.

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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 February 7, 2012, she did cause to be published in The Sun Herald, a newspaper with a general circulation in the City of Long Beach and published in Harrison County, Mississippi; The Times-Picayune, Orleans Parish, Louisiana; The Press-Register, Jackson County, Mississippi; and The Clarion-Ledger, Hinds County, Mississippi, Legal Notice, Advertisement for Bids, "DRAINAGE IMPROVEMENTS SHADY DRIVE TO CYPRESS DRIVE", as evidenced by the Publishers' Proofs of Publication.

Alderman Lishen made motion seconded by Alderman Anderson and unanimously carried to spread said Proofs of Publication upon the minutes of this meeting in words and figures, as follows:

PROOF OF PUBLICATION

ADVERTISEMENT FOR BIDS: The City of Long Beach, Mississippi, will receive bids for DRAINAGE IMPROVEMENTS: SHADY DRIVE TO CITY PRESS DRIVE at the Office of City Clerk located at City Hall, 201 Jeff Davis Avenue, (P.O. Box 929) Long Beach, Mississippi, 39060, during regular office hours at any time prior to the designated bid date, or at the City Council Meeting Room at City Hall at 1000 on the designated date for the bid opening. Bids will be publicly opened and read aloud at 10:00 A.M. Monday, April 16, 2012. Bids are invited for the furnishing of materials, equipment and labor to replace certain designated existing defective and inadequate drainage pipes and structures with new pipes and structures. The work includes approximately 3,700 LF of drainage pipe up to 48" size with associated grade structure and by the location of facilities during by the construction. Contract Documents, including Drawings and Technical Specifications, are on file at the Office of City Clerk, at City Hall, Long Beach, Mississippi. Plans and Specifications may be obtained at the Office of A.C. Garner Russell & Associates, Inc., Consulting Engineers at 620 South Grant, Gulfport, Mississippi 39507, upon payment of \$100.00 non-refundable fee (payable to A.C. Garner Russell & Associates, Inc.). A certified check or bank draft payable to the order of City of Long Beach, Mississippi, negotiable U.S. Government bonds of par value, or a satisfactory Bid Bond executed by the Bidder and an acceptable surety, in an amount equal to the percent (%) of the total bid for CITY OF LONG BEACH DRAINAGE IMPROVEMENTS - SHADY DRIVE TO CITY PRESS DRIVE shall be submitted with each bid. For bids exceeding \$50,000, Bidder must indicate the Certificate of Responsibility Number on outside of sealed proposal as required by Mississippi laws. For bids not exceeding \$50,000, Bidder must either indicate the Certificate Number, or else write clearly "Bid does not exceed \$50,000". The City of Long Beach, Mississippi, reserves the right to waive any or all bids or to reject any or all bids. Bids may be held by the City of Long Beach, Mississippi, for a period not to exceed ninety (90) days from the date of the opening of bids for the purpose of reviewing the bids and interviewing the bidders prior to awarding of the contract. Done by order of the Mayor and Board of Aldermen, February 7, 2012. City of Long Beach, Mississippi. By SHERRECCA SCHURFF, Title CITY CLERK. Publish: March 9 and 16, 2012.

STATE OF MISSISSIPPI  
 COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared CRISTA LAWE who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city Gulfport, in Harrison County, Mississippi, and the publication of the notice, a copy of which is hereto attached, has been made in said paper 2 times in the following numbers and on the following dates of such paper, viz:

- Vol. 128 No., 158 dated 9 day of March, 20 12
- Vol. 128 No., 165 dated 16 day of March, 20 12
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Affiant further states on oath that said newspaper has been established and published continuously in said country for a period of more than twelve months next prior to the first publication of said notice.

Crista Lawe  
 Clerk

Sworn to and subscribed before me this 16 day of March, A.D., 20 12



Krista Berkley  
 Notary Public

Minutes of April 17, 2012  
Mayor and Board of Aldermen

**PRESS-REGISTER**  
LEGAL AFFIDAVIT

CITY OF LONG BEACH MISSISSIPPI  
ATTN: ACCOUNTS PAYABLE  
P.O. BOX 929  
LONG BEACH, MS 39560

Name: CITY OF LONG BEACH  
Account Number: 1057428  
Ad Number: 0001844182

Sales Rep: Christine Bevins  
251-219-5000  
Billing Inquiries Please Call: (251) 219-5424

Date	Position	Description	P.O. Number	Ad Size	Total Cost
03/16/2012	Legals-Mississippi	ADVERTISEMENT FOR BIDS City of Long Bea		420 WDS	92.40

Mecia Carlson being sworn, says that she is bookkeeper of the Press-Register which publishes a daily newspaper in the City of Pascagoula and County of Jackson, State of Mississippi:

The attached notice appeared in the issue of Mississippi Press 03/09, 03/16/2012

*Mecia Carlson*  
Sworn to and subscribed before me this 16th day of March 2012

*Doris A. Norris*  
NOTARY PUBLIC

FOR QUESTIONS CONCERNING THIS AFFIDAVIT, PLEASE CALL MECIA CARLSON AT (251) 219-5418. YOU CAN PLACE A LEGAL NOTICE BY EMAIL OR FAX: MSLEGALS@PRESS-REGISTER.COM OR FAX# (251) 219-5037



ADVERTISEMENT FOR BIDS  
City of Long Beach, Mississippi  
The City of Long Beach, Mississippi, will receive bids for:

**DRAINAGE IMPROVEMENTS  
SHADY DRIVE TO CYPRESS DRIVE**

at the Office of City Clerk located at City Hall, 201 Jeff Davis Avenue, (P.O. Box 929) Long Beach, Mississippi, 39560, during normal office hours at any time prior to the designated bid date, or at the City Council Meeting Room at City Hall at 10:00 A.M. on the designated date for the bid opening. Bids will be publicly opened and read aloud at 10:00 A.M., Monday, April 9th, 2012.

Bids are invited for the furnishing of materials, equipment and labor to replace certain designated existing defective and inadequate drainage pipes and structures with new pipes and structures. The work includes approximately 3,700 L.F. of drainage pipe up to 48" size, with associated drainage structures and restoration of facilities disturbed by the construction.

Contract Documents, including Drawings and Technical Specifications, are on file at the Office of City Clerk, at City Hall, Long Beach, Mississippi.

Plans and Specifications may be obtained at the office of A. Garner Russell & Associates, Inc., Consulting Engineers, at 520 33rd Street, Gulfport, Mississippi 39507, upon payment of \$100.00 non-refundable fee (payable to A. Garner Russell & Associates, Inc.).

A certified check or bank draft payable to the order of City of Long Beach, Mississippi, negotiable U. S. Government bonds (at par value), or a satisfactory Bid Bond executed by the Bidder and an acceptable surety, in an amount equal to five percent (5%) of the total bid for CITY OF LONG BEACH, DRAINAGE IMPROVEMENTS, SHADY DRIVE TO CYPRESS DRIVE, shall be submitted with each bid.

For bids exceeding \$50,000 Bidder must indicate his Certificate of Responsibility Number on outside of sealed proposal as required by Mississippi Law. For bids not exceeding \$50,000, Bidder must either indicate his Certificate Number, or else write clearly "Bid does not exceed \$50,000."

The City of Long Beach, Mississippi, reserves the right to reject any or all bids or to

waive any informality in the bidding.  
Bids may be held by the City of Long Beach, Mississippi, for a period not to exceed ninety (90) days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of Bidders, prior to awarding of the Contract.

Done by order of the Mayor and Board of Aldermen, February 7, 2012.

City of Long Beach, Mississippi  
By *S/REBECCA SCHRUFF*

Title **CITY CLERK**  
THE MISSISSIPPI PRESS  
MARCH 19, 2012

PROOF OF PUBLICATION  
THE STATE OF MISSISSIPPI  
HINDS COUNTY

PERSONALLY appeared before me, the undersigned notary public in and for Hinds County, Mississippi,

ANN MIDDEKE

an authorized clerk of THE CLARION-LEDGER, a newspaper as defined and prescribed in Sections 13-3-31 and 13-3-32, of the Mississippi Code of 1972, as amended, who, being duly sworn, states that the notice, a true copy of which is hereto attached, appeared in the issues of said newspaper as follows:

3/9/2012  
3/16/2012

Size: 564 words / 1.00 col. x 130.00 lines  
Published: 2 time(s)  
Total: \$136.08

Signed Ann Middeke  
Authorized Clerk of  
The Clarion-Ledger

SWORN to and subscribed before me on 3/16/2012.

Rick Tyler  
Notary Public  
RICK TYLER

Notary Public State of Mississippi at Large. Bonded thru  
Notary Public Underwriters

(SEAL)



PASTE PROOF HERE

C14657  
CITY OF LONG BEACH, 523897,  
0200396244  
Drainage Improvements, Shady Drive

ADVERTISEMENT FOR BIDS  
CITY OF LONG BEACH, MISSISSIPPI  
The City of Long Beach, Mississippi, will receive bids for  
DRAINAGE IMPROVEMENTS - SHADY DRIVE TO CYPRESS DRIVE  
at the Office of City Clerk located at City Hall, 201 Jeff Davis Avenue, (P.O. Box 829) Long Beach, Mississippi, 38560, during normal office hours at any time prior to the designated bid date or at the City Council Meeting Room at City Hall at 10:00 A.M. on the designated date for the bid opening. Bids will be publicly opened and read aloud at 1:00 A.M. Monday, April 9th, 2012.  
Bids are invited for the furnishing of materials, equipment and labor to replace certain designated existing defective and inadequate drainage pipes and structures with new pipes and structures. The work includes approximately 3,700 L.F. of drainage pipe up to 48" dia. with associated drainage structures and restoration of facilities disturbed by the construction.  
Contract Documents including Drawings and Technical Specifications are on file at the Office of City Clerk at City Hall, Long Beach, Mississippi.  
Plans and Specifications may be obtained at the office of A. Garner, Russell & Associates, Inc., Consulting Engineers, at 520 33rd Street, Gulfport, Mississippi, 38507, upon payment of \$100.00 non-refundable fee (payable to A. Garner, Russell & Associates, Inc.).  
A certified check or bank draft payable to the order of City of Long Beach, Mississippi, negotiable to U.S. Government bonds (at par value), or a satisfactory Bid Bond executed by the bidder, and an acceptable surety in an amount equal to five percent (5%) of the total bid for CITY OF LONG BEACH, MISSISSIPPI DRAINAGE IMPROVEMENTS, SHADY DRIVE TO CYPRESS DRIVE shall be submitted with each bid.  
For bids exceeding \$50,000, Bidder must indicate his Certificate of Responsibility Number on the face of sealed proposals required by Mississippi Law. For bids not exceeding \$50,000, Bidder must indicate his Certificate Number, or else write clearly "bid does not exceed \$50,000".  
The City of Long Beach, Mississippi, reserves the right to reject any or all bids or to waive any formalities in the bidding.  
Bids may be held by the City of Long Beach, Mississippi, for a period not to exceed ninety (90) days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of Bidders prior to awarding of the Contract.  
Done by Order of the Mayor and Board of Aldermen, February 7, 2012.  
By: REBECCA SCHRAUFF  
Title: CITY CLERK  
Publish: March 9, 2012

Minutes of April 17, 2012  
Mayor and Board of Aldermen

**The Times-Picayune**

3800 HOWARD AVENUE, NEW ORLEANS, LOUISIANA 70125-1429 TELEPHONE (504) 826-3201

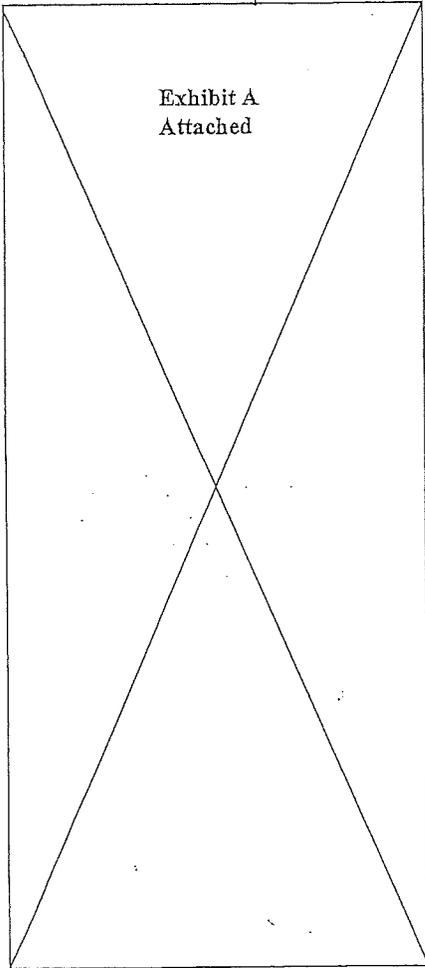


Exhibit A  
Attached

State of Louisiana  
Parish of Orleans  
City of New Orleans

Personally appeared before me, a Notary in and for the parish of Orleans, Heather Grant who deposes and says that she is an Assistant Controller of The Times-Picayune, L.L.C., a Louisiana Corporation, Publishers of The Times-Picayune, Daily and Sunday, of general circulation; doing business in the City of New Orleans and the State of Louisiana, and that the attached

BIDS & PROPOSALS

Re: The City of Long Beach Mississippi, will receive bids for: Drainage Improvements Shady Drive to Cypress Drive

Advertisement of City of Long Beach

P.O. BOX 929  
Long Beach, MS. 39560

Was published in The Times Picayune

3800 Howard Ave.  
New Orleans, La. 70125

On the following dates March 9, 16, 2012

I attest that the copy attached hereto as "Exhibit A" is a true and correct copy of the advertisement published in The Times-Picayune on these dates.

Sworn to and subscribed before me this  
16th Day of March, 2012

*[Signature]*  
\_\_\_\_\_  
Notary Public

My commission expires at my death.

Notary identification number 23492

Minutes of April 17, 2012  
Mayor and Board of Aldermen

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ADVERTISEMENT FOR BIDS

City of Long Beach, Mississippi

The City of Long Beach, Mississippi, will receive bids for:

DRAINAGE IMPROVEMENTS  
SHADY DRIVE TO CYPRESS  
DRIVE

at the Office of City Clerk located at City Hall, 201 Jeff Davis Avenue, (P.O. Box 929) Long Beach, Mississippi, 39560, during normal office hours at any time prior to the designated bid date, or at the City Council Meeting Room at City Hall at 10:00 A.M. on the designated date for the bid opening. Bids will be publicly opened and read aloud at 10:00 A.M., Monday, April 9th, 2012.

Bids are invited for the furnishing of materials, equipment and labor to replace certain designated existing defective and inadequate drainage pipes and structures with new pipes and structures. The work includes approximately 3,700 L.F. of drainage pipe up to 48" size, with associated drainage structures and restoration of facilities disturbed by the construction.

Contract Documents, including Drawings and Technical Specifications, are on file at the Office of City Clerk, at City Hall, Long Beach, Mississippi.

Plans and Specifications may be obtained at the office of A. Garner Russell & Associates, Inc., Consulting Engineers, at 520 13rd Street, Gulfport, Mississippi 39507, upon payment of \$100.00 non-refundable fee (payable to A. Garner Russell & Associates, Inc.).

A certified check or bank draft payable to the order of City of Long Beach, Mississippi, negotiable U. S. government bonds (at par value), or a satisfactory Bid Bond executed by the Bidder and an acceptable surety, in an amount equal to five percent (5%) of the total bid for CITY OF LONG BEACH, DRAINAGE IMPROVEMENTS, SHADY DRIVE TO CYPRESS DRIVE, shall be submitted with each bid.

For bids exceeding \$50,000 Bidder must indicate his Certificate of Responsibility Number on outside of sealed proposal as required by Mississippi Law. For bids not exceeding \$50,000, Bidder must either indicate his Certificate Number, or else write clearly "Bid does not exceed \$50,000."

The City of Long Beach, Mississippi, reserves the right to reject any or all bids or to waive any informality in the bidding.

Bids may be held by the City of Long Beach, Mississippi, for a period not to exceed ninety (90) days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of Bidders, prior to awarding of the Contract.

Done by order of the Mayor and Board of Aldermen, February 7, 2012.

City of Long Beach, Mississippi

By S/REBECCA SCHRUFF  
Title CITY CLERK

Publish: March 9 and 16, 2012

In addition, the Clerk reported that the Legal Notice, Advertisement for Bids, "DRAINAGE IMPROVEMENTS SHADY DRIVE TO CYPRESS DRIVE", was posted on the bulletin boards at City Hall, the Building Permit Office, the Water Department, the Long Beach Public Library, and on the City's official website, [www.cityoflongbeachms.com](http://www.cityoflongbeachms.com).

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Minutes of April 17, 2012  
Mayor and Board of Aldermen

The Clerk further reported that fifteen bids were properly filed and on April 9, 2012, at 10:00 o'clock a.m. in the City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi, said bids were then and there publicly opened and read aloud.

Present and in attendance at said bid opening were City Clerk Rebecca E. Schruff, City Engineer David Ball, Patrick Moore, Project Manager, AMEC Environmental and Infrastructure, and company representatives submitting bids.

Said bids were then taken under advisement for review and tabulation, with a recommendation from Mr. Ball and Mr. Moore, as follows:



April 12, 2012

Mayor William Skellie, Jr.  
City of Long Beach  
P.O. Box 929  
Long Beach, MS 39560

RE: **City of Long Beach**  
**HMGP – Drainage Improvement Project**  
**FEMA Project Number: DR-1604-MS-0421**  
**Approval of Low Bidder (Procon, Inc.)**

Mayor Skellie:

Please find attached a copy of the certified bid tabulation and a letter from Garner Russell and Associates/ Consulting Engineers recommending the approval of Procon, Inc. as the low bidder regarding the City of Long Beach, HMGP Drainage Improvement Project for Shady Drive to Cypress Drive. This project is funded by a Hazard Mitigation Grant (HMGP), which requires that the certified bid tabulation and schedule of values receive FEMA approval before the City executes a construction contract or notice to proceed with Procon, Inc. Based on the Engineers recommendation we are asking for Board of Aldermen approval to award a contract to Procon, Inc., pending FEMA review and approval. If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,  
*Patrick Moore*  
Project Manager  
AMEC Environment and Infrastructure  
228-327-5166



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TABULATION OF BIDS		S. H. Anthony, Inc.		Lave Construction Company		TCH Construction Company, Inc.		W.R. Michael Contractor, Inc.		Knowles Construction, Inc.			
CITY OF LONG BEACH DRAINAGE IMPROVEMENTS SHADY DRIVE TO CYPRESS DRIVE		1078 MAC		87038 MAC		88888 MAC		00523 MAC		11798 MAC			
CONTRACTORS BIDDING: Certificate of Responsibility No. 1		Yes		Yes		Yes		Yes		Yes			
Advertisement of Advertisement No. 1		Yes		Yes		Yes		Yes		Yes			
Bid Bond?		Yes		Yes		Yes		Yes		Yes			
BID ITEMS		QUANTITY	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	
1-A	REMOVE EXISTING DRAINAGE PIPE - 15" SIZE	1,448	L.S.	\$2.00	\$2,896.00	\$11.00	\$15,928.00	\$11.07	\$16,012.56	\$8.00	\$11,584.00	\$8.00	\$11,584.00
1-B	ABANDON EXISTING DRAINAGE PIPE - 30" SIZE	46	L.F.	\$42.00	\$1,932.00	\$44.00	\$2,024.00	\$44.00	\$2,024.00	\$28.00	\$1,288.00	\$28.00	\$1,288.00
1-C	ABANDON EXISTING DRAINAGE PIPE - 36" SIZE	205	L.F.	\$48.00	\$9,840.00	\$52.00	\$10,660.00	\$51.00	\$10,515.00	\$53.00	\$10,865.00	\$53.00	\$10,865.00
1-D	ABANDON EXISTING DRAINAGE PIPE - 42" SIZE	380	L.F.	\$58.00	\$22,040.00	\$64.00	\$24,320.00	\$64.00	\$24,320.00	\$47.00	\$17,860.00	\$47.00	\$17,860.00
1-E	ABANDON EXISTING DRAINAGE PIPE - 51 X 36" SIZE	19	L.F.	\$236.84	\$4,499.96	\$412.00	\$7,828.00	\$415.28	\$7,890.32	\$450.00	\$8,550.00	\$450.00	\$8,550.00
1-F	REMOVE EXISTING TIE-IN SIZE	1	L.S.	\$27,441.00	\$27,441.00	\$18,459.00	\$18,459.00	\$18,611.30	\$18,611.30	\$85,000.00	\$85,000.00	\$40,000.00	\$40,000.00
1-G	OTHER SITE PREPARATION	1	L.S.	\$1,185.00	\$1,185.00	\$3,300.00	\$3,300.00	\$3,322.00	\$3,322.00	\$55.00	\$55.00	\$9,000.00	\$9,000.00
2-A	SELECT SANDY BACKFILL	100	S.Y.	\$11.50	\$1,150.00	\$12.00	\$1,200.00	\$12.24	\$1,224.00	\$5.00	\$500.00	\$5.00	\$500.00
2-B	GEOTEXTILE FABRIC	89.0	S.Y.	\$1.50	\$135.00	\$2.50	\$222.50	\$2.54	\$226.06	\$5.00	\$445.00	\$5.00	\$445.00
3-A	ADJUST WATER MAIN 4" THRU 6" SIZE	100	L.F.	\$134.50	\$13,450.00	\$360.00	\$36,000.00	\$354.44	\$35,444.00	\$95.00	\$9,500.00	\$95.00	\$9,500.00
3-B	ADJUST WATER SERVICE	10	L.F.	\$78.16	\$781.60	\$120.00	\$1,200.00	\$103.00	\$1,030.00	\$120.00	\$1,200.00	\$120.00	\$1,200.00
3-C	ADJUST WATER SERVICE	10	L.F.	\$44.78	\$447.80	\$60.00	\$600.00	\$58.46	\$584.60	\$60.00	\$600.00	\$60.00	\$600.00
4-A	36" PERFORATED PE CULVERT PIPE	131	L.F.	\$63.83	\$8,361.73	\$77.00	\$10,091.00	\$77.00	\$10,091.00	\$72.00	\$9,516.00	\$72.00	\$9,516.00
4-B	42" PERFORATED PE CULVERT PIPE	822	L.F.	\$76.76	\$63,076.72	\$88.00	\$72,216.00	\$88.00	\$72,216.00	\$88.00	\$72,216.00	\$88.00	\$72,216.00
4-C	48" PERFORATED PE CULVERT PIPE	1,898	L.F.	\$76.76	\$145,688.48	\$88.00	\$167,168.00	\$88.00	\$167,168.00	\$88.00	\$167,168.00	\$88.00	\$167,168.00
4-D	48" PERFORATED PE CULVERT PIPE	10	L.F.	\$37.20	\$372.00	\$40.00	\$400.00	\$40.00	\$400.00	\$40.00	\$400.00	\$40.00	\$400.00
4-E	42" RCP PIPE	10	L.F.	\$103.81	\$1,038.10	\$108.00	\$1,080.00	\$108.00	\$1,080.00	\$108.00	\$1,080.00	\$108.00	\$1,080.00
4-F	42" RCP PIPE	80	L.F.	\$103.81	\$8,304.80	\$108.00	\$8,640.00	\$108.00	\$8,640.00	\$108.00	\$8,640.00	\$108.00	\$8,640.00
4-G	48" RCP PIPE	420	L.F.	\$120.71	\$50,298.20	\$125.00	\$52,500.00	\$125.00	\$52,500.00	\$125.00	\$52,500.00	\$125.00	\$52,500.00
4-H	48" RCP PIPE	10	L.F.	\$77.78	\$777.80	\$80.00	\$800.00	\$80.00	\$800.00	\$80.00	\$800.00	\$80.00	\$800.00
4-I	48" RCP PIPE	10	L.F.	\$111.89	\$1,118.90	\$115.00	\$1,150.00	\$115.00	\$1,150.00	\$115.00	\$1,150.00	\$115.00	\$1,150.00
4-J	48" RCP PIPE	10	L.F.	\$169.22	\$1,692.20	\$174.00	\$1,740.00	\$174.00	\$1,740.00	\$174.00	\$1,740.00	\$174.00	\$1,740.00
5-A	SMALL CATCH BASIN - TYPE A	2	EA	\$1,697.22	\$3,394.44	\$2,744.00	\$5,488.00	\$2,770.00	\$5,540.00	\$2,770.00	\$5,540.00	\$2,770.00	\$5,540.00
5-B	SMALL CATCH BASIN - TYPE B	10	EA	\$8,418.77	\$84,187.70	\$4,774.00	\$47,740.00	\$4,774.00	\$47,740.00	\$5,000.00	\$50,000.00	\$5,000.00	\$50,000.00
5-C	LARGE DOUBLE CATCH BASIN - TYPE C	8	EA	\$11,411.39	\$91,291.12	\$9,937.00	\$79,496.00	\$9,415.00	\$75,320.00	\$9,000.00	\$72,000.00	\$9,000.00	\$72,000.00
5-D	LARGE DOUBLE CATCH BASIN - TYPE D	5	EA	\$8,633.69	\$43,168.45	\$5,000.00	\$25,000.00	\$5,000.00	\$25,000.00	\$5,000.00	\$25,000.00	\$5,000.00	\$25,000.00
5-E	LARGE DOUBLE CATCH BASIN - TYPE E	3	EA	\$8,718.19	\$26,154.57	\$7,681.00	\$23,043.00	\$7,732.00	\$23,196.00	\$7,600.00	\$22,800.00	\$7,600.00	\$22,800.00
6	DITCH EXCAVATION TO GRADE	1,278	L.F.	\$8.89	\$11,363.42	\$15.00	\$19,170.00	\$15.00	\$19,170.00	\$15.00	\$19,170.00	\$15.00	\$19,170.00
7-A	VEGETATIVE COVER (GRASSING)	2,658	S.Y.	\$3.00	\$7,974.00	\$3.50	\$9,303.00	\$3.50	\$9,303.00	\$3.50	\$9,303.00	\$3.50	\$9,303.00
7-B	VEGETATIVE COVER (GRASSING)	1,463	S.Y.	\$1.00	\$1,463.00	\$1.00	\$1,463.00	\$1.00	\$1,463.00	\$1.00	\$1,463.00	\$1.00	\$1,463.00
7-C	EROSION CONTROL MAT	1,442	L.F.	\$15,882.84	\$22,904,850.48	\$16,283.00	\$23,481,834.00	\$16,283.00	\$23,481,834.00	\$16,283.00	\$23,481,834.00	\$16,283.00	\$23,481,834.00
7-D	FENCE RESTORATION (ALL TYPES)	223	S.Y.	\$23,468	\$5,233,106.00	\$23,468	\$5,233,106.00	\$23,468	\$5,233,106.00	\$23,468	\$5,233,106.00	\$23,468	\$5,233,106.00
7-E	JULIESTONE ROAD BASE RESTORATION	748	S.Y.	\$1,727.12	\$1,291,805.76	\$1,727.12	\$1,291,805.76	\$1,727.12	\$1,291,805.76	\$1,727.12	\$1,291,805.76	\$1,727.12	\$1,291,805.76
7-F	JULIESTONE ROAD BASE RESTORATION (5% ASPHALT)	748	S.Y.	\$1,727.12	\$1,291,805.76	\$1,727.12	\$1,291,805.76	\$1,727.12	\$1,291,805.76	\$1,727.12	\$1,291,805.76	\$1,727.12	\$1,291,805.76
7-G	HOT BITUMINOUS PAVEMENT SURFACE COURSE (5% ASPHALT)	67	S.Y.	\$7,775	\$520,815.00	\$7,775	\$520,815.00	\$7,775	\$520,815.00	\$7,775	\$520,815.00	\$7,775	\$520,815.00
7-H	CONCRETE DRIVE RESTORATION	290	L.F.	\$24.00	\$6,960.00	\$27.50	\$7,912.50	\$27.50	\$7,912.50	\$27.50	\$7,912.50	\$27.50	\$7,912.50
7-I	CONCRETE CURB & GUTTER RESTORATION	86	L.F.	\$83.15	\$7,150.90	\$83.15	\$7,150.90	\$83.15	\$7,150.90	\$83.15	\$7,150.90	\$83.15	\$7,150.90
7-J	CONCRETE CURB & GUTTER RESTORATION	1	L.S.	\$50	\$50.00	\$50	\$50.00	\$50	\$50.00	\$50	\$50.00	\$50	\$50.00
8	PAVEMENT OF TRAFFIC	1	L.S.	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00	
9	STORMWATER MANAGEMENT	1	L.S.	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00	\$12,000.00	
TOTAL BID				\$748,020.96	\$822,778.00	\$925,944.62	\$874,411.98	\$895,822.20	\$874,411.98	\$895,822.20	\$874,411.98	\$895,822.20	

\* Engineer's Corrected Figure



Minutes of April 17, 2012  
Mayor and Board of Aldermen



A. GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS

520 33<sup>RD</sup> STREET, GULFPORT, MS 39507  
P.O. BOX 1877, GULFPORT, MS 39502

TEL (228) 863-0667  
FAX (228) 863-5232

April 12, 2011

City of Long Beach  
P.O. Box 929  
Long Beach, MS 39560

RE: Drainage Improvements – Shady Drive to Cypress Drive

Ladies and Gentlemen:

The City of Long Beach received bids for the performance of the referenced project on April 9, 2012. This project is for the construction of drainage improvements extending from Canal No. 2/3 through the Wisteria area subdivision, across Beatline Road, and into the N. Forest area subdivision.. There were 15 responsive bidders, and I have attached a Certified Tabulation of the Bids.

The low bidder was Procon, Inc., from Brandon, MS with a price of \$689,141. Although this was somewhat below the estimated construction cost, the price is not extremely low considering the current economic climate. I have spoken with the Contractor, Mr. James Morris, who assures me that he is comfortable with his price and is ready to start construction. He has provided two references for work of a similar nature to our project, which I have attached.

Based on the above, I hereby recommend award of this contract to Procon, Inc., in the amount of their bid, pending FEMA's review and approval.

Sincerely,

David Ball, P.E.

DB:1922  
Enclosure

Based upon the recommendation of Mr. Ball and Mr. Moore, Alderman Anderson made motion seconded by Alderman Lishen and unanimously carried to award the contract, Drainage Project, Shady Drive to Cypress Drive, to Procon, Inc., as the lowest and best bid in the amount of \$689,141.00, all as set forth above.

\*\*\*\*\*

There were no announcements, presentations or proclamations.

\*\*\*\*\*

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Mayor and Board of Aldermen

There were no amendments to the Municipal Docket.

\*\*\*\*\*

There were no public comments regarding matters on the agenda.

\*\*\*\*\*

Alderman Hammons made motion seconded by Alderman Parker and unanimously carried to approve the regular meeting and executive session minutes of the Mayor and Board of Aldermen dated April 3, 2012, as submitted.

\*\*\*\*\*

There came on for consideration final plat approval, The Estate of Penny Lane, as approved by the Planning Commission in their minutes of March 22, 2012, and taken under advisement by the Mayor and Board of Aldermen on April 3, 2012. A letter from City Engineer David Ball regarding same is as follows:

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A. GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS

520 33<sup>RD</sup> STREET  
GULFPORT, MS. 39507

TEL (228) 863-0667  
FAX (228) 863-6232

April 11, 2012

City of Long Beach  
P.O. Box 929  
Long Beach, MS 39560

RE: Penny Lane Subdivision – Final Plat

Ladies and Gentlemen:

At the previous meeting of the Board of Aldermen, the final plat for Penny Lane subdivision was not approved due to the lack of a corrected plat and due to pending changes to the configuration of lots in the subdivision. Since that meeting, the reconfiguration of lots was abandoned and we have received the corrected plat. The plat does show the necessary benchmark and monumentation information requested in our letter to the Planning Commission and we therefore recommend acceptance and approval of the final plat. Approval and execution of the plat will begin the two-year maintenance period after which the City will assume responsibility for the maintenance of the on-site infrastructure.

Sincerely,

David Ball, P.E.

DB:539

Upon further discussion, action was taken, as follows:

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The Mayor and Board of Aldermen took up for consideration the matter of final approval for recording of the Plat of **THE ESTATES OF PENNY LANE SUBDIVISION**. After a discussion of the subject, Alderman Hammons offered and moved the adoption of the following Resolution:

**RESOLUTION PROVIDING FOR FINAL APPROVAL FOR RECORDING OF THE PLAT OF THE ESTATES OF PENNY LANE SUBDIVISION, AS A SUBDIVISION OF THE CITY OF LONG BEACH, MISSISSIPPI, ACCEPTING THE DEDICATION THEREOF, REQUIRING OF THE OWNER OF SAID SUBDIVISION ITS WARRANTY AGAINST DEFECTIVE WORKMANSHIP AND MATERIALS IN AND ABOUT THE CONSTRUCTION AND INSTALLATION OF THE IMPROVEMENTS AND APPURTENANCES THERETO AND ADJACENT TO SAID SUBDIVISION, PROVIDING FOR SECURITY OF SAID WARRANTY, PROVIDING THAT NO BUILDING PERMITS FOR THE CONSTRUCTION OF OTHER BUILDINGS OR IMPROVEMENTS ON ANY LOT IN SAID SUBDIVISION SHALL ISSUE UNTIL THE OWNERS SHALL HAVE COMPLIED WITH THE PROVISIONS OF THIS RESOLUTION, AND FOR RELATED PURPOSES.**

WHEREAS, the Mayor and Board of Aldermen (the "Governing Body") of the City of Long Beach, Mississippi (the "Municipality"), having made due investigation, do now find, determine, adjudicate and declare as follows:

1. Val's Property Development, LLC, Glenn A. Mueller, Valerie A. Mueller, Richard W. Galloway and Joan Galloway, as owners of that certain land situated and being in the East half of the Southeast  $\frac{1}{4}$  of Section 10, Township 8 South, Range 12 West, City of Long Beach, First Judicial District of Harrison County, Mississippi, more particularly described hereinafter in this Resolution, have subdivided the same as **THE ESTATES OF PENNY LANE SUBDIVISION**, the final Plat of which subdivision, and the curbs, drainage and utility easements, (and appurtenances thereto), as laid out, surveyed and platted by Duke Levy, Jr., P.E., R.L.S., for said Owners, according to his certificate executed and delivered thereto dated the 17<sup>th</sup> day of April, 2012, was dedicated by said Val's Property Development, LLC, Glenn A. Mueller, Valerie A. Mueller, Richard W. Galloway and Joan Galloway, by the Certificate and Dedication therein executed and delivered and acknowledged under the date of April 17, 2012; and said Owners have requested of the Governing Body of the Municipality final approval of said Plat of **THE ESTATES OF PENNY LANE SUBDIVISION**, as a Subdivision of said Municipality.

2. The aforesaid Plat of **THE ESTATES OF PENNY LANE SUBDIVISION** was examined and preliminarily approved by the Planning Commission of the Municipality as is reflected by the minutes of the March 22, 2012 meeting of that body.

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3. Garner Russell & Associates, Inc., Consulting Engineers for the Municipality, have inspected and examined the improvements, sewage collection system, water distribution system, drainage system, and fixtures, equipment and appliances appurtenant thereto, constructed and installed by the Owners in the aforesaid subdivision, and said engineers have reported that all of the same are, except for revisions to the water and sewer service for unbuildable lots 32,33 and 34 referred to by the letter to the City from David Ball, P.E. dated March 22, 2012, substantially complete and have recommended upon the owner posting a completion bond in the amount of \$9,125.00, approval of the plat of said subdivision for recording, and subject to examination and approval of said Plat.

4. The City Attorney has reported to the Governing Body of the Municipality that the form of the aforesaid Plat of THE ESTATES OF PENNY LANE SUBDIVISION is in substantial compliance with the subdivision regulations of the Municipality.

5. After a discussion of all of the above, the Governing Body of the Municipality does further find, determine and adjudicate and declare that in the public interest, the aforesaid Plat of THE ESTATES OF PENNY LANE SUBDIVISION, and the Owners' certification and Dedication thereon should be accepted and approved for recording, and that the improvements, sewage collection system, drainage system, water distribution system, and all fixtures, equipment and appliances appurtenant thereto in said subdivision may be accepted for public maintenance upon said Owners furnishing the Municipality their warranty against defective workmanship and materials in and about the construction and installation of the same, and furnishing the Municipality security for such warranty to the extent of \$133,000.00; and providing further that no building permit for the construction or installation of any other improvements or buildings on any lot in said subdivision shall issue until the Owners' compliance with the provisions of this Resolution as hereinafter set forth.

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

**SECTION 1.** Approval of the Plat for Recording.

The Plat of THE ESTATES OF PENNY LANE SUBDIVISION, being a subdivision of that certain parcel of land situated in the East half of the Southeast  $\frac{1}{4}$  of Section 10, Township 8 South, Range 12 West, City of Long Beach, First Judicial District of Harrison County, Mississippi, described as follows, to-wit:

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**See Exhibit "A" attached hereto and incorporated herein.**

as laid out, surveyed and platted by Duke Levy, Jr., P.E., R.L.S., for said Owners, according to his certificate executed and delivered thereto dated the 17<sup>th</sup> day of April, 2012, and containing Lots numbered consecutively 1 through 34 inclusive, and any drainage and utility easements and rights-of-way, or curbs, as indicated thereon, and the Owners' Certificate and Dedication of Val's Property Development, LLC, Glenn A. Mueller, Valerie A. Mueller, Richard W. Galloway and Joan Galloway, as owners, dated April 17, 2012, dedicating the same, be, and the same hereby is, accepted as a subdivision of the City of Long Beach, Mississippi, and said final Plat of THE ESTATES OF PENNY LANE SUBDIVISION, is hereby finally approved for recording, subject to the provisions of this Resolution hereinafter contained.

**SECTION 2. Acceptance for Public Maintenance.**

Curbs, water distribution system, drainage system, and sewage collection system, and fixtures, equipment and appliances appurtenant thereto, constructed and installed in the aforesaid subdivision, are hereby accepted for public maintenance; all subject, however, to the following terms and conditions:

A. Said Owners shall execute and deliver in writing their warranty in favor of the Municipality against defective workmanship and materials for a period of two (2) years from the date of this Resolution, in and about the construction and installation of the improvements in and appurtenant to said THE ESTATES OF PENNY LANE SUBDIVISION, including but not limited to the curbs, curb inlets, sidewalks, drainage system, sewage collection system, water distribution system, fire and water hydrants, and any all fixtures, equipment and/or appliances appurtenant to all of the same; such warranty to be executed and delivered to the City by said Owners, and containing the Owners' covenant to indemnify and save harmless the said Municipality from any and all losses, costs, expenses, damages and/or injuries and compensation of any kind and/or character whatsoever, resulting from, arising out of, or in any manner related to any breach of such warranty or warranties, or of any such defects in workmanship and/or materials in and about the fixtures, equipment and/or appliances thereto as aforesaid; all in such form and content as may be approved by the Municipality, acting by and through its Mayor and City Attorney; and

B. The said Owners shall further, at their own cost and expense, furnish the Municipality as security for the warranty and indemnity agreement set out in subsection A of

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Mayor and Board of Aldermen

this Section, a cashier's check, certified check, letter of credit, or corporate surety bond, issued or certified by a bank, savings and loan association or corporate surety authorized to do business in the State of Mississippi, in the sum and amount of \$133,000.00 without restrictions;

(1) In the event of any breach of warranty or warranties set out in subsection A above, and in the written warranty or warranties and indemnity agreement delivered to the Municipality, and if the Owners shall not correct the same within a reasonable time, the Municipality, at its sole discretion, may correct any defective workmanship and/or materials or contract to have the same done, and apply the above-mentioned security in payment of all of the same and all costs, expenses, injuries and/or damages whatsoever. In the event that such security be insufficient for such purposes, the said Owners shall make up the difference of funds required to make payment for correcting any defective workmanship and/or materials and paying the cost of all expenses, injuries and/or damages resulting from Owners' breach of warranty, if any, herein required.

(2) The condition of the aforesaid security shall be that said Val's Property Development, LLC, Glenn A. Mueller, Valerie A. Mueller, Richard W. Galloway and Joan Galloway, as owners, and their successors in title or assigns shall well and truly comply with all of the terms and conditions of this Resolution and the written warranty herein specified, and if the aforesaid conditions shall have been complied with, the Municipality, upon the expiration of the aforesaid warranty period without any breach of warranty shall return such security, with interest, if any, to said Owners.

(3) The Owners shall execute and deliver unto the Municipality an appropriate conveyance, or conveyances, of the aforesaid improvements in THE ESTATES OF PENNY LANE SUBDIVISION, including but not limited to the aforesaid sewage collection system, water distribution system, fire and water hydrants, and any and all fixtures, equipment, appliances appurtenant thereto, free and clear of any and all liens and/or encumbrances.

C. The said Owners shall further, at their sole cost and expense, furnish the Municipality as security for the completion within one year of those items designated and /or referred to in the letter of David Ball, P.E. to the City dated March 22, 2012 as being incomplete

**Minutes of April 17, 2012  
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as of the date of said letter, their Completion, a cashier's check, certified check, letter of credit, or corporate surety bond, issued or certified by a bank, savings and loan association or corporate surety authorized to do business in the State of Mississippi, in the sum and amount of \$9,125.00 without restrictions.

(1) In the event Owners fail to complete those items referred to in paragraph (c) above within one year, the Municipality, at its sole discretion, may complete said items or contract to have the same done, and apply the above-mentioned security in payment of all of the same and all costs, expenses, injuries and/or damages whatsoever. In the event that such security be insufficient for such purposes, the said Owners shall make up the difference of funds required to make payment for completion of said work and paying the cost of all expenses, injuries and/or damages resulting from Owners' failure to timely complete same.

(2) The condition of the aforesaid security shall be that said Val's Property Development, LLC, Glenn A. Mueller, Valerie A. Mueller, Richard W. Galloway and Joan Galloway, as owners, and their successors in title or assigns shall complete the herein above described improvements to the satisfaction of the City engineer, to be evidenced by such engineer's written certification; and if the aforesaid conditions shall have been complied with, the Municipality, upon the completion of all such items and receipt of written certification by the City's engineer of satisfactory completion of same, shall return such security, with interest, if any, to said Owners.

**SECTION 3. Building Permits in Subdivision.**

The aforesaid Plat shall not be filed for record, and no building permit shall issue for the construction of any building or buildings or other improvements whatsoever on any lot or parcel of land in the aforesaid THE ESTATES OF PENNY LANE SUBDIVISION, unless and until the provisions of Section 2, above, shall have been complied with by said Owners and/or their successors in title and/or assigns.

**SECTION 4. Certificate of Approval of Plat.**

The Mayor and City Clerk of the Municipality are hereby authorized and directed, for and on behalf of the Municipality, to execute and deliver a certificate of approval for recording of the

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aforesaid Plat of THE ESTATES OF PENNY LANE SUBDIVISION, in substantially the form as set forth on the aforesaid Plat.

**SECTION 5. Captions.**

The captions to each section of this Resolution are intended solely for easy reference and reading, and shall not be construed to alter or change the meaning of any such section or portion thereof.

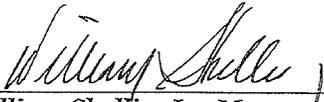
**SECTION 6. Effective Date.**

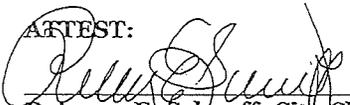
This Resolution shall take effect and be in force from and after its adoption and being spread upon the minutes of the Governing Body of the Municipality.

Alderman Anderson seconded the motion to adopt the foregoing Resolution, 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	Absent, Not Voting
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 adopted and approved this 17<sup>th</sup> day of April, 2012.

  
\_\_\_\_\_  
William Skellie, Jr., Mayor

ATTEST:  
  
\_\_\_\_\_  
Rebecca E. Schuff, City Clerk

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STATE OF MISSISSIPPI  
COUNTY OF HARRISON

INDEMNITY AND OWNER'S WARRANTY OF  
COMPLETION AND CONVEYANCE OF  
IMPROVEMENTS IN, ON AND UNDER  
THE ESTATES OF PENNY LANE

For good and valuable consideration as hereinafter stated, the receipt of all of which is hereby acknowledged, and in accordance with the terms and provisions of that certain resolution adopted by the Mayor and Board of Aldermen (the "Governing Body") of the City of Long Beach, Mississippi (the "Municipality"), on the 17th day of April, 2012, providing for final approval for recording of the Plat of THE ESTATES OF PENNY LANE as a subdivision of said Municipality, and accepting the dedication thereof and the improvements therein for public maintenance, and of the benefit accruing to the Owners, Val's Property Development, LLC, Glenn A. Mueller, Valerie A. Mueller, Richard W. Galloway and Joan Galloway, do hereby covenant and stipulate and agree to and with the Municipality as follows:

1. The undersigned Owners do hereby warrant unto the Municipality that they have substantially completed the construction and installation of all of the improvements in, on and under the easements and property in THE ESTATES OF PENNY LANE, dedicated to the public use forever, all in accordance with the plans and the specifications therefore previously submitted to the Planning Commission of the Municipality, including, but not limited to, paving and improvement of the public streets in said subdivision, curbs and curb inlets, drainage system, water distribution system, sewage collection system, fire and water hydrants, together with all and singular, all pipes, pipelines, culverts, mains, fixtures, the equipment and appliances appurtenant to all of the same; all hereinafter collectively referred to as "Improvements".

2. The undersigned Owners, Val's Property Development, LLC, Glenn A. Mueller, Valerie A. Mueller, Richard W. Galloway and Joan Galloway, for the consideration herein above stated, do hereby convey all of the aforesaid improvements to said Municipality free and clear of any and all encumbrances whatsoever, to have and to hold all of the same unto said Municipality, its successors and assigns forever.

3. Said Owners do hereby covenant and warrant unto the said Municipality that said improvements, and the construction and installation thereof, are free and clear of any and all defective workmanship and materials, except for those items specified by the punch list set forth in the letter dated March 22, 2012, from David Ball, P.E. to The City of Long Beach, a true and correct copy of which letter is attached hereto as Exhibit "A" and incorporated herein, which items, conditions and/or deficiencies set forth in said punch list Owners do hereby agree to correct, complete and/or repair to the satisfaction of David Ball, P.E., acting for and on behalf of the City of Long Beach, Mississippi, as its engineer, which said warranty shall continue in full force and effect for a period of two (2) years from and after the date of the aforesaid resolution, and which warranty shall include those corrected punch list items as and when corrected,

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completed and/or repaired, during which warranty the said Owners shall maintain said Improvements in accordance with this warranty.

4. Said Owners do hereby further covenant and agree to, and does hereby, covenant and agree to indemnify and save harmless the Municipality from any and all losses, costs, expenses and/or injuries and damages of any kind and character whatsoever, resulting from, arising out of, or in any manner relating to any breach of the aforesaid warranty herein contained, or of any such defects in the workmanship and/or materials in and about the construction and installation of the aforesaid improvements during the period covered by the aforesaid warranty or warranties.

5. As security for the warranty or warranties set forth in paragraphs 3 and 4 above, the Owners have furnished the Municipality a cashier's check, certified check, letter of credit, or corporate surety bond, issued or certified by a bank, savings and loan association or corporate surety authorized to do business in the State of Mississippi, in the aggregate sum of ONE HUNDRED THIRTY THREE THOUSAND DOLLARS (\$133,000.00) without restrictions to be held, or if a check, deposited by the said Municipality in a special fund to be styled "City of Long Beach, THE ESTATES OF PENNY LANE Security Fund" pending the expiration or termination of the warranty period specified in paragraph 3, above. The warrantors and indemnitors herein, Leon Long and David Allen, do further consent and agree that such instrument/security funds shall be held/deposited as herein above set forth for the purposes herein provided.

6. The condition under which the Municipality shall hold the ONE HUNDRED THIRTY THREE THOUSAND DOLLARS (\$133,000.00) cashier's check, certified check, letter of credit, or corporate surety bond, issued or certified by a bank, savings and loan association or corporate surety authorized to do business in the State of Mississippi above mentioned in paragraph 5, above, is that:

(A) In the event of any breach of warranty or warranties set out in paragraphs 3 and 4, above, and if the Owners shall not correct the same within a reasonable time after notice from the Municipality to Owner, if any, the Municipality, at its sole discretion, may correct any defective workmanship and/or materials, or contract to have the same done, and apply the said security in payment of the same and all costs, expenses, losses, injuries and/or damages incurred thereby. In the event that such security may be insufficient for such purposes, the Owners shall pay the difference of funds required to make payment for correcting the defective workmanship and/or materials and for all costs, expenses, losses, injuries and/or damages resulting from Owner's breach of warranty, if any, herein required.

(B) If said Owners, and/or their successors in title or assigns shall well and truly comply with all of the terms and conditions of the aforesaid resolution and of the warranty or warranties and of the indemnity agreement herein specified; and if the aforesaid conditions shall have been complied with by the Owners, the Municipality, upon the expiration of the aforesaid warranty period, without any breach of warranty, shall return the letter of credit or funds representing such security to said Owners.

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7. As security for the guarantee of completion set forth in paragraph 3 above, the Owners has furnished the Municipality a cashier's check, certified check, letter of credit, or corporate surety bond, issued or certified by a bank, savings and loan association or corporate surety authorized to do business in the State of Mississippi, in the aggregate sum of NINE THOUSAND ONE HUNDRED TWENTY FIVE Dollars (\$9,125.00) without restrictions, to be held, or if a check, deposited by the said Municipality in a special fund to be styled "City of Long Beach, THE ESTATES OF PENNY LANE Completion Guaranty Security Fund" pending the completion and/or repair of deficiencies, work, items and/or conditions specified therein, or expiration of the completion period of one year. The warrantors and indemnitors herein, Val's Property Development, LLC, Glenn A. Mueller, Valerie A. Mueller, Richard W. Galloway and Joan Galloway, do further consent and agree that such instrument/security funds shall be held/deposited as herein above set forth for the purposes herein provided.

8. The condition under which the Municipality shall hold the \$9,125.00 above mentioned in paragraph 7, above, is that:

(A) In the event the Owners shall fail to construct, repair, correct and/or remedy to the satisfaction of the City's engineer any of those conditions, deficiencies, or work set forth as items in Exhibit "A" hereto within twelve (12) months from adoption by the City of Long Beach, Mississippi, providing for final approval of THE ESTATES OF PENNY LANE, the Municipality, at its sole discretion, may correct any such item or contract to have the same done, and apply that part of the said security attributable to same as set forth in Exhibit "A" hereto in payment of the same and all costs, expenses, losses, injuries and/or damages incurred thereby. In the event that such security may be insufficient for such purposes, the Owners shall pay the difference of funds required to make payment for correcting the "item" to the satisfaction of the City's engineer and for all costs, expenses, losses, injuries and/or damages resulting from Owners' breach of warranty, if any, herein required.

(B) If said Owners, and/or their successors in title or assigns shall well and truly comply with all of the terms and conditions of the aforesaid resolution and complete the construction, repair, correction and/or remedy to the satisfaction of the City's engineer of all of those conditions, deficiencies, or work set forth as items in Exhibit "A" hereto within twelve (12) months from adoption by the City of Long Beach, Mississippi, providing for final approval of THE ESTATES OF PENNY LANE the Municipality, upon the expiration of the aforesaid completion period, without any breach of warranty, shall return the letter of credit or funds representing such security to said Owners. If the Municipality is required to perform any such repair, correction and/or remedy of any of those conditions, deficiencies, or work set forth as items in Exhibit "A" hereto, then the cost of such repair, correction and/or remedy shall be deducted from such security and retained by the City.

9. In the event that the Municipality be reasonably required to litigate its claim for reimbursement of costs, losses, expenses, damages, injuries and/or compensation, resulting from any breach of warranty or indemnity hereunder, said Owner further covenants and agrees to pay the Municipality's reasonable costs and attorneys fees incurred thereby.

Minutes of April 17, 2012  
Mayor and Board of Aldermen

THIS the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Val's Property Development, LLC,

\_\_\_\_\_  
Glenn A. Mueller

\_\_\_\_\_  
Valerie A. Mueller

\_\_\_\_\_  
Richard W. Galloway

\_\_\_\_\_  
Joan Galloway

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this \_\_\_\_\_ day of \_\_\_\_\_, 2012, within my jurisdiction, the within named \_\_\_\_\_, who acknowledged HE/SHE/IT is one of the owners of that parcel of land known as THE ESTATES OF PENNY LANE and that he/she/it executed the above and foregoing instrument for the purposes and reasons stated therein.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:  
\_\_\_\_\_

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this \_\_\_\_\_ day of \_\_\_\_\_, 2012, within my jurisdiction, the within named \_\_\_\_\_, who acknowledged HE/SHE/IT is one of the owners of that parcel of land known as THE ESTATES OF PENNY LANE and that he/she/it executed the above and foregoing instrument for the purposes and reasons stated therein.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:  
\_\_\_\_\_

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Mayor and Board of Aldermen

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

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\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:  
\_\_\_\_\_

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

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\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:  
\_\_\_\_\_

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

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\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:  
\_\_\_\_\_

\*

\*

After considerable discussion, Alderman Anderson made motion seconded by Alderman Couvillon and unanimously carried to approve the regular meeting minutes of the Planning Commission dated April 12, 2012, as submitted.

\*\*\*\*\*

Alderman Ponthieux made motion seconded by Alderman Hammons and unanimously carried to approve payment of invoices as listed in Docket of Claims number 041712.

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\*\*\*\*\*

There was no report from the Mayor's Office.

\*\*\*\*\*

There was no action required or taken regarding CDBG Requests for Cash or payment of invoices.

\*\*\*\*\*

Alderman Hammons made motion seconded by Alderman Anderson and unanimously carried to approve personnel matters, as follows:

Police Department:

- Resignation, Patrolman 1<sup>st</sup> Class Daniel Gilkerson, effective April 2, 2012.
- Hire Patrol Officer 1<sup>st</sup> Class Jonathan Bannister, PS-9-B, effective May 1, 2012.

Library:

- Step Increase, Reference Librarian Shannon Bennett, CSA-4-III, effective February 1, 2012.

\*\*\*\*\*

Alderman Parker made motion seconded by Alderman Anderson and unanimously carried to approve FY 2011-2012 budget amendment, Water Operations, as follows:



# Memo

To: Rebecca Schuff, City Clerk  
From: Kini Gonsoulin, Comptroller  
Date: 4/11/2012  
Re: Budget Amendment

---

Please submit the attached budget amendment for consideration on the April 17, 2012 Board Meeting.

Mr. Derral Wilson has requested that I submit the attached budget amendment. This request is to cover the annual maintenance cost of the Nicholson Avenue water tank. This amount was not included in the original 2012 budget.

I have reviewed the current status of revenues, and we have collected more funds than budgeted at this point in time. I believe there will be no negative impact in making the requested amendment.

If you have any questions, please don't hesitate to call. Thank you.

Minutes of April 17, 2012  
 Mayor and Board of Aldermen

City of Long Beach

Budget Amendment Request

Fund Name \_\_\_\_\_ Date \_\_\_\_\_  
 Department # \_\_\_\_\_ Budget Entry # \_\_\_\_\_  
 Department Name \_\_\_\_\_  
 Water/Sewer Utility \_\_\_\_\_  
 E15 \_\_\_\_\_  
 Water Operations \_\_\_\_\_

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Contractual Fees				
815-620900	11,000	-	14,900	25,900
Water Sewer Fund Balance			(14,900)	(14,900)
Totals	11,000	-	-	11,000

Amendment #3

\*\*\*\*\*

There came on for consideration a request to use office space at City Hall from the Gulf Coast Women's Center for Nonviolence, Inc., as approved on March 20, 2012. Upon further review, it was determined that the Center would have to provide proof of liability insurance for a minimum of \$1,000,000 indemnifying the City, proof of professional liability insurance for the Outreach Counselor and a copy of the counselor's license. The Clerk reported that the aforementioned stipulations were relayed to Shelia Rivers, MSW, Outreach Counselor, for the Gulf Coast Women's Center

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for Nonviolence, Inc., however, the requested documents were not yet provided. The Mayor and Board of Aldermen directed that the matter be brought back for further review and consideration once the required are documents are provided and the Clerk was directed to delay scheduling any sessions until all stipulations are met.

\*\*\*\*\*

Alderman Anderson made motion seconded by Alderman Parker and unanimously carried to acknowledge receipt of the March, 2012, Revenue/Expense Reports.

\*\*\*\*\*

Discussion was held regarding derelict properties; no official action was required or taken.

\*\*\*\*\*

There came on for consideration again a proposal submitted by Grady Chappell, Collections Plus, to collect old, delinquent utility bills. The proposal was taken under advisement from April 3, 2012, requesting that Mr. Chappell provide references, which references were obtained and checked by the City Clerk's Office and submitted to the Mayor and Board of Aldermen.

Discussion was held regarding whether or not to pursue the matter of collections through advertisement for bids, requests for proposals, or city employees.

After considerable discussion, Alderman Hammons made motion seconded by Alderman Ponthieux to accept the proposal to collect old, delinquent utility bills submitted by Grady Chapell, Collections, Plus.

The question being put to a roll call vote by the Mayor, the result was as follows:

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

The question having received the NEGATIVE vote of a majority of the Aldermen present and voting, the Mayor declared the motion NOT CARRIED.

\*\*\*\*\*

Minutes of April 17, 2012  
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The ordinance requiring utility companies to obtain permits for routine maintenance/repairs was taken under advisement until the next regular meeting, May 1, 2012.

\*\*\*\*\*

Based upon the recommendation of Mayor Skellie, Alderman Ponthieux made motion seconded by Alderman Anderson and unanimously carried to appoint Don Deschenes to the Long Beach Port Commission, May, 2012 – May, 2017, as the Mayor’s at-large appointment to fill the expired term of James Hancock.

\*\*\*\*\*

Alderman Anderson made motion seconded by Alderman Ponthieux and unanimously carried authorizing the Long Beach School District to host their quarterly awards and recognition program in the City Hall Meeting Room and to coordinate dates and times with the City Clerk’s Office.

\*\*\*\*\*

Alderman Anderson made motion seconded by Alderman Parker and unanimously carried directing the City Attorney to prepare a Resolution Endorsing the Scenic Byway for review and consideration at the next regular meeting, May 1, 2012.

\*\*\*\*\*

There came on for consideration two (2) requests to donate the temporary City Hall trailers, as follows:

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*Grace Chapel*

Evangelism - Worship - Fellowship - Discipleship - Ministry  
9208 Edwin Ladner Rd Pass Christian, MS 39571 (228) 255-3255

Stan G. Proctor, Pastor  
proctoronline@gmail.com  
www.gracechapelms.org

April 11, 2012

Mayor William B Skellie  
City of Long Beach  
Long Beach, Ms 39560

Mayor Skellie,

We are in need of more classroom space here at Grace Chapel. We have outgrown our current area and would be very grateful if the City of Long Beach would donate, to our church, one or more of the portable buildings you are vacating.

Your help in this matter would allow more people to engage in the study of God's Word and to grow in godly principles and precepts, which in turn makes better citizens.

Those who attend Grace come from all along the coast; from Gulfport to Picaune. On behalf of all of us, I would like to thank you for considering our need.

Respectfully,

  
Stan G. Proctor, Pastor

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# Faith Baptist Church



Dan Carr, Pastor  
8467 Canal Road  
Gulfport, MS 39503-9042  
Phone (228) 863-6993

April 11, 2012

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

Dear Mayor Skellie:

This is to document my discussion in 2011 with you about the City's plans for the disposition of the Modular Trailers after you move into the new City Hall. My Church would certainly appreciate any considerations if they were to be donated.

These would provided needed class rooms for our Bible study classes. As a church, which you well understand, we are a non-profit organization and these would become part of our Church's facilities.

Again, any considerations related to this request would be greatly appreciated. We have someone lined up that could move such facilities in a relative short order.

If you want any additional information, please let me know. My cell phone number is 228-263-0994.

Sincerely,

Eddie J. Holt  
Church Administrator

Upon discussion, Alderman Parker made motion seconded by Alderman Hammons and unanimously carried to donate two (2) trailers to Grace Chapel, 9208 Edwin Ladner Road, Pass Christian, Mississippi, and two (2) trailers to Faith Baptist Church, 8467 Canal Road, Gulfport, Mississippi, as and where they are, with no moving or other expense to the City. It was noted for the record that the fifth trailer will be utilized by the Fire Department for training purposes.

\*\*\*\*\*

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There came on for consideration use of take home city vehicles and departmental vehicle policies regarding same. It was noted for the record that 22 out of 38 police vehicles are driven home outside the city limits, some as far as 20 to 50 plus miles; the four fire vehicles assigned as take home vehicles are within the city limits as are the two civilian take home vehicles; and the 3 or 4 city take home vehicles utilized by the private contractor for on call employees are maintained and fueled by the contractor.

Upon further discussion, it was determined that several municipalities charge a fee for take home vehicles based on a scale according to distance driven outside the city limits; in addition the City Attorney advised that there is an Attorney General's opinion requiring a finding that the employee duties necessitate a drive home vehicle, stating the benefit to the municipality, whether driven within the city limits or outside.

After considerable discussion, Alderman Anderson made motion seconded by Alderman Ponthieux and unanimously carried directing the Police and Fire Departments, in conjunction with the City Attorney, to review their present vehicle policies and revise them to reflect fees to be charged for take home vehicles based on a scale according to distance driven outside the city limits; to establish the duties that necessitate a drive home vehicle; and to clarify the benefits to the municipality and citizens of Long Beach whether driven within the city limits or outside, all for review and adoption by the Mayor and Board of Aldermen at the next regular meeting, May 1, 2012.

\*\*\*\*\*

The Mayor recognized the City Attorney for his report; no official action was required or taken.

\*\*\*\*\*

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

\*\*\*\*\*

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

\*\*\*\*\*

Minutes of April 17, 2012  
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