

**Minutes of August 7, 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 7th day of August, 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 Leonard G. Carrubba, Sr., Gary J. Ponthieux, Bernie Parker, Kaye H. Couvillon, Ronnie Hammons, Jr., Carolyn J. Anderson, City Clerk Rebecca E. Schruff and City Attorney James C. Simpson, Jr.

Alderman Mark E. Lishen was absent the public hearing

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

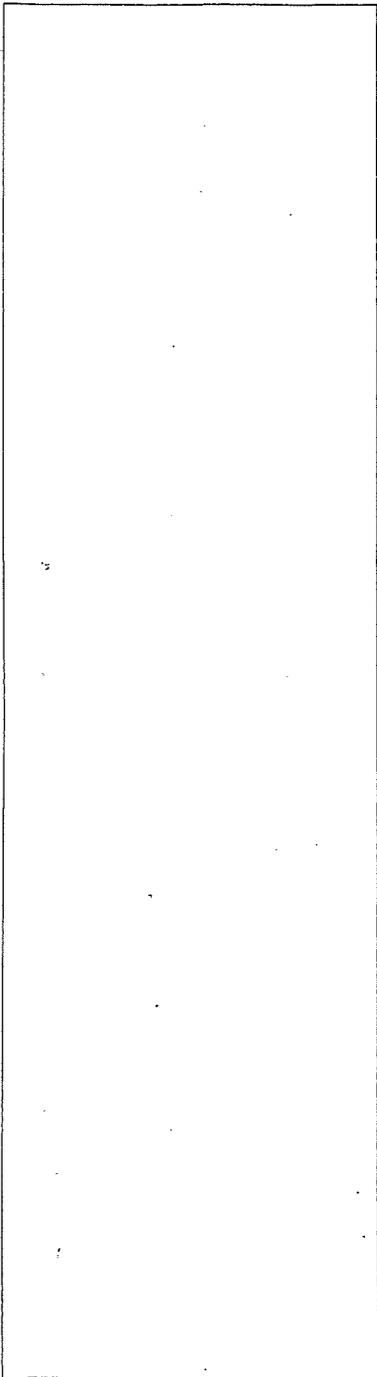
The public hearing to provide the general public with an opportunity to comment on the taxing and spending plan incorporated in the proposed fiscal year 2012-2013 budget was called to order.

The Clerk reported that, pursuant to that certain order of the Mayor and Board of Aldermen at a regular meeting duly held and convened on July 17, 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, Legal Notice, Public Hearing, as evidenced by the Publisher's Proof of Publication.

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

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PROOF OF PUBLICATION



STATE OF MISSISSIPPI
COUNTY OF HARRISON

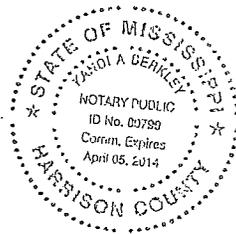
Before me, the undersigned Notary of Harrison County, Mississippi personally appeared CRISTA LAUX who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city Gulfport, in Harrison County, Mississippi, and the publication of the notice, a copy of which is hereto attached, has been made in said paper 1 times in the following numbers and on the following dates of such paper, viz:

- Vol. 128 No., 281 dated 10 day of July, 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 _____
- 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 Laux
Clerk

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



Krista A. Deriley
Notary Public

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**LONG BEACH, MISSISSIPPI
NOTICE OF PUBLIC
HEARING
PROPOSED BUDGET
FISCAL 2012-2013**

A public hearing will be held on Tuesday, August 7, 2012, at 5:00 p.m. to provide the general public with an opportunity to comment on the taxing and spending plan incorporated in the proposed budget of the City of Long Beach, Mississippi, for the fiscal year beginning October 1, 2012 and ending September 30, 2013. The hearing will be held in the Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi. All interested citizens are encouraged to attend and comment.

*

*

The Clerk further reported that the Legal Notice of Public Hearing was posted on the bulletin boards at City Hall, the Water Department, the Building Permit Office, the Long Beach Public Library, the official City Website, and the public information mass notification system through Blackboard Connect.

Alderman Carrubba made motion seconded by Alderman Hammons and unanimously carried to make the aforementioned report a part of the record of this public hearing.

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* * *

The Mayor opened the floor for public comments as follows:

- David Reed, 125 Markham Drive, Long Beach, Mississippi, commented on derelict properties and suggested funding for a full time Zoning Enforcement Officer.
- Sibylle Heidrich, 20583 Johnson Road, Long Beach, Mississippi, suggested funding for reflective signs throughout the city.

* * *

There being no further public comments, Alderman Hammons made motion seconded by Alderman Ponthieux and unanimously carried to close the public hearing and convene the regular meeting.

Be it remembered that a regular meeting of the Mayor and Board of Aldermen, Long Beach, Mississippi, was begun and held at 5:00 o'clock p.m., Long Beach City Hall, 201 Jeff Davis Avenue, in said City, it being the first Tuesday in August, 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 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.

Alderman Lishen arrived late and was preliminarily absent the meeting.

The meeting was called to order late due to the public hearing.

Alderman Parker made motion seconded by Alderman Anderson and unanimously carried authorizing the City Clerk to advertise for public works annual bids, as follows:

- PVC SEWER PIPE & FITTINGS, WATER PIPE & FITTINGS, FIRE HYDRANT GATE VALVES;

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- RECLAIMED CRUSHED CONCRETE;
- READY MIX CONCRETE;
- HOT BITUMINOUS PAVEMENT, TYPE SC-1;
- CRUSHED LIMESTONE;
- POLYETHYLENE CULVERT PIPE (SMOOTH INTERIOR ONLY);
- CHLORINE FOR PUBLIC WATER DISTRIBUTION SYSTEM.

There came on for consideration two letters with attachments from Patrick Moore, as follows:



July 23, 2012

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

From: Patrick Moore
Project Manager
AMEC Environment and Infrastructure

RE: City of Long Beach
FMA Residential Acquisition Program
FMA-PJ-04-MS-2009-005
Property #6, 712 W Old Pass Road, Demolition Contractor Approval

Mayor Skellie:

As you are aware, the City is in the process of acquiring a Severe Repetitive Flood Loss property located at 712 W Old Pass Road, Long Beach. The Flood Mitigation Assistance (FMA) program requires that the City demo any structures and remove all foundations following acquisition of a property. JLB Levens Builders has submitted a quote in the amount of \$12,765.89, which includes furnishing all labor and equipment for demolition of the referenced property. Levens quote is within the Flood Mitigation Assistance Program approved cost for demolition as identified in the grant. Pending purchase of the referenced property, we are asking Board of Aldermen approval for the City to hire JLB Levens Builders as demolition contractor.

If you have any questions or need additional information, please contact me at 228-327-5166.

Patrick Moore

Attached:
Demolition Contractor Estimates

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Long Beach, MS FMA Acquisition Project FMA -PJ-04-MS-2009-005			Demolition Estimates 712 W Old Pass Road		
Property No.	Owner	Address	Barker Constructi on	A C Industrial, Inc.	JLB Levens
6	Fennell	712 W Old Pass Rd	\$18,000.00	\$17,226.50	\$12,765.89

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July 23, 2012

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

From: Patrick Moore
Project Manager
AMEC Environment and Infrastructure

RE: City of Long Beach
FMA Residential Acquisition Program
FMA-PJ-04-MS-2009-005
Property #4, 1215 Wisteria Lane, Demolition Contractor Approval

Mayor Skellie:

As you are aware, the City is in the process of acquiring a Severe Repetitive Flood Loss property located at 1215 Wisteria Lane, Long Beach. The Flood Mitigation Assistance (FMA) program requires that the City demo any structures and remove all foundations following acquisition of a property. JLB Levens Builders has submitted a quote in the amount of \$7,418.63, which includes furnishing all labor and equipment for demolition of the referenced property. Levens quote is within the Flood Mitigation Assistance Program approved cost for demolition as identified in the grant. Pending purchase of the referenced property, we are asking Board of Aldermen approval for the City to hire JLB Levens Builders as demolition contractor.

If you have any questions or need additional information, please contact me at 228-327-5166.

Patrick Moore

Attached:
Demolition Contractor Estimates

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Long Beach, MS FMA Acquisition Project PJ-04-MS-2009-005		Demolition Estimates 1215 Wisteria Lane			
Property No.	Owner	Address	Barker Construction	A C Industrial, Inc.	JLB Levens
4	Blackburn	1215 Wisteria Ln.	\$15,000.00	\$14,200.00	\$7,418.63

Based upon the recommendation of Mr. Moore, Aldermen Anderson made motion seconded by Alderman Parker and unanimously carried to award the demolition contracts, 712 West Old Pass Road and 1215 Wisteria Lane, to J. Levens Builders, as set forth above.

Alderman Lishen arrived at the public meeting.

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The Mayor recognized Ms. Vivian Ward for a brief presentation promoting the City of Long Beach.

* * *

“Night Against Crime” will be held this evening at the Town Green.

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

- Discuss Letter to the Editor, August 5, 2012.

There were no public comments regarding agenda items.

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

- Regular meeting dated July 17, 2012, as submitted;
- Work session dated July 24, 2012, as submitted.

The motion carried upon the affirmative voice of all the Aldermen present and voting with Alderman Carrubba present, not voting, on the July 24, 2012, work session minutes.

Alderman Lishen made motion seconded by Alderman Ponthieux and unanimously carried to approve the regular meeting minutes of the Planning Commission dated July 26, 2012, as submitted.

* * *

Upon further discussion, there came on for consideration the proposal submitted by Bio-Cycle Medical Waste Management, approved by the Planning Commission on July 12, 2012, and remanded back to the Planning Commission by the Mayor and Board of Aldermen on July 17, 2012, for clarification and additional information.

It was noted for the record that the medical waste process would not include burning, the waste would be cleaned, boxed and transported out, all processed in an enclosed, secure facility.

After considerable discussion, Alderman Ponthieux made motion seconded by Alderman Anderson to approve the operation of the medical waste/treatment facility, Bio-Cycle Medical Waste Management, at 113 North Ocean Wave Avenue.

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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 Anderson	voted	Aye
Alderman Leonard G. Carrubba, Sr.	voted	Nay
Alderman Mark E. Lishen	voted	Aye
Alderman Ronnie Hammons, Jr.	voted	Aye

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

There came on for consideration the Port Commission work session minutes dated July 18, 2012, and the regular meeting minutes dated July 19, 2012; Alderman Lishen made motion seconded by Alderman Anderson to approve said minutes.

After considerable discussion and upon clarification of several matters, Alderman Lishen withdrew the motion and Alderman Anderson withdrew the second, whereupon, Alderman Anderson made motion seconded by Alderman Couvillon and unanimously carried to approve the aforesaid Port Commission minutes with exception to the approval of moving forward on engineering work to further develop the details for "Concept A" as stated in the Port Commission regular minutes. [Minute Book 7; Page 387]

Alderman Anderson made motion seconded by Alderman Couvillon and unanimously carried to approve payment of invoices as listed in Docket of Claims number 080712, noting for the record that invoice #1003862 submitted by Neel-Schaffer is approved in the amount of \$551.92, instead of \$1,615.42 as stated in the Docket of Claims.

There was no action required or taken at this time regarding a request from the City of Pass Christian to purchase water from the City of Long Beach.

The Mayor and Board of Aldermen were updated on the redistricting matter.

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Alderman Anderson made motion seconded by Alderman Parker and unanimously carried authorizing the City Comptroller to move forward with the appropriate procedures and documentation for the lease/purchase of a new fire truck.

Alderman Couvillon made motion seconded by Alderman Ponthieux and unanimously carried to approve CDBG (2) Requests for Cash and Payment of (4) Invoices, as follows:

MEMO

DATE: July 23, 2012
TO: Honorable William Skellie, Jr.
 City of Long Beach
FROM: Ann Frazier
 Jimmy G. Gouras Urban Planning
RE: City of Long Beach
 CDBG Project #R-109-235-04-KCR
 Fire Station
 Request for Cash and Summary Support Sheet

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

1. Reflectec
 Invoice number 18 in the amount of \$9,905.88
 For Fire Protection expense
 (June \$8,866.42 CDBG \$379.06 Match - July \$633.32 CDBG \$27.08 Match)
2. Jimmy Gouras
 Invoice number 9410 in the amount of \$1,708.33
 For Administration expense

Also enclosed is "Request for Cash and Summary Support Sheet No. 39" in the amount of \$10,574.75 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. 39" and return it along with the supporting documentation for processing to our office at the following address:

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

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

REMINDER

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

JIMMY G. GOURAS

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

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MEMO

DATE: July 23, 2012
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. FMA
Invoice number 7 in the amount of \$7,314.51
For Construction expense
2. Jimmy Gouras
Invoice number 9409 in the amount of \$5,800.00
For Administration expense

Also enclosed is "Request for Cash and Summary Support Sheet No. 35" in the amount of \$13,114.51 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. 35" 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.

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 Couvillon made motion seconded by Alderman Parker and unanimously carried to approve the CDBG War Memorial close-out documents, as follows:

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JACKSON OFFICE
308 East Pearl Street, Ste. 300
Jackson, Mississippi 39201

601.352.2899
FAX 601.352.2893
EMAIL info@jbhm.com

July 2, 2012

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 War Memorial

Attached are the close-out documents (as listed on the attached transmittal) on the above referenced project.

If you have any questions, please advise.

Sincerely,

Richard H. McNeel, AIA

ARCHITECTURE
PLANNING
LANDSCAPE ARCHITECTURE
INTERIOR DESIGN
GRAPHIC DESIGN
PROGRAM MANAGEMENT

cc: Melvin Faciane, Jr. – FMA, Inc.
Mayor William Skellie, Jr. – City of Long Beach
Ann Frazier – Jimmy Gouras and Associates
Richard McNeel/Edward Yeatman/ Carl Bradley – JBHM .
JBHM # 11034.09

Please acknowledge receipt of these documents by signing below and returning a copy for our files.

Received by: William Skellie, Jr. Date: 8/7/12

OFFICES
Biloxi
Columbus
Jackson
Tupelo

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

WILLIAM LEWIS, AIA

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 Mayor and Board of Aldermen



TRANSMITTAL

P.O. Box 1643 Tupelo, MS 38802

662.844.1822 fax 662.844.0971

To: Mayor William Skellie
 City of Long Beach
 201 Jeff Davis Avenue
 Long Beach, MS 39560

Date: July 16, 2012

Project: Long Beach War Memorial

Project No.: 11034.00

We are sending you via ups

Copies	Date	No.	Description
			Close Out Documents including the following:
1	7/2/2012		• Certificate of Final Completion
1	5/15/2012		• Contractor's Guarantee of Work Statement
1	5/17/2012		• Contractor's Certification of Non-Use of Asbestos Containing Materials
1	5/24/2012		• Contractor's Affidavit of Payment of Debts & Claims
1	5/24/2012		• Contractor's Affidavit of Release of Liens
1	5/18/2012		• Consent of Surety to Final Payment
1	7/2/2012		• Architect's Certification of Non-Specification of Asbestos Containing Materials
			• Warranties
			• As-Built Drawings
			• Submittals

These are transmitted as checked below:

- For Your Approval
 No Exceptions Taken
 Revise and Resubmit -
 For Your Use
 Rejected
 Submit Specified Item -
 As Requested
 Furnish as Corrected
 As Marked on Individual Submittals

Remarks:

Please place these items on your agenda for your next board meeting for approval. Final pay application has been forwarded to Ann Frazier of Jimmy Gouras office. Should you have any questions, please do not hesitate to call.

Thanks,

By: Wanda L. Wilson, Office Manager

cc: 11034.15
 FMA, Inc.
 Ann Frazier, Jimmy Gouras and Associates

Columbus, MS • Jackson, MS • Tupelo, MS

New Transmittal Owner Close Outs.doc

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CERTIFICATE OF
FINAL
COMPLETION

Distribution to:

OWNER	<u> X </u>
ARCHITECT	<u> X </u>
CONTRACTOR	<u> X </u>
FIELD	<u> </u>
OTHER	<u> </u>

PROJECT:
(name, address)

ARCHITECT: JBHM Architects, P.A.
2548 Beach Blvd., Suite 100
Biloxi, MS 39531

ARCHITECT'S PROJECT NUMBER: 11034.00

TO: (Owner)
City of Long Beach
201 Jeff. Davis Highway
Long Beach, MS 39560

CONTRACTOR: FMA, Inc.
403 Moonraker Drive
Slidell, LA 70458

CONTRACT FOR: General Construction

CONTRACT DATE: October 18, 2011

DATE OF ISSUANCE: July 2, 2012

PROJECT OR DESIGNATED PORTION SHALL INCLUDE: Entire Project

DEFINITION OF DATE OF FINAL COMPLETION

The Date of Final Completion of the Work or designated portion thereof is the Date certified by the Architect when construction is complete, in accordance with the Contract Documents.

JBHM Architects, P.A.
ARCHITECT

BY: Richard H. McNeel, AIA

July 11, 2012
DATE

The responsibilities of the Owner and the Contractor for warranty shall be as follows:

When items covered by warranty are discovered, they shall be evaluated by the Owner to verify that the item is not a maintenance problem. If the Owner, in their opinion, confirms that the item should be a warranty item, they shall notify the contractor promptly. The contractor shall resolve the problem in an expeditious manner.

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FMA, INC.
Construction Consultants

ASBESTOS-FREE MATERIALS CERTIFICATION FORM

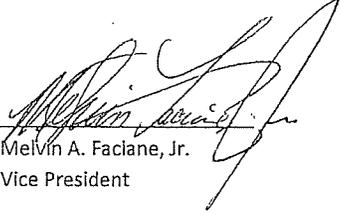
Project Name: Long Beach War Memorial

Architect: JBHM Architects, PA
2548 Beach Blvd., Suite 100
Biloxi, MS 39531

FMA, Inc. hereby certifies that all materials used and/or purchased for this project do not contain asbestos. All materials are asbestos free.

Contractor: FMA, Inc.
403 Moonraker Dr.
Slidell, LA 70458

Phone: (985)960-0221
Fax: (985)847-1868
maf2@charter.net

Principal Signature: 
Melvin A. Faciane, Jr.
Vice President

Date: May 17, 2012

403 Moonraker Dr. • Slidell, LA 70458
985-960-0221 • 985-847-1868 (fax)

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Affidavit of Payment of Debts and Claims

CAP706

Contract Date: 10/18/2011

Contract for:
153,614.50

Architect's Project Number:

To Owner:

City of Long Beach
201 Jeff Davis Ave.
Long Beach, MS 39560

Contractor:

FMA, Inc.
403 Moonraker Dr.
Slidell, LA 70458

Project:

11034.00
Long Beach War Memorial
Jeferson Davis Ave.
Long Beach, MS

Distribute To:

<input type="checkbox"/>	Owner	<input type="checkbox"/>	Contractor	<input type="checkbox"/>	Other
<input checked="" type="checkbox"/>	Architect	<input type="checkbox"/>	Surety		

State of:

Louisiana

County of:

St. Tammany

This undersigned certifies that, with the exceptions listed below, payment has been made in full and all obligations have been satisfied for the following:

All Materials, Equipment, Work, Labor, Services and claims against the Contractor in connection with the above mentioned Contract.

Exceptions:

Attached Supporting Documents:

- Surety to Final Payment, if required.
Is document attached?
- If required by the Owner:
 - .. Contractor's Release or Waiver of Liens
 - .. Separate Releases or Waivers of Liens from Subcontractors, material and equipment suppliers
- Release of Liens Affidavit

Contractor:

FMA, Inc.
403 Moonraker Dr.
Slidell, LA 70458

BY:

[Signature]
(Signature of authorized representative)
 Melvin A. Faciane, Jr.
(Printed Name and title) Vice President

Subscribed and sworn to before me on this date: *May 24, 2012*
 Notary Public: *[Signature]*
 My Commission Expires: *Howard E. Hillker, Jr., Notary Public #65487*
 My commission expires with my life



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Release of Liens

CAP706A

To Owner:

City of Long Beach
201 Jeff Davis Ave.
Long Beach, MS 39560

From:

FMA, Inc.
403 Moonraker Dr.
Slidell, LA 70458

Project:

11034.00
Long Beach War Memorial
Jeferson Davis Ave.
Long Beach, MS

Contract Date: 10/18/2011

Contract for:
153,614.50

Architect's Project Number:

Distribute To:

<input type="checkbox"/> Owner	<input type="checkbox"/> Contractor	<input type="checkbox"/> Other
<input checked="" type="checkbox"/> Architect	<input type="checkbox"/> Surety	

State of:

Louisiana

County of:

St. Tammany

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 liens or 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:

FMA, Inc.
403 Moonraker Dr.
Slidell, LA 70458

BY:

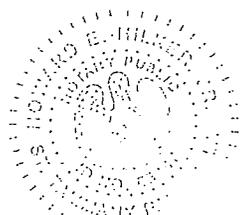
Melvin A. Faciane, Jr.
(Signature of authorized representative)

Subscribed and sworn to before me on this date:

Notary Public: *Howard E. Hilker, Jr.*

My Commission Expires: Howard E. Hilker, Jr., Notary Public #65487
My commission expires with my life

Melvin A. Faciane, Jr.
(Printed Name and title)
Vice President



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CONSENT OF SURETY TO FINAL PAYMENT

AIA Document G707
(Instructions on reverse side)

- OWNER
- ARCHITECT
- CONTRACTOR
- SURETY
- OTHER

TO OWNER:
(Name and address)
City Clerk for City of Long Beach, MS
201 Jefferson Ave.
Long Beach, MS 39560
PROJECT:
(Name and address)
Long Beach War Memorial

ARCHITECT'S PROJECT NO.:

CONTRACT FOR:
Long Beach War Memorial

CONTRACT DATED:
October 18, 2011

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the

(Insert name and address of Surety)
Allegheny Casualty Company
One Newark Center, 20th Floor
Newark, NJ 07102

, SURETY,

on bond of
(Insert name and address of Contractor)

FMA, Inc.
403 Moonraker Dr.
Slidell, LA 70458

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety of any of its obligations to

(Insert name and address of Owner)
City Clerk for City of Long Beach, MS
201 Jefferson Ave.
Long Beach, MS 39560

, OWNER,

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date: May 18, 2012
(Insert in writing the month followed by the numeric date and year.)

Allegheny Casualty Company

(Surety)

(Signature of authorized representative)

Cathy C. Turner, Attorney-in-Fact

(Printed name and title)

Attest:
(Seal):



(Signature of Danya Meyer)
CAUTION: You should sign an original AIA document that has this caution printed in red. An original assures that changes will not be obscured as may occur when documents are reproduced. See Instruction Sheet for Limited License for Reproduction of this document.



AIA DOCUMENT G707 • CONSENT OF SURETY TO FINAL PAYMENT • 1994 EDITION • AIA
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INGTON, D.C. 20005-5282 • WARNING: Unlicensed photocopying violates U.S. copy-
right laws and will subject the violator to legal prosecution.

G707—1994

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Mayor and Board of Aldermen

Tel: (973) 624-7200

POWER OF ATTORNEY

INTERNATIONAL FIDELITY INSURANCE COMPANY
ALLEGHENY CASUALTY COMPANY

ONE NEWARK CENTER, 20TH FLOOR NEWARK, NEW JERSEY 07102-5207

KNOW ALL MEN BY THESE PRESENTS: That INTERNATIONAL FIDELITY INSURANCE COMPANY, a corporation organized and existing under the laws of the State of New Jersey, and ALLEGHENY CASUALTY COMPANY, a corporation organized and existing under the laws of the State of Pennsylvania, having their principal office in the City of Newark, New Jersey, do hereby constitute and appoint

GARRETT T. TURNER, RONALD THOMAS TURNER, MEGHANN TURNER, CATHY C. TURNER

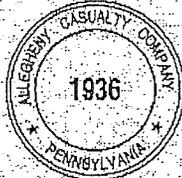
Baton Rouge, LA.

their true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature hereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise, and the execution of such instrument(s) in pursuance of these presents, shall be as binding upon the said INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by their regularly elected officers at their principal offices.

This Power of Attorney is executed and may be revoked, pursuant to and by authority of the By-Laws of INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY and is granted under and by authority of the following resolution adopted by the Board of Directors of INTERNATIONAL FIDELITY INSURANCE COMPANY at a meeting duly held on the 20th day of July, 2010 and by the Board of Directors of ALLEGHENY CASUALTY COMPANY at a meeting duly held on the 15th day of August, 2000:

RESOLVED, that (1) the President, Vice President, or Secretary of the Corporation shall have the power to appoint and to revoke the appointments of Attorneys-in-Fact or agents with power and authority as defined or limited in their respective powers of attorney, and to execute on behalf of the Corporation and affix the Corporation's seal thereto, bonds, undertakings, recognizances, contracts of indemnity and other written obligations in the nature thereof, or related thereto; and (2) any such Officers of the Corporation may appoint and revoke the appointments of joint-control custodians, agents for acceptance of process, and Attorneys-in-fact with authority to execute waivers and consents, on behalf of the Corporation; and (3) the signature of any such Officer of the Corporation and the Corporation's seal may be affixed by facsimile to any power of attorney or certification given for the execution of any bond, undertaking, recognizance, contract of indemnity or other written obligation in the nature thereof or related thereto, such signature and seals, when so used whether heretofore or hereafter, being hereby adopted by the Corporation as the original signature of such officer and the original seal of the Corporation, to be valid and binding upon the Corporation with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY have each executed and attested these presents on this 12th day of March, 2012.



STATE OF NEW JERSEY
County of Essex

ROBERT W. MINSTER
Executive Vice President/Chief Operating Officer
(International Fidelity Insurance Company)
and President (Allegheny Casualty Company)

On this 12th day of March, 2012, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said he is the therein described and authorized officer of INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY; that the seals affixed to said instrument are the Corporate Seals of said Companies; that the said Corporate Seals and his signature were duly affixed by order of the Boards of Directors of said Companies.

IN TESTIMONY WHEREOF, I have hereunto set my hand affixed my Official Seal, at the City of Newark, New Jersey the day and year first above written.



A NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Mar. 27, 2014

CERTIFICATION

I, the undersigned officer of INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Sections of the By-Laws of said Companies as set forth in said Power of Attorney, with the originals on file in the home office of said companies, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand this 18 day of May, 2012

MARIA BRANCO, Assistant Secretary

Minutes of August 7, 2012
Mayor and Board of Aldermen



JACKSON OFFICE
308 East Pearl Street, Ste. 300
Jackson, Mississippi 39201

601.352.2899
FAX 601.352.2893
EMAIL info@jbhm.com

July 2, 2012

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 War Memorial

This is to advise that no asbestos containing materials were specified for the above captioned project. Accordingly, to the best of our knowledge no asbestos containing materials were used in the construction of this project.

If you have any questions, please advise.

Sincerely,

Richard H. McNeel, AIA

ARCHITECTURE
PLANNING
LANDSCAPE ARCHITECTURE
INTERIOR DESIGN
GRAPHIC DESIGN
PROGRAM MANAGEMENT

cc: Melvin Faciane, Jr. – FMA, Inc.
Mayor William Skellie, Jr. – City of Long Beach
Ann Frazier – Jimmy Gouras and Associates
Richard McNeel/Edward Yeatman/ Carl Bradley – JBHM
JBHM # 11034.09

OFFICES
Biloxi
Columbus
Jackson
Tupelo

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

WILLIAM LEWIS, AIA

There came on for consideration a letter from City Engineer David Ball, as follows:

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Mayor and Board of Aldermen



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

520 33RD STREET
GULFPORT, MS 39507

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

July 31, 2012

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

**RE: Amendment No. 3-C & 3-D to the Master Agreement
(Pier 2 Improvements)**

Ladies and Gentlemen:

Previously, we have submitted the referenced amendments to the Master Agreement for Hurricane Katrina recovery work. Similar to some of our other recent Harbor projects, this has been a difficult and drawn-out design and bid process, resulting in the expenditure of nearly all the fees allowable as Basic Services. However, we do feel like our Contract, amended as referenced above, contains sufficient overall fees to perform the work necessary. We hereby request authorization, in accordance with the terms of the Contract, to utilize other portions of the overall fee, such as the fees for Construction Inspection to fund the continuing work on Basic Services. As of right now, pending no major difficulties during construction, we do believe we have sufficient funds to perform the needed Construction Inspection and to fund the continuing Basic Services.

In short, we request your authorization to spend portions of the contractual fees under different areas of service than originally allowed by Contract. However, we do not expect the total of all fees to exceed the original overall amount, and no additional funds should be required.

Sincerely,

David Ball, P.E.

DB:539-Master Agreement

Based upon the recommendation of Mr. Ball, Alderman Parker made motion seconded by Alderman Hammons and unanimously carried to approve the Amendments to Master Agreement, Pier 2 Harbor Improvements, as set forth above.

There came on for consideration on a letter with attachment from City Engineer David Ball, as follows:

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 Mayor and Board of Aldermen



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

520 33RD STREET
 GULFPORT, MS 39507

TEL (228) 863-0667
 FAX (228) 863-5292

July 31, 2012

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

RE: Long Beach Harbor – 2012 Miscellaneous Improvements

Ladies and Gentlemen:

This project was bid on May 9, 2012 and awarded at the Board of Aldermen meeting on June 5. The project was awarded to M&D Construction/Krol Electric, a joint venture, as indicated on the documents accompanying the signed Bid Proposal. However, due to a shortage of funds, the City was only able to award the base bid, which is entirely electrical work in nature. Due to this situation, the bonding companies for both M&D and Krol Electric have been unable to provide a performance and payment bond, which would cover both Contractors.

Therefore, both Contractors have consented to allow the Contract to be assigned solely to Krol Electric, Inc., and we have attached letters from both Contractors in support of this action. Therefore, should it please the Board and subject to advice of your legal counsel, we hereby recommend that this Contract be assigned solely to Krol Electric, Inc.

Sincerely,

David Ball, P.E.

DB:1898-2
 Enclosure

Minutes of August 7, 2012
Mayor and Board of Aldermen

07/16/2012 09:17 2288320508

KROL ELECTRIC

PAGE 02/02

Krol Electric Inc.

12090 New Orleans Ave
Gulfport, MS 39503
Harrison

Phone 228-832-9911
Fax 228-832-0608

July 16, 2012

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

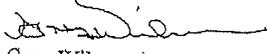
Attn: David Ball

Re: Long Beach Small Craft Harbor Misc. Improvements 2012

To Whom It May Concern:

The above project was bid as a joint venture with M & D Construction. The portion of the project for M & D Construction was all alternates with no alternates accepted.

Therefore, M & D Construction has no work on this project.


Gary Wilson
Krol Electric Inc

Minutes of August 7, 2012
Mayor and Board of Aldermen



July 17, 2012

A Garner Russell & Associates
Attn: David Ball
520 33rd Street
Gulfport, MS. 39507

Subject: Miscellaneous Improvements to Long Beach Harbor

Mr. Ball,

In reference to the Miscellaneous Improvements to the Long Beach Harbor, M&D Construction Company, Inc. hereby agrees to allow Krol Electric Company, Inc. to accept the project as awarded. This is due in fact that our bid, as proposed, was based upon a teaming agreement with Krol Electric Company, Inc. as a joint venture in order to perform the electrical portion of the project. It is now our understanding that only the portion of the project which was entirely electrical will be awarded by the owner.

If you have any questions, or require any additional information, please do not hesitate to contact me at (228) 381-1661.

Sincerely,


Joseph Schmidt
Project Manager

Upon discussion, Alderman Hammons made motion seconded by Alderman Anderson and unanimously carried to approve the assignment of contract, Harbor 2012 Miscellaneous Improvements, to Krol Electric, Inc., as set forth above.

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

- Resignation Detective Alicia Stevison effective July 27, 2012;

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- Reassignment Admin Detective Damien McRight, PSA-10-I, effective August 1, 2012;
- Step Increase, Admin Detective Brian Beeman, PSA-10-VII, effective August 16, 2012;
- Step Increase, Dispatcher 1st Class Jessica Bennett, PS-3-I, effective September 1, 2012;
- Step Increase, Evidence Clerk Carl Campbell, CSA-5-XII, effective August 1, 2012;
- Step Increase, Police Officer 1st Class Patrick Klis, PS-9-III, effective August 1, 2012;
- Step Increase, Admin Lieutenant Keith Ladner, PSA-12-VIII, effective September 16, 2012;
- Step Increase, Police Officer 1st Class Carl Taylor, PS9-9-I, effective September 1, 2012.

There came on for consideration a letter with attachments from Commander William Seal, as follows:

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Mayor and Board of Aldermen

228-863-7292
FAX 228-863-1557



LONG BEACH POLICE DEPARTMENT

P.O. BOX 929 LONG BEACH, MS 39560

1 August 2012

To: Chief McDowell

From: Commander Seal

Re: K9 Quotes

The Long Beach Police Department has received quotes from US K9 Unlimited and Southern Coast K9 for the purchase of a dual purpose narcotics K9. After reviewing the quotes I recommend purchasing the K9 from US K9 Unlimited. While US K9 Unlimited is \$1400.00 more than Southern Coast K9 for the initial purchase of the K9 there are several reasons why I recommend US K9 Unlimited. US K9 Unlimited is located in Kaplan, LA which is approximately 212 miles while Southern Coast K9 is located in New Smyrna Beach, FL which is approximately 587 miles a difference of 375 miles. With Southern Coast K9 being located 587 miles away the handler will not be able to come home on the weekends during the 4 week handler's course adding approximately \$500 more in hotel and per diem fees.

The Long Beach Police Department has purchased two previous K9's from US K9 Unlimited with good results and had US K9 Unlimited retrain a K9 that this department purchased from a different vendor that was not up to standard. In addition, several agencies on the coast use US K9 Unlimited due to their high standards. With several agencies in the area using US K9 Unlimited, Roger Abshire the owner and head trainer routinely comes to training hosted by the Harrison County Sheriff's Department. With Mr. Abshire attending training in Harrison County it will save money on the yearly recertification process.

I have attached the two quotes for your review along with the City of Long Beach Documentation of Alternative Pricing form.

Sincerely,

A handwritten signature in black ink, appearing to read "William Seal".

William Seal
Commander

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Mayor and Board of Aldermen



Quote

US K9 Unlimited
10919 Odilon Road
Kaplan, La 70548
337.316.0477
www.usk9.com

Long Beach Police Department
ATTN:
(228) 863-7292
202 Alexander Rd
Long Beach MS 39560

Quote No.: 1806
Start Date: 3/13/12

Fixed Services/Products					
Date	Charge	Cost	Description	Quantity	Amount
3/13/12	Dual Purpose Canine	\$13,900.00	One Imported Dual Purpose Canine trained in narcotics detection (meth, cocaine, heroin, marijuana, ecstasy) and patrol functions.	1	\$13,900.00
3/13/12	Handlers Course	\$00.00	8 week Handler's Course included in purchase of canine. Training is weekly Tues thru Friday	1	\$00.00
3/13/12	Lodging	\$45.00	per night (will invoice department for lodging when course is completed)	1	\$45.00

Estimated Total Due: \$13,945.00

Payment is due upon receipt.

Signature: _____

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We are firm believers that to be a good dog handler is a talent. Training a good dog without training a good handler is non-productive.

Proposal



Date: 03-13-12

To: Commander William Seal
Long Beach Police Department

Pre-trained Dual Purpose Drug Detection K9 \$ 12,500.00
Includes Handler Course

K-9 to be trained in the following odors:

- ♦Marijuana
- ♦Crack Cocaine
- ♦Heroin
- ♦Cocaine
- ♦Methamphetamine

Southern Coast K9 has an agreement with the Ramada Inn to allow our students to keep their dogs in the room at no extra charge so that our students do not encounter boarding fees. The Ramada Inn charge for our students is \$49.99 plus tax per day.

Ramada Inn Speedway
1798 West International Speedway Boulevard
Daytona Beach, FL 32114
(386) 255-2422

All dogs come with one year guarantee on workability, two years on health on hip and elbow dysplasia and copy of health certificate and hip x-rays.

PAYMENT TERMS – NET 30 DAYS

Please make check payable to Southern Coast K9, Inc., 690 Meta Lane, New Smyrna Beach, FL 32168

690 Meta Lane
New Smyrna Beach, FL 32168

Phone: 386-451-0952

Fax: 386-423-1776

Email: k9nicky@aol.com

Website: www.southerncoastk9.com

We are licensed and insured

FDLE P430105-1063
ATF 1FL127334A00881
DEA Controlled Substance Registration
Certificate #RH0258322

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Mayor and Board of Aldermen

CITY OF LONG BEACH

DOCUMENTATION OF
ALTERNATIVE PRICES
Pursuant to Mississippi Code § 31-7-13

(Attach to Purchase Order)

A. Item or service to be purchased:

ONE Dual Purpose CANINE - Trained in Narcotics Detection
AND Patrol FUNCTIONS.

B. Vendors contacted:

Vendor Name US K-9 Unlimited - South Coast K9 INC.

Address 10919 Odilion Rd 690 Meta Lane
Kaplan, LA 70548 New Smyrna Beach, FL
32168

Price \$13,900.00 \$12,500.00 \$ _____

Name of Contact Roger Abshire Bill Heiser

C. Note here if there are any differences between the goods or services offered by various vendors.

D. Which vendor was selected? US-K-9 unlimited

Why? _____ Price? _____ Other? (List Reasons).
SEE ATTACHED

Signed _____ Date _____

Attach any written quotes received.

Note: This form is required on all purchases over \$500 that are not bid. You are encouraged to use this form for purchases below \$500.

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 **Purchase Agreement** 

This agreement is made this 25th day of July, 2012 by and between United States K-9 Unlimited, Inc., 10919 Odilon Road, Kaplan, La., 70548, Roger Abshire, President, hereinafter referred to as Seller, and Long Beach Police Department, hereinafter referred to as Buyer.

Recitals

It is the intent of the parties that Seller shall provide to Buyer one trained dog, including handler-training course, suitable for the purpose of narcotics detection and patrol functions. Seller is an independent contractor engaged in the business of providing trained dogs to law enforcement agencies. It is understood that the dog will be exposed to members of the general public singly and in crowds, with and without animals and other distractions, in calm and excited states, with benign and hostile intentions and attitudes.

Agreement

In consideration of the above recitals and the following mutual covenants, the Parties agree as follows:

Section One: Performance Required

Seller shall select and acquire for Buyer one dog, between the age of one (1) and three (3) years and said dog shall pass the selection test established by United States K-9 Unlimited Dog Training Academy.

The dog shall be trained and ready for field training in narcotics detection and patrol functions upon completion of handler's training. Training shall consist of at least eight (8) weeks for the dogs, and at least two (2) weeks for handlers.

Section Two: Terms

Buyer shall pay Thirteen Thousand Nine Hundred Dollars (U.S 13,900.00) for one canine and Zero Dollars (U.S 00.00) for handler training course. **The charge for canine (U.S 13,900.00) must be paid in full prior to commencement of procuring canine. Fee for Handler's Training Course must be received in full prior to first day of scheduled handler's course (late fee of \$100.00 will be assessed for any payments received after the first scheduled day of course).**

The dog shall be fully trained and field ready to the satisfaction of Handler's supervisor and Seller's Instructor according to standards established by the United States K9 Unlimited Dog Training Academy to the detection of narcotics and patrol dog functions.

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Section Three: Maintenance and Risk of Loss

During training of the dog, Seller shall provide nourishment for dog. Buyer is responsible for all medical expenses and nourishment for dog upon initiation of handler's training. Risk of loss due to injury or illness, absent negligence of Seller, shall be on the Buyer. Seller warrants the dog(s) to be sound and healthy. When released to handler, dog will be free from hip dysplasia, heartworms, free of all parasites and in good health. Buyer shall have 3 working business days (from the date training for the dog and handler is completed) to have dogs evaluated by the buyer's veterinarian.

Section Four: Workability Guarantee

Seller guarantees that for a period of 14 days, after completion of training, the dog will perform according to standards schooled during the training provided the handler maintains proper training. Handler shall be responsible for maintaining meticulous training records as proof of maintenance during the fourteen-day period. Training will consist of at least eight hours of training a week. Should a problem arise with the dog that cannot be corrected through training within the fourteen days, Seller shall replace the dog at no cost to buyer. The dog will be evaluated by Seller or his agent with expenses to be paid by the responsible party be it Buyer or Seller.

Section Five: Non-Assignment of Contract

It is agreed by the parties that there will be no assignment or transfer of this contract, nor of any interest or obligation under this contract.

Section Six: Medical Liability

Buyer agrees that the handler is in good physical health and meets the requirements for handling the dog. Buyer shall be responsible for payment of medical treatment of any injury. Seller shall not be responsible for injuries sustained by handler or canine during training in canine handling to include, but not be limited to, apprehension training.

Section Seven: Instrument as Entire Agreement and Venue

This agreement contains the full agreement between the parties, and no statement or representations made by either party or by an agent of either party that is/are not contained in this written contract shall be valid or binding. Any disputes and litigation arising from this agreement shall be held in the 15th Judicial District Court, Parish of Vermilion, Louisiana and the parties hereby consent to the venue of said court for all controversies arising from this agreement.

In witness whereof, the parties have executed this agreement in the Parish of Vermilion, Louisiana, on the day and year above written.

UNITED STATES K-9 UNLIMITED, INC.
Seller _____
BY: ROGER ABSHIRE (President)

LONG BEACH POLICE DEPARTMENT
Buyer _____
BY: Authorized Signer

Based upon the recommendation of Commander Seal, Alderman Anderson made motion seconded by Alderman Ponthieux and unanimously carried to award the K9 purchase to US K9 Unlimited as the lowest and **best** bid, as set forth above.

Alderman Anderson made motion seconded by Alderman Couvillon and unanimously carried authorizing the City Clerk to purchase three (3) cemetery plots in the Long Beach Cemetery, \$500.00 per plot, from Alan and Lynn Gutterman.

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Mayor and Board of Aldermen

Alderman Ponthieux made motion seconded by Alderman Lishen and unanimously carried to schedule a public hearing, Tuesday, September 4, 2012, at 5:00 o'clock p.m., Long Beach City Hall Meeting Room, 2012 Jeff Davis Avenue, on the proposed budget and proposed tax levies for the upcoming fiscal year.

Based upon the recommendation of Municipal Court Clerk Jane Marsland and certification by the Civil Service Commission, Alderman Parker made motion seconded by Alderman Lishen and unanimously carried to approve the Municipal Court personnel matters, as follows:

- Step Increase, Deputy Court Clerk Tina Dupree, CSA-4-IV, effective May 1, 2012;
- Step Increase, Deputy Court Clerk Debbie Korte, CSA-4-VIII, effective August 1, 2012.

Alderman Ponthieux made motion seconded by Alderman Carrubba and unanimously carried to approve Budget Amendment #5, Water/Sewer Operations, as follows:

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 Mayor and Board of Aldermen

City of Long Beach
 Budget Amendment Request

Fund Name	Water/Sewer	Date	Budget Entry #	Original Budget	Prior Amendments	This Amendment	Revised Budget
Department #	815 & 825	8/7/2012					
Department Name	Water & Sewer Operations						
Chemicals (815-613700)				31,000		6,000	37,000
Water System Maintenance (815-611100)				62,243		22,000	84,243
Lift Station Supplies (825-615800)				90,000		(28,000)	62,000
Totals				183,243		-	183,243

Amendment #5

Alderman Hammons made motion seconded by Alderman Ponthieux to approve the application for beer permit, Deborah L. Wilson, Sportz Zone, LLC, 100 Jeff Davis Avenue, Long Beach, Mississippi.

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	Aye

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Alderman Carolyn Anderson	voted	Present, Not Voting
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 a majority of the Aldermen present and voting, the Mayor declared the motion carried.

There came on for consideration a letter from Commanding Officer J. T. Reddinger, U.S. Naval Mobile Construction Battalion One Thirty Three, as follows:



DEPARTMENT OF THE NAVY
U.S. NAVAL MOBILE CONSTRUCTION BATTALION ONE THIRTY-THREE
UNIT 60234
HPO AA 34099-3041

1000
Ser 00/
12 Jul 12

From: Commanding Officer, U.S. Naval Mobile Construction
Battalion ONE THIRTY-THREE
To: Whom it may concern
Subj: REQUEST FOR USE OF FACILITIES

1. U.S. Naval Mobile Construction Battalion ONE THIRTY-THREE is requesting permission to use the Long Beach Activity - Senior Center located at 20257 Daugherty Road, Long Beach, MS 39560 for a pre-deployment fair on August 17, 2012 from 9 am to 3 pm. The battalion is pending a deployment to Afghanistan in September. The pre-deployment fair offers information and resources to prepare families of service members for the deployment.
2. There will be an estimated three hundred fifty people in attendance throughout the event. Activities include bounce houses and musical entertainment. Food and information booths will also be utilized.
3. Thanks in advance for your consideration. Please contact the Family Readiness Officer SWC(SCW/FMF) Reddinger at james.reddinger@navy.mil or 228-860-7875.

J. T. REDDINGER

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Mayor and Board of Aldermen

Upon the determination that the battalion is a government entity and qualifies for exemption, Alderman Parker made motion seconded by Alderman Carrubba and unanimously carried to waive fees and approve the request as set forth above.

Considerable discussion was held regarding derelict properties; no official action was required or taken at this time.

Alderman Hammons made motion seconded by Alderman Carrubba and unanimously carried to table the following items until further notice:

- Contract Fees; A. Garner Russell and Associates; Royal Estates Area and Gandy Circle Drainage Improvement Projects – 2012;
- Appointment to Harrison County Motor Vehicle for Hire Commission.

The matter of acoustics, City Hall Meeting Room, was taken under advisement for further review and discussion at the next regular meeting, August 21, 2012.

Alderman Anderson made motion seconded by Alderman Carrubba and unanimously carried to approve the Jingle Bells 5-K Run, Saturday, December 1, 2012, using the same route as last year.

There came on for discussion a letter to the Editor from four of the aldermen regarding the city finances and budget as published in The Sun Herald on August 5, 2012; after considerable discussion, no official action was required or taken.

The Mayor recognized the City Attorney for his report and official action was taken as follows:

**Minutes of August 7, 2012
Mayor and Board of Aldermen**

There came on for consideration by the Mayor and the Board of Aldermen of the City of Long Beach, Mississippi a Resolution to establish just compensation for certain real property as follows:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF
THE CITY OF LONG BEACH TO ESTABLISH JUST
COMPENSATION AND TO AUTHORIZE THE MAYOR TO EXECUTE
DOCUMENTS NECESSARY TO EFFECT THE ACQUISITION OF
CERTAIN HEREINAFTER DESCRIBED REAL PROPERTY
DESCRIBED AS 1215 WISTERIA LANE, AND FOR RELATED
PURPOSES

WHEREAS, the City of Long Beach, Mississippi (the "City") is currently involved in a Hazard Mitigation Grant from the Federal Emergency Management Agency, FMA-PJ-04-MS-2009-005 for the acquisition of certain real property which is the subject of repeated and continued flooding events; and

WHEREAS, the Mayor and Board of Aldermen has been advised by the City Attorney that pursuant to the terms of the Hazard Mitigation Grant, acquisition of a certain parcel of land located at 1215 WISTERIA LANE, has now been approved in the amount of 90% of the appraised value of said property, which said amount is adequate for the acquisition of the property and amounts sufficient to cover the costs of the acquisition, including attorney fees and closing costs in accordance with the terms of the Statement of Voluntary Participation executed between the owner of said property and the City of Long Beach; and

WHEREAS, an appraisal has hereto for been procured which establishes the fair market value of the said property to be \$148,000.00; and

**Minutes of August 7, 2012
Mayor and Board of Aldermen**

WHEREAS, the City Attorney has advised the Mayor and Board of Aldermen that the property owners Mr. Mark L. Blackburn and Mrs. Wanda L. Blackburn have agreed to accept the sum of 90% of \$148,000.00, being \$133,200.00, less all costs of demolition, appraisal, inspection and professional fees, from the Hazard Mitigation Grant Program; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. The Mayor and Board of Aldermen does hereby establish just compensation for the property belonging to Mr. Mark L. Blackburn and Mrs. Wanda L. Blackburn at the sum of \$133,200.00. The Mayor is authorized to extend to Mr. Mark L. Blackburn and Mrs. Wanda L. Blackburn an offer to purchase the property in said amount, less the cost and expenses mentioned above and in accordance with the Statement of Voluntary participation attached hereto.

SECTION 2. The Mayor is authorized and directed to execute all documents necessary to effect the Hazard Mitigation Grant Program buy-out of the subject property; is further authorized and direct to execute any and all documents that may be necessary to fully effect the transfer of the subject property to the City of Long Beach; is further authorized to advance funds for the purpose of acquisition of such property; and to further take all necessary and proper steps to file for and obtain reimbursement of all such sums in accordance with the from the Hazard Mitigation Grant from the Federal Emergency Management Agency, FMA-PJ-04-MS-2009-005 .

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SECTION 3. The City Attorney is authorized to procure a title examination to the property, title insurance and to effect closing the subject property on behalf of the City of Long Beach.

The above Resolution was introduced by Alderman Couvillon and seconded for adoption by Alderman Carrubba the motion to adopt the foregoing Resolution, 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
Alderman Mark E. Lishen	voted	Aye
Alderman Ronnie Hammons, Jr.	voted	Aye

The motion having received an affirmative vote of the majority of the members present and voting, the Mayor declared the motion carried and the Resolution adopted, this the 7th day of August, 2012.

CITY OF LONG BEACH, MISSISSIPPI

BY: William Skellie, Jr.
Mayor William Skellie, Jr.

ATTEST:
Rebecca E. Schuff
City Clerk Rebecca E. Schuff

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Minutes of August 7, 2012
Mayor and Board of Aldermen

There came on for consideration by the Mayor and the Board of Aldermen of the City of Long Beach, Mississippi a Resolution to establish just compensation for certain real property as follows:

RESOLUTION OF THE BOARD OF ALDERMEN OF THE CITY OF
LONG BEACH TO ESTABLISH JUST COMPENSATION AND TO
AUTHORIZE THE MAYOR TO EXECUTE DOCUMENTS
NECESSARY TO EFFECT THE ACQUISITION OF CERTAIN
HEREINAFTER DESCRIBED REAL PROPERTY DESCRIBED AS 712
W OLD PASS ROAD, AND FOR RELATED PURPOSES

WHEREAS, the City of Long Beach, Mississippi (the "City") is currently involved in a Hazard Mitigation Grant from the Federal Emergency Management Agency, FMA-PJ-04-MS-2009-005 for the acquisition of certain real property which is the subject of repeated and continued flooding events; and

WHEREAS, the Mayor Board of Aldermen has been advised by the City Attorney that pursuant to the terms of the Hazard Mitigation Grant, acquisition of a certain parcel of land located at 712 W OLD PASS ROAD, has now been approved in the amount of 75% of the appraised value of said property, which said amount is adequate for the acquisition of the property and amounts sufficient to cover the costs of the acquisition, including attorney fees and closing costs in accordance with the terms of the Statement of Voluntary Participation executed between the owner of said property and the City of Long Beach; and

WHEREAS, an appraisal has hereto for been procured which establishes the fair market value of the said property to be \$175,000.00; and

WHEREAS, the City Attorney has advised the Mayor and Board of Aldermen that the property owners Mr. Gerald O. Fennell and Mrs. Marsha K. Fennell have

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Mayor and Board of Aldermen

agreed to accept the sum of 75% of \$175,000.00, being \$131,250.00, less all costs of demolition, appraisal, inspection and professional fees, from the Hazard Mitigation Grant Program; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. The Mayor and Board of Aldermen does hereby establish just compensation for the property belonging to Mr. Gerald O. Fennell and Mrs. Marsha K. Fennell at the sum of \$131,250.00. The Mayor is authorized to extend to Mr. Gerald O. Fennell and Mrs. Marsha K. Fennell an offer to purchase the property in said amount, less the cost and expenses mentioned above and in accordance with the Statement of Voluntary participation attached hereto.

SECTION 2. The Mayor is authorized and directed to execute all documents necessary to effect the Hazard Mitigation Grant Program buy-out of the subject property; is further authorized and direct to execute any and all documents that may be necessary to fully effect the transfer of the subject property to the City of Long Beach; is further authorized to advance funds for the purpose of acquisition of such property; and to further take all necessary and proper steps to file for and obtain reimbursement of all such sums in accordance with the from the Hazard Mitigation Grant from the Federal Emergency Management Agency, FMA-PJ-04-MS-2009-005 .

SECTION 3. The City Attorney is authorized to procure a title examination to the property, title insurance and to effect closing the subject property on behalf of the City of Long Beach.

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Mayor and Board of Aldermen

The above Resolution was introduced by Alderman Couvillon and seconded for adoption by Alderman Parker the motion to adopt the foregoing Resolution, 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
Alderman Mark E. Lishen	voted	Aye
Alderman Ronnie Hammons, Jr.	voted	Aye

The motion having received an affirmative vote of the majority of the members present and voting, the Mayor declared the motion carried and the Resolution adopted, this the 7th day of August, 2012.

CITY OF LONG BEACH, MISSISSIPPI

BY: William Skellie, Jr.
Mayor William Skellie, Jr.

ATTEST:

Rebecca E. Schuff
City Clerk Rebecca E. Schuff

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Minutes of August 7, 2012
Mayor and Board of Aldermen

There came on for consideration at a duly constituted meeting of the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, held on the 7th day of August, 2012, the following Resolution:

A RESOLUTION BY THE LONG BEACH MAYOR AND BOARD OF ALDERMEN TO ACCEPT AND APPROVE THE PILOT PAYMENTS IN THE AMOUNT OF \$68,500 FROM MISSISSIPPI REGIONAL HOUSING AUTHORITY NO. VIII (MRHA VIII) TO CITY OF LONG BEACH, MISSISSIPPI, SUBJECT TO A DEDUCTION IN FAVOR OF THE LONG BEACH HOUSING AUTHORITY IN THE AMOUNT OF \$32,638.00 FOR STREET AND OTHER INFRASTRUCTURE REPAIRS WITHIN THE LBHA DEVELOPMENTS AND FOR OTHER PURPOSES.

WHEREAS, there has been executed heretofore a cooperation agreement between the City of Long Beach and the Mississippi Regional Housing Authority No. VIII (MRHA VIII) and previously a similar agreement between the City of Long Beach and the Long Beach Housing Authority (LBHA) which agreements call for the payment by MRHA VIII and formerly by LBHA of Payments in Lieu of Taxes ("PILOT") to the City; and

WHEREAS, MRHA VIII's review of the books and records of the LBHA indicates and reveals that LBHA has not made the PILOT payments to the City of Long Beach for payments that have accrued through June 30, 2011; and

WHEREAS, MRHA VIII has determined that the sum of \$68,500.00 is due and unpaid for the PILOT payments that have accrued through June 30, 2011 but have not been paid; and

WHEREAS, during said period of time funds have been expended by the

**Minutes of August 7, 2012
Mayor and Board of Aldermen**

LBHA for street and other infrastructure repairs that properly were expenditures that should have been made and paid for by the City in the amount of \$32,638.00; and

WHEREAS, it is the desire of the MRHA VIII that the sums expended by the LBHA for street and other infrastructure repairs that properly were expenditures that should have been made and paid for by the City should be deducted from the payments to be made to the City, resulting leaving a balance to be paid to the City of \$35,862.00; and

WHEREAS, it is the desire of the City to approve and accept such settlement and memorialize its agreement to the said request of the MRHA VIII;

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

SECTION 1. The above and forgoing recitals are hereby adopted and found to be true and correct.

SECTION 2. The City does hereby approve and accept the settlement of the MRHA VIII and LBHA in the amount of \$68,500.00 for the PILOT payments that have accrued through June 30, 2011 but have not been paid, and does further agree accept a reduction in said payment amount to the City to less and except from such payment the sum of \$32,638.00, representing funds that have been expended by the LBHA for street and other infrastructure repairs that should have been made by and paid for by the City, thus leaving a balance due to be paid to the City of \$35,862.00;

SECTION 3. That this Resolution shall be in effect immediately after passage and enactment according to law, and shall be spread upon the minutes of the Long Beach City Board of Aldermen.

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Mayor and Board of Aldermen

The above and foregoing Resolution was introduced in writing by Alderman Ponthieux who moved its adoption. Alderman Carrubba 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	Aye
Alderman Mark E. Lishen	voted	Aye
Alderman Ronnie Hammons, Jr.	voted	Aye

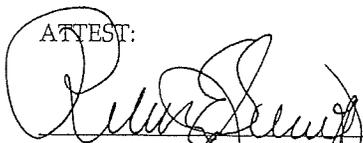
The question having received the Affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the resolution and order adopted and approved this 7th day of August, 2012.

APPROVED:



William Skellie, Jr., Mayor

ATTEST:



Rebecca E. Schruoff, City Clerk

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Upon further discussion, the Mayor recognized Attorney Paul Delcambre, Jr., Mississippi Regional Housing Authority No.VIII, who stated that an itemized statement of funds expended by the Housing Authority for infrastructure repairs would be provided to the City.

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

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

APPROVED:

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

Alderman Gary J. Ponthieux, Ward 1

Alderman Bernie Parker, Ward 2

Alderman Kaye H. Couvillon, Ward 3

Alderman Ronnie Hammons, Jr., Ward 4

Alderman Mark E. Lishen, Ward 5

Alderman Carolyn J. Anderson, Ward 6

Date

ATTEST:

Rebecca E. Schruff, City Clerk