

**Minutes of August 21, 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 21st 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 Gary J. Ponthieux, Bernie Parker, Kaye H. Couvillon, Ronnie Hammons, Jr., Mark E. Lishen, Carolyn J. Anderson, City Clerk Rebecca E. Schruuff 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.

Alderman Ronnie Hammons, Jr., arrived late and was preliminarily absent the public hearing.

The public hearing to determine whether or not a parcel of property situated in the City of Long Beach and located at 109 Buena Vista Drive, assessed to Lawrence Schohn, Jr., Trustee, is in such a state of uncleanness as to constitute a menace to the public health and safety of the community, all in accordance with §21-19-11 of the Mississippi Code 1972, as amended.

*

*

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

- The Clerk reported that, pursuant to that certain order of the Mayor and Board of Aldermen at a regular meeting duly held and convened on July 17, 2012, she did cause to be sent, via certified mail, return receipt requested, Legal Notice of Public Hearing to Lawrence Schohn, Jr., Trustee, 251 Barn Swallow Drive, Wookstock, IL, 60098, as the same appears of record on the 2011 Harrison County Real Property Tax Rolls.
- The Clerk further reported that said certified mail was delivered by the USPS on August 8, 2012; said notice is as follows:

Minutes of August 21, 2012
Mayor and Board of Aldermen

City of Long Beach

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



WILLIAM SKELLIE, JR.
MAYOR

MAILED

Date: 7/18/12
7/19/12

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruff

CITY ATTORNEY
James C. Simpson, Jr.

June 1' 91 7108 2133 3938 0607 0128

Lawrence Schohn, Jr., Trustee
251 Barn Swallow Drive
Woodstock, IL 60098

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Mayor and Board of Aldermen of The City of Long Beach, Mississippi, will, in accordance with motion duly made, seconded and adopted at its regular meeting June 17, 2012, hold a public hearing at 5:00 p.m., Tuesday, August 21, 2012, at the Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Lawrence Schohn, Jr., Trustee, and situated in the City of Long Beach, Mississippi, at 109 Buena Vista Drive is in such a state of uncleanness as to be a menace to the public health and safety of the community, all in accordance with Section 21-19-11 of the Mississippi Code of 1972, as amended. Said property is more particularly described, as follows:

Address: 109 Buena Vista Drive, Long Beach, Mississippi
Parcel Number: 0512I-01-036.000
Legal Description: LAWRENCE J SCHOHN KR LIVING TRUST 2ND MARCH 1998 1007/12345 LOTS 56 TO 61 BLK A BUENA VISTA HEIGHTS SEC 22-8-12

If at such hearing, the governing authority shall, in its resolution, adjudicate such parcel of land in its then condition to be a menace to the public health and safety of the community, the governing authority shall, if the owner does not do so himself, proceed to clean the land, by the use of municipal employees or by contract, by cutting weeds; filling cisterns; removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris; filling swimming pools; and draining cesspools and standing water therefrom. Thereafter, the governing authority shall, at its next regular meeting, by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty of One Thousand Five Hundred Dollars(\$1,500.00) or fifty (50%) of such actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, or, at the option of the governing authority, an assessment against the property. The cost assessed against the property means the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done. The action herein authorized shall not be undertaken against any one (1) parcel of land more than six (6) times in any one (1) calendar year, and the

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

Minutes of August 21, 2012
Mayor and Board of Aldermen

Page 2 of 2

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

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

Done by order of the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, this the 17th day of July, 2012.


Rebecca E. Schuff
City Clerk

Minutes of August 21, 2012 Mayor and Board of Aldermen

USPS.com® - Track & Confirm

Page 1 of 1

[English](#)[Customer Service](#)[USPS Mobile](#)[Register / Sign In](#)[Search USPS.com or Track Packages](#)[Quick Tools](#)[Ship a Package](#)[Send Mail](#)[Manage Your Mail](#)[Shop](#)[Business Solutions](#)

Track & Confirm

[GET EMAIL UPDATES](#)[PRINT DETAILS](#)

YOUR LABEL NUMBER	SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
9171082133393805070128	First-Class Mail®	Delivered	August 06, 2012, 12:27 pm	WOODSTOCK, IL 60098	Return Receipt Electronic
		Notice Left	July 24, 2012, 10:34 am	WOODSTOCK, IL 60098	
		Arrival at Unit	July 24, 2012, 8:46 am	WOODSTOCK, IL 60098	
		Depart USPS Sort Facility	July 24, 2012	PALATINE, IL 60095	
		Processed through USPS Sort Facility	July 23, 2012, 10:37 pm	PALATINE, IL 60095	
		Processed through USPS Sort Facility	July 21, 2012, 10:16 pm	GULFPORT, MS 39503	
		Depart USPS Sort Facility	July 21, 2012	GULFPORT, MS 39503	
		Processed at USPS Origin Sort Facility	July 21, 2012, 7:36 pm	GULFPORT, MS 39503	
		Accepted at USPS Origin Sort Facility	July 21, 2012, 6:21 pm	LONG BEACH, MS 39560	
		Electronic Shipping Info Received	July 20, 2012		

[Check on Another Item](#)

What's your label (or receipt) number?

 Find**LEGAL**

[Privacy Policy](#) ›
[Terms of Use](#) ›
[FOIA](#) ›
[No FEAR Act EEO Data](#) ›

ON USPS.COM

[Government Services](#) ›
[Buy Stamps & Shop](#) ›
[Print a Label with Postage](#) ›
[Customer Service](#) ›
[Site Index](#) ›

ON ABOUT.USPS.COM

[About USPS Home](#) ›
[Newsroom](#) ›
[Mail Service Updates](#) ›
[Forms & Publications](#) ›
[Careers](#) ›

OTHER USPS SITES

[Business Customer Gateway](#) ›
[Postal Inspectors](#) ›
[Inspector General](#) ›
[Postal Explorer](#) ›

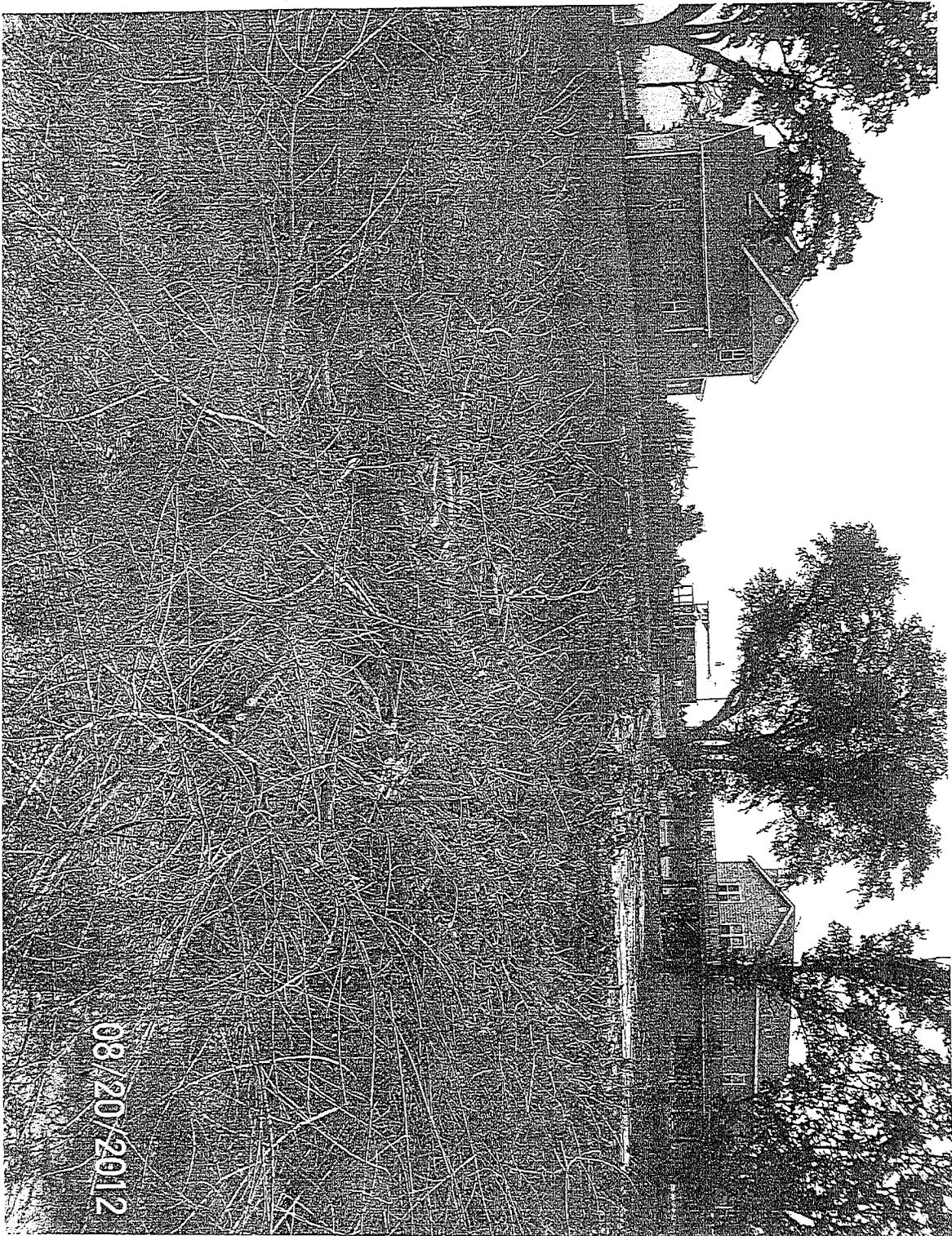
Copyright© 2012 USPS. All Rights Reserved.

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

8/20/2012

- The Clerk further reported that the Legal Notice of Public Hearing was posted at City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, and on the subject property, 109 Buena Vista Drive, Long Beach, Mississippi, by Building Official Earl Levens.
- The Clerk submitted photographs depicting the condition of the subject property taken by Building Official Earl Levens on August 21, 2012, as follows:

Minutes of August 21, 2012
Mayor and Board of Aldermen



- The Clerk submitted an affidavit affirming the posting of said Notice of Public Hearing and the validity of photographs depicting the subject property, 109 Buena Vista Drive, Long Beach, Mississippi, as of August 21, 2012; said affidavit is as follows:

Minutes of August 21, 2012
Mayor and Board of Aldermen

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

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

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

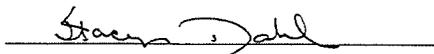
2. That in such capacity, he is responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of uncleanness as to constitute a menace to the public health and safety of the community; he is responsible for the taking of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

3. That on or before August 6, 2012, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Lawrence Schohn, Jr., Trustee and located at 109 Buena Vista Drive, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on August 21, 2012, he did take and cause to be processed photographs depicting said property in its then condition, to be submitted as exhibits at the public hearing scheduled for August 21, 2012.

This the 21st day of August, 2012.


REBECCA E. SCHRUFF, AFFIANT

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


NOTARY PUBLIC

-My Commission Expires-



AFFIDAVIT-PHOTOS;POST NOTICE

Minutes of August 21, 2012
Mayor and Board of Aldermen

*

*

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

*

*

The Clerk apprised the Mayor and Board of Aldermen that she was in contact with the daughter of the property owner and the contractor hired to clean the subject property; they assured her that the property will be completed within the ten (10) days allotted in the adjudication resolution.

*

*

Alderman Hammons arrived at the public hearing.

*

*

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

**Minutes of August 21, 2012
Mayor and Board of Aldermen**

The Mayor and Board of Aldermen took up the matter of the public hearing on the property located at 109 Buena Vista Drive to determine and consider the condition of said property. After conducting the hearing and considering all matters produced there at and after hearing all persons interested and appearing, the Board of Aldermen declared the hearing finally closed. After a discussion of the subject, Alderman

Ponthieux offered and moved the adoption of the following Resolution and Order:

RESOLUTION AND ORDER BY THE MAYOR AND BOARD OF ALDERMEN OF
THE CITY OF LONG BEACH, MISSISSIPPI ADJUDICATING THE PROPERTY
LOCATED AT 109 BUENA VISTA DRIVE LONG BEACH, MISSISSIPPI, TO BE A
MENACE TO THE PUBLIC HEALTH AND SAFETY OF THE COMMUNITY AND
REQUIRING OWNER OF SUCH PROPERTY TO CLEAN SAID PROPERTY.

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

1. That on complaint and motion of the Governing Authorities of the City of Long Beach wherein lies the property known as 109 Buena Vista Drive Long Beach, Mississippi, (hereinafter referred to as the subject parcel), and after discussion of same, the Mayor and Board of Aldermen, at its regular meeting of July 17, 2012, on its own motion did set a hearing to determine whether or not the subject parcel, in its then condition, was in such a state of uncleanness as to be a menace to the public health and safety of the community in accordance with Miss Code Annotated Section 21-19-11, as amended, said hearing to be held August 21, 2012 and directed notice of said hearing be served on the owner of said property in the manner as provided by said MCA Section 21-19-11;

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

Minutes of August 21, 2012
Mayor and Board of Aldermen

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

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

1. That the parcel of land lying and being situated in the City of Long Beach, First Judicial District of Harrison County, Mississippi, and having the street address of 109 Buena Vista Drive Long Beach, Mississippi, which parcel of land is identified by Harrison County Tax Parcel Number 0512I-01-036.000 and according to said tax records is owned by Lawrence J. Schohn, Jr., Trustee, is at present in such a state of uncleanness as to be a menace to the public health and safety of the community and an attractive nuisance.

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

Removal of all discarded materials, dangerous items, and such other rubbish and/or debris as described in any notice or as appearing on said property contributing to the property constituting a nuisance and menace overall to the public health and safety, and abate or cause to be abated the conditions otherwise existing and constituting a menace to public safety and health as testified and/or described in general at the hearing, and as contained in the report letter from Zoning Enforcement Officer Claire Leatherwood dated September 11, 2011, attached hereto.

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

Alderman Couvillon seconded the motion to adopt the foregoing resolution and

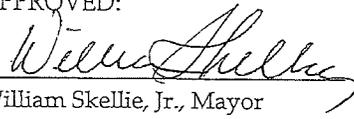
Minutes of August 21, 2012 Mayor and Board of Aldermen

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

Alderman Bernie Parker	voted	Aye
Alderman Gary J. Ponthieux	voted	Aye
Alderman Kaye H. Couvillon	voted	Aye
Alderman Carolyn J. Anderson	voted	Aye
Alderman Leonard G. Carrubba, Sr.	voted	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 and order adopted and approved this the 21st day of August, 2012.

APPROVED:



 William Skellie, Jr., Mayor

ATTEST:



 Rebecca E. Schruoff, City Clerk

**Minutes of August 21, 2012
Mayor and Board of Aldermen**

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

The meeting was called to order and there were no announcements, presentations, proclamations, amendments to the Municipal Docket or public comments regarding agenda items.

Alderman Lishen made motion seconded by Alderman Hammons and unanimously carried to approve the public hearing and regular meeting minutes of the Mayor and Board of Aldermen dated August 7, 2012, as submitted.

Alderman Hammons made motion seconded by Alderman Lishen and unanimously carried to approve the regular meeting minutes of the Planning Commission dated August 9, 2012, as submitted.

After considerable discussion and upon clarification of several matters, Alderman Parker made motion seconded by Alderman Anderson and unanimously carried to approve the regular meeting minutes of the Port Commission dated August 16, 2012, as submitted.

Minutes of August 21, 2012
Mayor and Board of Aldermen

Alderman Anderson made motion seconded by Alderman Lishen and unanimously carried to approve payment of invoices as listed in Docket of Claims number 082112.

Alderman Carrubba arrived at the public meeting.

The Mayor updated the Board of Aldermen on several ongoing projects; no official action was required or taken at this time.

There came on for consideration the eligibility list for the position of Senior Citizens Director, as follows:

Minutes of August 21, 2012
Mayor and Board of Aldermen

City of Long Beach

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



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruff

CITY ATTORNEY
James C. Simpson, Jr.

August 15, 2012

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

Dear Mayor Skellie and Board of Aldermen:

The following list contains the names of the three top candidates for the position of Senior Citizen Director. The candidates listed have scored the highest averages after completing all testing.

- # 1 Hugh Brown
- # 2 Anita J. O'Dell
- # 3 Cabrini M. Cadrecha

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

Sincerely,


Kevin Riley
Chairman, Civil Service Commission

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

Upon discussion, Alderman Couvillon made motion seconded by Alderman Carrubba and unanimously carried to schedule interviews for the above named candidates, Tuesday, September 4, 2012, at 4:00 o'clock p.m., and to recess to that specific date and time upon completion of business of this regular meeting.

Based upon the recommendation of Assistant Fire Chief Mike Brown and certification by the Civil Service Commission, Alderman Parker made motion seconded

**Minutes of August 21, 2012
Mayor and Board of Aldermen**

by Alderman Ponthieux and unanimously carried to approve Fire Department personnel matters, as follows:

- Step Increase, Fire Chief George Bass, FSA-16-XII, effective October 1, 2012;
- Step Increase, Battalion Chief Lance Bond, FS-13-VI, effective October 1, 2012;
- Step Increase, Lieutenant Darren Koenenn, FS-12-VI, effective October 16, 2012;
- Step Increase, Driver/Operator Heath Mitchell, FS-10-IV, effective October 16, 2012;
- Step Increase, Lieutenant Josh Rutledge, FS-12-VII, effective October 1, 2012;
- Step Increase, Battalion Chief Griff Skellie, FS-13-X, effective October 1, 2012;
- Step Increase, Lieutenant Jason Smith, FS-12-VI, effective October 1, 2012;
- Step Increase, Battalion Chief Tommy Stepp, FS-13-VII, effective October 1, 2012.

There came on for consideration the purchase of a new fire truck and a letter from Sunbelt Fire, Inc., as follows:

Minutes of August 21, 2012 Mayor and Board of Aldermen



Serving you is our calling.™

8050 McGowin Drive • Fairhope, AL 36532 • Office: 800.642.8484 • Fax: 251.928.9933 • www.sunbeltfire.com



facebook.com/SunbeltFire



youtube.com/thesunbeltfire

August 9, 2012

Proposal for: City of Long Beach

Thank you for your interest in Sunbelt Fire & E-ONE products! We value your friendship, your business, and look forward to serving you and your department.

Per your request, I have put together quotes on the following:

One (1) or more E-ONE Custom Class A Pumper on a Typhoon Chassis \$ 376,785.00

The above pricing is valid for contracts issued on the Mississippi State Contract.

ILC No.: 08-0241

State Contract No.: 5-070-25563

Delivery is quoted at 240 days after receipt of order, F.O.B., Long Beach, Mississippi.

The vehicle proposed will be constructed at Emergency One, Inc. of Ocala, Florida. Sunbelt Fire, Inc. is the authorized dealer for Emergency One in this area. Service and parts are available through Sunbelt Fire, Inc., in Fairhope, Alabama, and from the Emergency One factory in Ocala, Florida.

The manufacturer reserves the right to make model & engineering changes where deemed necessary for improvement in design, or safety of users, without prior notice to the customer.

Respectfully submitted,

Donald M. Rhodes
New Truck Sales Manager
Sunbelt Fire, Inc.



Upon discussion, Alderman Lishen made motion seconded by Alderman Anderson and unanimously carried to approve the issuance of a purchase order to Sunbelt Fire, Inc. in the amount of \$376,785.00 under Mississippi State Contract for the purchase of one (1) fire truck, all as set forth above. It was noted for the record that official funding documents would be processed at a later date.

There came on for consideration a letter from Assistant Fire Chief Mike Brown, as follows:

M.B. 74
PUBHEAR/REG:08.21.12

Minutes of August 21, 2012
Mayor and Board of Aldermen

LONG BEACH FIRE DEPARTMENT

Assistant Chief Mike Brown

*645 Klondyke Road
Long Beach MS 39560*

*Phone(228) 863-7292
Fax (228) 868-0070*

To: Becky Schruoff, City Clerk
Fr: Assistant Chief Mike Brown
Re: Surplus property
Dt: 08/16/2012

Becky,

Please put the old rescue body on the agenda to be declared surplus property. This body would go to the September auction. If you have any questions please call me.

Thank You,

Mike Brown

Upon discussion, Alderman Lishen made motion seconded by Alderman Carrubba and unanimously carried to declare the aforementioned "old rescue body" surplus for sale at auction, as set forth above.

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

Minutes of August 21, 2012
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

August 15, 2012

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

**RE: Long Beach Harbor – Pier #2 Improvements
Final Acceptance M&D Construction Company, Inc.**

Ladies and Gentlemen:

This is to advise and certify that the above referenced contract has been satisfactorily completed in substantial conformance with the contract requirements. I therefore now recommend final settlement with the contractor, in accordance with the following enclosed documents:

1. Change Order Number 2 (Final), adjusting the contract quantities to conform to the completed work, for a net contract amount increase of \$2,060. The final amount of the contract is \$245,451.30.
2. Application for Payment Number 4 (Final), in the amount of \$99,975.62, bringing the total of all payments to the full contract amount.
3. Consent of Surety to Final Payment.
4. Contractor's Affidavit of Payment of Debts and Claims.
5. Certificate of Substantial Completion.

Sincerely,

David Ball, P.E.

DB/sl:1898-1
Enclosure

Minutes of August 21, 2012 Mayor and Board of Aldermen

Change Order
No. 2 (Final)

Date of Issuance: 8/7/2012 Effective Date: 8/21/2012

Project:	Owner: <u>City of Long Beach</u>	Owner's Contract No.:
Contract:	<u>Long Beach Smallcraft Harbor - Modifications to Pier 2</u>	Date of Contract: <u>2/20/2012</u>
Contractor:	<u>M&D Construction Co., Inc.</u>	Engineer's Project No.: <u>1898-1</u>

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

1. Additional piles were relocated from the end of Pier 2 to be installed at Pier 1 and along the entrance channel.
2. Additional piles were relocated from the fuel dock area to facilitate the full use of the facility.
3. Addition of 42 calendar days for electrical redesign to single 50 amp boxes (this includes delivery of additional components & rewiring of the "existing" new boxes).

Attachments: (List documents supporting change):

1. Contractor's quoted prices.

CHANGE IN CONTRACT PRICE:

Original Contract Price:
\$233,235.70

(Increase) In Contract Price from previous Change Orders No. 0 to No. 1
\$10,155.60

Contract Price prior to this Change Order:
\$243,391.30

(Increase) In Contract Price due to this Change Order:
\$2,060.00

Revised Contract Price Incorporating this Change Order:
\$245,451.30

CHANGE IN CONTRACT TIMES:

Original Contract Times: Working Days 90 Calendar days
Substantial completion (days or date): 5/30/2012
Ready for final payment (days or date): _____

Change In Contract Time from previous Change Orders No. 0 to No. 1
Substantial completion (days or date): 14
Ready for final payment (days or date): _____

Contract Times prior to this Change Order:
Substantial completion (days or date): 6/13/2012
Ready for final payment (days or date): _____

(Increase) In Contract Time due to this Change Order:
Substantial completion (days or date): 42
Ready for final payment (days or date): _____

Contract Times Incorporating this Change Order:
Substantial completion (days or date): 7/25/2012
Ready for final payment (days or date): _____

RECOMMENDED:
(ENGINEER)

ACCEPTED:
(CONTRACTOR)

ACCEPTED:
(OWNER)

By: _____

By: _____

By: _____

David J. Vice, Vice President

Date: 8.16.2012

Date: August 8, 2012

Date: _____

Minutes of August 21, 2012
Mayor and Board of Aldermen

NO.	DESCRIPTION	CURRENT CONTRACT QUANTITY	UNIT PRICE	CURRENT CONTRACT AMOUNT	QUANTITY THIS CO.	EXTENSION THIS CO.	TOTAL CONTRACT QUANTITY	TOTAL CONTRACT AMOUNT
ATTACHMENT TO CHANGE ORDER NUMBER 2 (Final) PROJECT NO. 1898-1								
BASE BID								
1-A	REMOVE EXISTING PILE	65 EA.	\$90.00	\$5,850.00	16	(\$540.00)	59	\$5,310.00
1-B	REMOVE EXISTING FINGER PIER	0 EA.	\$253.15	\$0.00			0	\$0.00
2-A	12" X 35' PILE W/CAP	87 EA.	\$590.65	\$51,386.55			87	\$51,386.55
2-B	10" X 30' PILE (NO CAP)	14 EA.	\$498.00	\$6,972.00			14	\$6,972.00
3-A	CONNECTOR PIER TO HARBOR HOUSE	1 L.S.	\$70,500.00	\$70,500.00			1	\$70,500.00
3-B	FINGER PIER (35' WIDE)	14 EA.	\$1,912.50	\$26,775.00			14	\$26,775.00
3-C	WOOD WIREWAY ON PIER 2	1 L.S.	\$2,250.00	\$2,250.00			1	\$2,250.00
3-D	LAUNCH PIER MODIFICATIONS	1 L.S.	\$10,406.25	\$10,406.25			1	\$10,406.25
4-A	1000A X 35 CIRCUIT METER CENTER	1 L.S.	\$14,445.00	\$14,445.00			1	\$14,445.00
4-B	SINGLE 50A RECEPTACLE BOX WITH WIRING	1 EA.	\$3,611.25	\$3,611.25			1	\$3,611.25
4-C	DOUBLE 50A RECEPTACLE BOX WITH WIRING	11 EA.	\$5,757.50	\$63,332.50			11	\$63,332.50
4-D	SINGLE 30A RECEPTACLE BOX WITH WIRING	1 EA.	\$3,447.00	\$3,447.00			1	\$3,447.00
4-E	REPAIR LIGHTING AT END OF PIER 2	1 L.S.	\$2,794.50	\$2,794.50			1	\$2,794.50
4-F	INSTALL 2X4 WHEEL STOP	1 L.S.	\$550.00	\$550.00			1	\$550.00
CO1-1	MODIFY DOUBLE 50A BOX & INSTALL ADDTL SINGLE 50A RECEPTACLE BOX WITH WIRING	15 L.S.	\$477.25	\$7,158.75			15	\$7,158.75
CO1-2	RELOCATE 4 PILING FROM PIER 2 TO PIER 1 AND SOUTHWEST JETTY	0 L.S.	\$2,100.00	\$0.00	1	\$2,100.00	1	\$2,100.00
CO2-1	RELOCATE PILING AT FUEL DOCK AREA	0 L.S.	\$500.00	\$0.00	1	\$500.00	1	\$500.00
				\$197,478.80		\$2,060.00		\$199,538.80
TOTAL BASE BID								
ADDITIVE ALTERNATE A BID ITEMS								
A-4-C1	DBL 50A W/WIRING TO SERVE SLIPS 22/23	1 EA.	\$4,095.00	\$4,095.00			1	\$4,095.00
A-4-C2	DBL 50A W/WIRING TO SERVE SLIPS 24/25	1 EA.	\$4,095.00	\$4,095.00			1	\$4,095.00
A-4-C3	DBL 50A W/WIRING TO SERVE SLIPS 26/27	1 EA.	\$4,095.00	\$4,095.00			1	\$4,095.00
A-4-C4	DBL 50A W/WIRING TO SERVE SLIPS 28/29	1 EA.	\$4,095.00	\$4,095.00			1	\$4,095.00
				\$16,380.00		\$0.00		\$16,380.00
TOTAL ALTERNATE A BID								
ADDITIVE ALTERNATE B BID ITEMS								
B-2-A	ADD'L 12" X 35' PILES WHERE INDICATED	50 EA.	\$590.65	\$29,532.50			50	\$29,532.50
				\$29,532.50		\$0.00		\$29,532.50
TOTAL ALTERNATE B BID								
				\$243,391.30		\$2,060.00		\$245,451.30
TOTAL CHANGE ORDER AMOUNT								

EUCO No. C-041 (09-08 Rev.1)
Prepared by the Engineers Joint Contract Documents Committee and endorsed by the
Associated General Contractors of America and the Construction Specifications Institute.

Minutes of August 21, 2012 Mayor and Board of Aldermen

APPLICATION FOR PAYMENT NO. 4 Final

TO: City of Long Beach (OWNER)
 Contract for: Long Beach Smallcraft Harbor Modifications to Pier 2 Dated: 4/2/2012

OWNER'S Project No.: _____ ENGINEER'S Project No.: 1898-1
 For work accomplished through the date of: 7/25/2012

CURRENT CONTRACT AMOUNT: \$245,451.30

ITEM	CONTRACTOR'S Schedule of Values			Work Completed	
	Unit Price	Quantity	Amount	Quantity	Amount
COMPLETED WORK					\$245,451.30
TOTAL	\$245,451.30				\$245,451.30
(Orig. Contract)	\$233,235.70				
CO 1	\$10,155.60				
CO 2	\$2,060.00				

Accompanying Documentation:	GROSS AMOUNT DUE	\$ 245,451.30
_____	LESS 0% RETAINAGE	\$ 0.00
_____	AMOUNT DUE TO DATE	\$ 245,451.31
_____	LESS PREVIOUS PAYMENTS	\$ 145,475.69
_____	AMOUNT DUE THIS APPLICATION	\$ 99,975.62

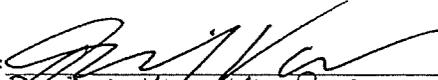
CONTRACTOR'S Certification:

The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied to discharge in full all obligations of CONTRACTOR incurred in connection with Work covered by prior Applications for Payment numbered 1 thru 4 Final inclusive; and (2) title to all materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for payment will pass to OWNER at time of payment free and clear of all liens, claims, security interests and encumbrances (except such as covered by Bond acceptable to OWNER).

M&D Construction Co., Inc.
 P.O. Box 5047
 Moss Point, MS 39563

 CONTRACTOR

Dated: 8-14, 2012

By: 
DAVID J. VIGE, VICE PRESIDENT

ENGINEER'S Recommendation:

This Application (with accompanying documentation) meets the requirements of the Contract Documents and payment of the above AMOUNT DUE THIS APPLICATION is recommended.

A. GARNER RUSSELL & ASSOCIATES, INC.

 ENGINEER

Dated: 8-14, 2012

By: 

Minutes of August 21, 2012
 Mayor and Board of Aldermen

PROJECT NO. 1898-1

ATTACHMENT TO PAY ESTIMATE NO. 4 Final

NO.	DESCRIPTION	CURRENT CONTRACT QUANTITY	UNIT PRICE	CURRENT CONTRACT AMOUNT	PREVIOUS QUANTITY	PREVIOUS EXTENSION	QUANTITY THIS EST.	EXTENSION THIS EST.	QUANTITY TO DATE	EXTENSION TO DATE
BASE BID ITEMS										
1-A	REMOVE EXISTING PILE	59	\$90.00	\$5,310.00	59	\$5,310.00	0	\$0.00	59	\$5,310.00
1-B	REMOVE EXISTING FINGER PIER	0	\$253.15	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
2-A	12" X 35" PILE W/CAP	87	\$590.65	\$51,386.55	87	\$51,386.55	0	\$0.00	87	\$51,386.55
2-B	10" X 30" PILE (NO CAP)	14	\$498.00	\$6,972.00	14	\$6,972.00	0	\$0.00	14	\$6,972.00
3-A	CONNECTOR PIER TO HARBOR HOUSE	1	\$20,500.00	\$20,500.00	1	\$20,500.00	0	\$0.00	1	\$20,500.00
3-B	FINGER PIER (36" WIDE)	14	\$1,912.50	\$26,775.00	14	\$26,775.00	0	\$0.00	14	\$26,775.00
3-C	WOOD WIREWAY ON PIER 2	1	\$2,250.00	\$2,250.00	1	\$2,250.00	0	\$0.00	1	\$2,250.00
3-D	LAUNCH PIER MODIFICATIONS	1	\$10,406.25	\$10,406.25	1	\$10,406.25	0	\$0.00	1	\$10,406.25
4-A	1000A X 35 CIRCUIT METER CENTER	1	\$14,445.00	\$14,445.00	0	\$0.00	1	\$14,445.00	1	\$14,445.00
4-B	SINGLE 50A RECEPTACLE BOX WITH WIRING	1	\$3,611.25	\$3,611.25	0	\$0.00	1	\$3,611.25	1	\$3,611.25
4-C	DOUBLE 50A RECEPTACLE BOX WITH WIRING	11	\$3,447.50	\$37,322.50	0	\$0.00	11	\$37,322.50	11	\$37,322.50
4-D	SINGLE 30A RECEPTACLE BOX WITH WIRING	1	\$3,447.00	\$3,447.00	0	\$0.00	1	\$3,447.00	1	\$3,447.00
4-E	REPAIR LIGHTING AT END OF PIER 2	1	\$2,784.50	\$2,784.50	0	\$0.00	1	\$2,784.50	1	\$2,784.50
CO1-1	INSTALL 2X4 WHEEL STOP	1	\$550.00	\$550.00	0	\$0.00	1	\$550.00	1	\$550.00
CO1-2	MODIFY DOUBLE 50A BOX & INSTALL ADDTL SINGLE 50A RECEPTACLE BOX WITH WIRING	15	\$477.25	\$7,158.75	0	\$0.00	15	\$7,158.75	15	\$7,158.75
CO2-1	RELOCATE TIE RINGS FROM PIER 2 TO PIER 1	1	\$2,100.00	\$2,100.00	0	\$0.00	1	\$2,100.00	1	\$2,100.00
CO2-2	RELOCATE PILING AT FUEL DOCK AREA	1	\$500.00	\$500.00	0	\$0.00	1	\$500.00	1	\$500.00
				\$198,538.80				\$75,539.00		\$198,538.80
TOTAL BASE BID										
ADDITIVE ALTERNATE A BID ITEMS										
A-4-C1	DBL 50A WWRING TO SERVE SLIPS 22/23	1	\$4,095.00	\$4,095.00	0	\$0.00	1	\$4,095.00	1	\$4,095.00
A-4-C2	DBL 50A WWRING TO SERVE SLIPS 24/25	1	\$4,095.00	\$4,095.00	0	\$0.00	1	\$4,095.00	1	\$4,095.00
A-4-C3	DBL 50A WWRING TO SERVE SLIPS 26/27	1	\$4,095.00	\$4,095.00	0	\$0.00	1	\$4,095.00	1	\$4,095.00
A-4-C4	DBL 50A WWRING TO SERVE SLIPS 28/29	1	\$4,095.00	\$4,095.00	0	\$0.00	1	\$4,095.00	1	\$4,095.00
				\$16,380.00				\$16,380.00		\$16,380.00
TOTAL ALTERNATE A BID										
ADDITIVE ALTERNATE B BID ITEMS										
B-2-A	ADDL 12" X 35" PILES WHERE INDICATED	50	\$590.65	\$29,532.50	50	\$29,532.50	0	\$0.00	50	\$29,532.50
				\$29,532.50				\$0.00		\$29,532.50
TOTAL ALTERNATE B BID										
				\$29,532.50				\$0.00		\$29,532.50
TOTAL WORK COMPLETED										
				\$245,451.30				\$92,319.00		\$245,451.30

Minutes of August 21, 2012
Mayor and Board of Aldermen

CONSENT OF
SURETY COMPANY
TO FINAL PAYMENT

AIA DOCUMENT G707

OWNER
ARCHITECT
CONTRACTOR
SURETY
OTHER

Bond #: 105666268

PROJECT: LONG BEACH SMALLCRAFT HARBOR - MODIFICATIONS TO PIER 2
(name, address)

TO (Owner)

CITY OF LONG BEACH, MISSISSIPPI
P. O. BOX 929
LONG BEACH, MS 39560

ARCHITECT'S PROJECT NO:
CONTRACT FOR: CONSTRUCTION
CONTRACT DATE:

CONTRACTOR: M & D CONSTRUCTION COMPANY, INC.
4006 KREOLE AVENUE
MOSS POINT, MS 39563

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(here insert name and address of Surety Company)

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
ONE TOWER SQUARE, HARTFORD, CT 06183-6014

, SURETY COMPANY,

on bond of (here insert name and address of Contractor)

M & D CONSTRUCTION COMPANY, INC.
4006 KREOLE AVENUE, MOSS POINT, MS 39563

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not
relieve the Surety Company of any of its obligations to (here insert name and address of Owner)

CITY OF LONG BEACH, MS, P. O. BOX 929, LONG BEACH, MS 39560

, OWNER,

as set forth in the said Surety Company's bond. The Travelers hereby consents to final payment based upon the representation by
the Owner that the Owner has properly and timely published a notice of completion of this project in accordance with Miss. Law.
IN WITNESS WHEREOF,
the Surety Company has hereunto set its hand this 15TH day of AUGUST, 2012

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
Surety Company

Attest: 
(Seal):


Signature of Authorized Representative

Loren Richard Howell, Jr., Attorney-In-Fact, MS Resident Agent
Title

NOTE: This form is to be used as a companion document to AIA DOCUMENT G706, CONTRACTOR'S AFFIDAVIT OF PAYMENT OF DEBTS AND
CLAIMS, Current Edition

AIA DOCUMENT G707 * CONSENT OF SURETY COMPANY TO FINAL PAYMENT * APRIL 1970 EDITION * AIA®
1970 * THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVE., NW, WASHINGTON, D.C. 20008

ONE PAGE

Minutes of August 21, 2012 Mayor and Board of Aldermen

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 224011

Certificate No. 004804678

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

John B. Sneed, L. Wayne Tisdale, Scott Naugle, Belinda Tubbs of Gulfport, Mississippi; Jim E. Brashier, Troy P. Wagener, Norma J. McMahon, Loren Richard Howell, Jr., Andrew Rice, Kathleen Scarborough, Dewey Brashier of Biloxi, Mississippi, David Robin Fortenberry, Richard Teb Jones, Mary Jones Norval, Kimberly Barhum of Hattiesburg, Mississippi; John W. Nance, Teresa Farris of Tupelo, Mississippi; Andrew P. Underwood of Mobile, Alabama; Chris H. Boone, John R. Pittman, Sr., and Sharon Tuten

of the City of Jackson, State of Mississippi, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 9th day of April, 2012.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: George W. Thompson
George W. Thompson, Senior Vice President

On this the 9th day of April, 2012, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2016.



Marie C. Tetreault
Marie C. Tetreault, Notary Public

58440-6-11 Printed in U.S.A.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

Minutes of August 21, 2012 Mayor and Board of Aldermen

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

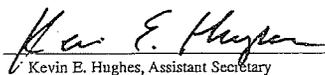
FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 15th day of August, 2012.


Kevin E. Hughes, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

Minutes of August 21, 2012
Mayor and Board of Aldermen

CONTRACTOR'S AFFIDAVIT OF
PAYMENT OF DEBTS AND CLAIMS
AND WAIVER OF LIENS

TO: (Owner)	ENGINEER'S PROJECT NO. 1898-1
<u>City of Long Beach</u>	CONTRACT FOR: <u>Entire Project</u>
<u>P.O. Box 929</u>	CONTRACT DATE: <u>2/20/2012</u>
<u>Long Beach, MS 39560</u>	

PROJECT: Long Beach Smallcraft Harbor - Modifications to Pier 2

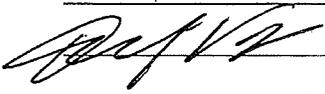
State of: Mississippi
County of: Harrison

The undersigned, pursuant to Article 14 of the General Conditions, hereby certifies that, except as listed below, he has paid in full or has otherwise satisfied all obligations for all materials and equipment furnished, for all work, labor, and services performed, and for all known indebtedness and claims against the Contractor for damages arising in any manner in connection with the performance of the Contract referenced above for which the Owner or his property might be held responsible.

EXCEPTIONS: (If none, write "None". If required by Owner, the Contractor shall furnish bond satisfactory Owner for each exception.)

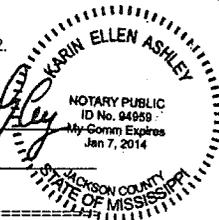
None

CONTRACTOR: M&D Construction Company, Inc.
(Address) P.O. Box 5047
Moss Point, MS 39563

BY:  David J. Vice, Vice President

Subscribed and sworn to before me this 8th day of August, 2012.

Notary Public: Karin Ellen Ashley
My Commission Expires: January 07, 2014



ONE PAGE

Minutes of August 21, 2012 Mayor and Board of Aldermen

CERTIFICATE OF SUBSTANTIAL COMPLETION

PROJECT City of Long Beach
Smallcraft Harbor Modifications to Pier 2

DATE OF ISSUANCE August 7, 2012

OWNER City of Long Beach

OWNER'S Contract No.

CONTRACTOR M&D Construction Company, Inc. ENGINEER A. Garner Russell & Associates, Inc.

This Certificate of Substantial Completion applies to all Work under the Contract Documents or to the following specified parts thereof:

Entire Project

TO City of Long Beach
OWNER

And To M&D Construction Company, Inc.
CONTRACTOR

The Work to which this Certificate applies has been inspected by authorized representatives of OWNER, CONTRACTOR and ENGINEER, and that Work is hereby declared to be substantially complete in accordance with the Contract Documents on

July 25, 2012
DATE OF SUBSTANTIAL COMPLETION

A tentative list of items to be completed or corrected is attached hereto. This list may not be all-inclusive, and the failure to include an item in it does not alter the responsibility of CONTRACTOR to complete all the Work in accordance with the Contract Documents. The items in the tentative list shall be completed or corrected by CONTRACTOR within 30 days of the above date of Substantial Completion.

EJDC No. 1910-8-D (1990 Edition)
Prepared by the Engineers Joint Contract Documents Committee and endorsed by the Associated General Contractors of America.

Minutes of August 21, 2012
Mayor and Board of Aldermen

From the date of Substantial Completion the responsibilities between OWNER and CONTRACTOR for security, operation, safety, maintenance, heat, utilities, insurance and warranties and guarantees shall be as follows:

RESPONSIBILITIES:

OWNER: Assume normal operation of project, subject to Contractor's one-year warranty.

CONTRACTOR: Warranty

The following documents are attached to and made a part of this Certificate:

N/A

[For items to be attached see definition of Substantial Completion as supplemented and other specifically noted conditions precedent to achieving Substantial Completion as required by Contract Documents.]

This certificate does not constitute an acceptance of Work not in accordance with the Contract Documents nor is it a release of CONTRACTOR's obligation to complete the Work in accordance with the Contract Documents.

Executed by ENGINEER on 8.8, 2012
A. Garner Russell & Associates, Inc.
ENGINEER
By: [Signature]
(Authorized Signature)

CONTRACTOR accepts this Certificate of Substantial Completion on August 8, 2012
M&D Construction Company, Inc.
CONTRACTOR
By: [Signature] David J. Vice, Vice President

OWNER accepts this Certificate of Substantial Completion on _____, _____
City of Long Beach
OWNER
By: [Signature]
(Authorized Signature)

Based upon the recommendation of Mr. Ball, Alderman Anderson made motion seconded by Alderman Parker and unanimously carried to approve final acceptance, Harbor Pier #2 Improvements, all as set forth above.

There came on for consideration a letter with attachments from Police Chief Wayne McDowell, as follows:

Minutes of August 21, 2012
Mayor and Board of Aldermen

228-863-7292
FAX 228-863-1557



LONG BEACH POLICE DEPARTMENT

P.O. BOX 929 LONG BEACH, MS 39560

Date: August 16, 2012
To: Mayor Skellie
Board of Alderman
Re: Surplus Property

The following list of property is no longer of use to our department or is no longer cost effective to maintain. Therefore, I am requesting that these items be declared as surplus property. Also, Long Beach Auto Auction will be holding an auction in September where all listed property may be disposed of at that time.

Thank you,


Wayne McDowell
Chief of Police

Minutes of August 21, 2012
Mayor and Board of Aldermen

228-863-7292
FAX 228-863-1557



LONG BEACH POLICE DEPARTMENT

P.O. BOX 929 LONG BEACH, MS 39560

Surplus Property List - 2012

Computers

Dell	Optiplex GX 260	Ser# BZ8CT21
Dell	Optiplex GX 260	Ser# 1L15Q11
Dell	Optiplex GX 270	Ser# BCLG641
Dell	Optiplex GX 270	Ser# 8LWHP31
Dell	Optiplex GX 260	Ser# BC6CO61
Dell	Optiplex GX 260	Ser# 56NR131
Dell	Optiplex GX 260	Ser# CLWHP31
Dell	Optiplex GX 260	Ser# 5DS8M31
Dell	Dimension 3000	Ser# CZPIHP81

Rugged Notebooks – Model RT-786-EX – Serial # R1069939
Rugged Notebooks – Model RT-786-EX – Serial # R1069922
Rugged Notebooks – Model RT-786-EX – Serial # R1069966
Rugged Notebooks – Model RT-786-EX – Serial # R1069962
Rugged Notebooks – Model RT-786-EX – Serial # R1069969
Rugged Notebooks – Model RT-786-EX – Serial # R1069943

Printers

Dell J740 Ser# 11J5131
Dell J740 Ser# H0J5131
HP Laserjet 1300N – Ser# CNBKJ56834

Monitors

Dell Mod. E772P – Ser# CN04P12147804344CB6M
Dell Mod. M782 – Ser# MX08G157476052BTBTVH
Dell Mod. M782 – Ser# MX08G157476052BTBTVT
Dell Mod. M782 – Ser# MX08G157476052BTBTUX

**Minutes of August 21, 2012
Mayor and Board of Aldermen**

Electronics / Misc. Items

Surveillance Monitor – Toshiba Mod# CM1300K / Ser# 54616602
 Surveillance Monitor – Supercircuits Mod# 40VM1201BWBA / Ser# V120105323
 Cassette Transcriber – Panasonic Mod# RR-830 / Ser# RPEK189ZA
 VCR – Sony Mod# SLVN55 / Ser# 2B0425757
 TV – Montgomery Ward 19" CRT Mod# GOJ12966 / Ser# 018270
 Polaroid P75SP Ser# D310S00729 – ID card printer
 Portable Radio - Macom LPE-200 / Ser# 9807303 / LID # 4724
 Portable Radio - Macom LPE-200 / Ser# 9807360 / LID # 4730
 Kodak Easyshare M530 Ser# KCGMH03622697
 Kodak Easyshare M530 Ser# KCGMH04311118
 Kodak Easyshare V603 Ser# KCTFW61904028
 Portable Breath Tester – CMI Mod. SD-5 Ser# 006837
 Portable Breath Tester – CMI Mod. SD-2 Ser# 94460
 Streamlight SL20 XP LED Flashlight – Ser# 500278
 Streamlight SL20 XP Flashlight – Ser# 383848

Vehicles

Unit # 27 – 2000 Chevy Impala – Vin 2G1WF52K7Y9297153 – Tag # HAC 615
 Unit # 24 – 2001 Chevy Impala – VIN 2G1WF55K519286444 – Tag # HAC 646
 Unit # 69 – 2003 Ford Crown Vic – VIN 2FAFP71W13X139566 – Tag # G25004
 Unit # 74 – 2003 Ford Crown Vic – VIN 2FAFP71W33X215420 – Tag # G27596
 Unit # 31 – 2003 Ford Crown Vic – VIN 2FAFP71W63X214407 – Tag # G24831

Vehicle Equipment

Gamber Johnson laptop computer car mounts (19)
 Gamber Johnson trunk shelves for 2000 – 2001 Chevy Impala (7)
 Gamber Johnson trunk shelves for 2003 Ford Crown Vic (8)
 Shotgun rack – Sage International Mod# 6LB2 (7)

Based upon the recommendation of Chief McDowell, Alderman Parker made motion seconded by Alderman Anderson and unanimously carried to approve Police Department surplus property as set forth above.

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

Minutes of August 21, 2012
 Mayor and Board of Aldermen



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

520 33RD STREET
 GULFPORT, MS 39507

TEL (228) 868-0687
 FAX (228) 868-5232

August 17, 2012

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

RE: Pineville Road Bridge Replacement

Ladies and Gentlemen:

We have attached Supplemental Agreement No. 1 for the referenced project for your review and approval. This project was completed on-time and well within budget. However, a modification was required to an existing drainage structure near the bridge (at the entrance to the Le Petit Cove subdivision). The total cost for this modification, between new pay items and quantity adjustments, is shown on the "Quantity Adjustment" sheet of the Suppl. Agreement. Although this Agreement results in an increase in the cost of the work by approximately \$3200, we were able to save almost \$10,000 by reducing the amount of other drainage work required. Although MDOT procedures do not require an official Summary Change Order, they do require a similar document (an "Over/Under Statement"), which reveals that this project was performed under the construction budget resulting in an overall cost savings for the City, even including this Supplemental Agreement.

We have sent this document to MDOT for their review and they have given preliminary agreement and concurrence. We therefore request your approval of this Contract change and your authorization for the Mayor to execute the document upon MDOT's final approval.

Sincerely,

David Ball, P.E.

DB:1701-P
 Enclosure

Minutes of August 21, 2012 Mayor and Board of Aldermen

CSD-720-LPA

Sheet 1 of 2

CITY OF LONG BEACH, MISSISSIPPI SUPPLEMENTAL AGREEMENT NO. 1

WHEREAS, WE, Geopave, LLC, Contractors, and FCCI Insurance Company, Surety, entered into a contract with the City of Long Beach, MS, LPA, on the 20th day of December, 2011, for the construction of Federal Aid Project No. STP-0295-00(013)LPA/105270-701000, Harrison County, and

WHEREAS, it was determined that the existing drainage facilities from Sta. ~3+15 -- 5+25 R, were installed after the original design of the project, and that they were required to remain in place for correct function of the drainage in the area, with a modification required to the existing drainage structure at Sta. ~4+85 R; AND

WHEREAS, the modification requires extra items of work not originally intended by the contract and also requires a quantity adjustment for three items of work already included in the Contract, as shown on the attached Quantity Adjustment form; AND

WHEREAS, the contract provides that the contract time may be increased if it can be established that the extra work was of such character that it required more time than is indicated by the money value; AND

WHEREAS, the original completion date was April 1, 2012 based on 90 calendar days in contract time;
AND

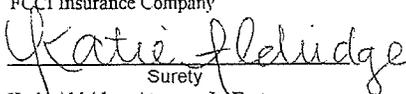
NOW THEREFORE, it is mutually agreed that the addition of 2 calendar days will result in a revised completion date of April 3, 2012 with a total of 92 calendar days in contract time. Work addressed herein will not be reconsidered for any increase in contract time. It is mutually agreed that the above stated time allowance and the unit prices shown herein shall be full and final compensation for time, traffic control, labor, materials, equipment, and incidentals used in completing the work described herein.

PAY ITEM NUMBER	UNIT	DESCRIPTION	ESTIMATED QUANTITY	UNIT PRICE	EXTENSION
104-A001-S/A	LS	MINOR ALTERATIONS TO THE CONTRACT	1	\$650.00	\$650.00
				TOTAL	\$650.00

This agreement in no way modifies or changes the original contract of which it becomes a part, except as specifically stated herein;

NOW, THEREFORE, WE, Geopave, LLC, Contractors, and FCCI Insurance Company, Surety, hereby agree to said Supplemental Agreement consisting of the above mentioned items and prices and agree that this supplemental agreement is hereby made a part of the original contract to be performed under specifications thereof, and that the original contract is in full force and effect, except insofar as it might be modified by this Supplemental Agreement.

Dated, this 15th day of August, 2012

FCCI Insurance Company

 Surety
 Katie Aldridge, Attorney-In-Fact
 Resident MS Agent / Bottrell Insurance

GeoPave, LLC

 Contractor

Minutes of August 21, 2012
Mayor and Board of Aldermen

CSD-720-LPA

Sheet 2 of 2

RECOMMENDED FOR APPROVAL:

LPA Professional

MDOT District Engineer

APPROVED:

Mississippi Department of Transportation

By: _____, 2012
LPA Official

Book _____ Page _____

Minutes of August 21, 2012 Mayor and Board of Aldermen

CSD-081-LPA
Revised: 1/15/2009

CITY OF LONG BEACH, MISSISSIPPI QUANTITY ADJUSTMENT

1. QUANTITY ADJUSTMENT NO. 1
2. PROJECT NO. STP-0295-00(013)/105594701
3. DATE 8/7/2012
4. LPA CITY OF LONG BEACH, MISSISSIPPI
5. The following changes on the above project, with stations, quantities and items involved, are recommended for the reasons stated in detail:

Station	Pay Item	Original Quantity	Revised Quantity	Adjusted Quantity	Unit	Unit Price	Extension
1	4+85,R 907-601-B-003 Class "B" Structural Concrete, Minor Structures	18	19.08	1.08	CU.YD.	\$ 1,500.00	\$ 1,620.00
Reason: Revisions to drainage design due to on-site conditions.							
2	4+85,R 602-A-001 Reinforcing Steel	201	235	34	LB	\$ 0.60	\$ 20.40
Reason: Revisions to drainage design due to on-site conditions.							
3	4+85,R 604-B-001 Gratings	750	1006	256	LB	\$ 3.50	\$ 896.00
Reason: Revisions to drainage design due to on-site conditions.							
4	4+85,R 104-A001-S/A Minor Alterations to the Contract	0	1	1	LS	\$ 650.00	\$ 650.00
Reason: Modification of existing drainage box due to on-site conditions.							

6.	Original Cost Estimate for Project: Dated <u>August 23, 2011</u>	\$	<u>568,921.00</u>
7.	Changes by Previous Quantity Adjustment(s) <u>NA</u>	\$	<u>-</u>
8.	Changes This Quantity Adjustment <u>QA1</u>	\$	<u>3,186.40</u>
9.	a. Original Construction Engineering and Contingencies	\$	<u>69,779.60</u>
	b. Less-Total of <u>All</u> Quantity Adjustments to Date	\$	<u>3,186.40</u>
	c. Less-Construction Engineering Expenses to Date	\$	<u>44,823.50</u>
	d. Equals - Remaining Const. Eng and Contingencies	\$	<u>21,768.70</u>
10.	Revised Total Estimated Cost of Project	\$	<u>568,921.00</u>

Note: If block 9d is less than 0.00, the Revised Estimated Cost (block 10) must be greater than the Original Estimate.

Approval

Date Requested 8/7/2012

Project Engineer _____

Date Approved _____

LPA Official _____

Minutes of August 21, 2012
Mayor and Board of Aldermen



GENERAL POWER OF ATTORNEY

Know all men by these presents: That the FCCI Insurance Company, a Corporation organized and existing under the laws of the State of Florida (the "Corporation") does make, constitute and appoint:

Jerry Eugene Homer, Jr., Jim A. Armstrong, Jerry G. Veazey, Jr., Jason J. Young, Trina Cobb, Angela Bullie, Jason S. Hollis, Katie Aldridge, Linda D. Whittington, Brody Eric Buckley, Thomas Brent Tyler, Peggy L. Jackson

Each, its true and lawful Attorney-In-Fact, to make, execute, seal and deliver, for and on its behalf as surety, and as its act and deed in all bonds and undertakings provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed the sum of (not to exceed \$2,500,000):

\$2,500,000.00

This Power of Attorney is made and executed by authority of a Resolution adopted by the Board of Directors. That resolution also authorized any further action by the officers of the Company necessary to effect such transaction.

In witness whereof, the FCCI Insurance Company has caused these presents to be signed by its duly authorized officers and its corporate Seal to be hereunto affixed, this 22ND day of September, 2011.

Attest: Craig Johnson
Craig Johnson, President
FCCI Insurance Company



Thomas A. Koval
Thomas A. Koval Esq., SVP, General Counsel
and Corporate Secretary
FCCI Insurance Company

State of Florida
County of Sarasota

Before me this day personally appeared Craig Johnson, who is personally known to me and who executed the foregoing document for the purposes expressed therein.

My commission expires: 9/25/2012
ARLENE CUEMAN
Notary Public, State of Florida
My Comm. Expires Sept. 25, 2012
No. 00826122
Arlene Cueman
Notary Public

State of Florida
County of Sarasota

Before me this day personally appeared Thomas A. Koval Esq., who is personally known to me and who executed the foregoing document for the purposes expressed therein.

My commission expires: 9/25/2012
ARLENE CUEMAN
Notary Public, State of Florida
My Comm. Expires Sept. 25, 2012
No. 00826122
Arlene Cueman
Notary Public

CERTIFICATE

I, the undersigned Secretary of FCCI Insurance Company, a Florida Corporation, DO HEREBY CERTIFY that the foregoing Power of Attorney remains in full force and has not been revoked; and furthermore that the February 24, 2011 Resolution of the Board of Directors, referenced in said Power of Attorney, is now in force.

Dated this 15th day of AUGUST, 2012
Thomas A. Koval
Thomas A. Koval Esq., Corporate Secretary

1-PONA-3852-NA-04, 8/11

Based upon the recommendation of Mr. Ball, Alderman Lishen made motion seconded by Alderman Parker and unanimously carried to approve Supplemental Agreement No. 1, Pineville Road Bridge Replacement, all as set forth above.

Alderman Carrubba made motion seconded by Alderman Anderson and unanimously carried to acknowledge receipt of the July, 2012, Revenue/Expense Report.

**Minutes of August 21, 2012
Mayor and Board of Aldermen**

Alderman Carrubba made motion seconded by Alderman Ponthieux and unanimously carried to adopt the City of Long Beach Grievance Procedure Under The American with Disabilities Act, as follows:

CITY OF LONG BEACH
Grievance Procedure Under
The Americans with Disabilities Act

The Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of Long Beach's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Earl D Levens ADA Coordinator
201 Jeff Davis Ave
Long beach, Mississippi 39560

Minutes of August 21, 2012
Mayor and Board of Aldermen

Within 15 calendar days after receipt of the complaint, Earl D Levens or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar day of the meeting, Earl D Levens or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City of Long Beach and offer options for substantive resolution of the complaint.

If the response by Earl D Levens or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Mayor and/or Board of Alderman or designee.

Within 15 calendar days after receipt of the appeal, the Mayor and/or Board of Alderman or designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Mayor and/or Board of Alderman or designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by Earl D Levens or his/her designee, appeals to the Mayor and/or Board of Alderman or his/her designee, and responses from these two offices will be retained by the City of Long Beach for at least three years.

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

**Minutes of August 21, 2012
Mayor and Board of Aldermen**

Blackboard Connect for Government®

GSA Quote

Unlimited Use Service Proposal for Long Beach, MS

Company Information

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

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

Prices Valid through 8/31/12

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

Services include:

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

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

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

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

Minutes of August 21, 2012
 Mayor and Board of Aldermen

SIN	Program Description	Initial Term & Scope	CSA Price	Annual Fee
132-32	Blackboard Connect for Government Service	Annual Term for 5,000 Recipients October 5, 2012 - October 4, 2013 Subsequent terms will be annual based on the Customers Fiscal Year of August 12	\$1.91 per Recipient	\$ 9,550.00
132-32	Annual Support Fee	Annual Support Fee	\$957.13	\$957.13 Total Annual Fee Period = \$10,507.13 Payable by PO at contract inception This amount will be invoiced annually after October 5
Questions? Please call: James Price, Contracts 202-463-4860 x2791 or Hike Maisslan 818-808-4128 hike.maisslan@blackboard.com		Next Steps 1. Fax Purchase Order and Signed Proposal to 818-450-0425 2. Import recipient data (Blackboard Connect provides resident/ business data). 3. Implementation of service and orientation for all designated system users. 4. Begin sending Priority, Outreach and Interactive Survey communications.		

Long Beach, MS Authorized Signatory: <i>Rebecca E. Schruoff</i> Name & Title: <u>Rebecca E. Schruoff</u> CITY CLERK Execution Date: <u>8/21/12</u> Address: Long Beach, MS 201 JEFF DAVIS AVENUE LONG BEACH, MS 39560 Name: Rebecca Schruoff, City Clerk Phone: (228) 863-1556 x Email: CITYCLERK@CITYOFLONGBEACHMS.COM	BLACKBOARD CONNECT INC. Authorized Signatory: <i>Caryn Pinto</i> Name & Title: <u>Caryn Pinto, VP</u> Execution Date: <u>8/21/12</u> Address: Blackboard Inc. 650 Massachusetts Ave., NW, 6th Floor Washington, DC 20001 Name: Caryn Pinto, Contract Specialist Phone: (202) 463-4860, ext. 2953 Efax: (818) 450-0425 Email: carvn.pinto@blackboard.com
---	---

APPROVED

Rebecca Schruoff
 AUG 21 2012
Booned Action

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

After considerable discussion, Alderman Carrubba made motion seconded by Alderman Anderson and unanimously carried to table the Community Video Tour Agreement.

Based upon the recommendation of Library Director Jeannie Ripoll and certification by the Civil Service Commission, Alderman Lishen made motion seconded

Minutes of August 21, 2012
Mayor and Board of Aldermen

by Alderman Anderson and unanimously carried to approve Library personnel matters, as follows:

- Step Increase, Children's Librarian Charlene Rayburn, CSA-4-X, effective August 1, 2012;
- Step Increase, Library Director Carrie Jean Ripoll, CSA-8-VIII, effective August 1, 2012;
- Step Increase, Library Clerk Rebecca Sanzin, CSA-1-II, effective May 1, 2012.

Alderman Hammons made motion seconded by Alderman Anderson and unanimously carried to approve the Fiscal Year 2012-2013 School District Budget, as follows:

Minutes of August 21, 2012
Mayor and Board of Aldermen

RESOLUTION AND ORDER OF BOARD OF TRUSTEES OF THE
LONG BEACH SCHOOL DISTRICT REQUESTING AN AD VALOREM
TAX FOR THE SUPPORT OF THE SCHOOL DISTRICT

There came on for consideration at the August 14, 2012 regular meeting of the Board of Trustees of the Long Beach School District, ("the School District") duly convened at 6:00 P.M. on August 14, 2012, all as is required by law, the matter of a request for an ad valorem tax effort for the support of the School District during the 2012-2013 fiscal year, and on the Motion of Trustee Sandi Dulaney for adoption of the following Resolution and Order, the same was read as follows:

A RESOLUTION DECLARING THE NECESSITY OF AN AD VALOREM TAX EFFORT IN THE AMOUNT OF \$5,845,632 FOR THE SUPPORT OF THE LOCAL SCHOOL DISTRICT MAINTENANCE PROGRAM DURING THE FISCAL YEAR, AND SUCH ADDITIONAL AD VALOREM TAX EFFORT AS IS REQUIRED TO PROVIDE DEBT SERVICE FOR THE SCHOOL DISTRICT FOR 2012-2013.

WHEREAS, after careful consideration and deliberation, the Long Beach School District did, at a regular meeting on July 31, 2012 find the necessity and need for, and did duly adopt a budget for the 2012-2013 fiscal year which required a local ad valorem tax effort of \$5,845,632 for the support of the local school district maintenance program; and

WHEREAS, such consideration and deliberation was evident prior to, during, and after the duly advertised budgetary public hearing held on July 28, 2012, and as mandated under

**Minutes of August 21, 2012
Mayor and Board of Aldermen**

Section 27-61-9 of the Mississippi Code of 1972, Annotated, as amended; and

WHEREAS, Section 37-57-107 of the Mississippi Code of 1972, Amended, excludes from the aforementioned percentage limitation taxes levied for payment of principal and interest on school indebtedness; and

WHEREAS, the District has heretofore issued certain notes as authorized under Miss. Code Ann. Section 37-59-101, et. seq. for the purpose authorized therein, and

NOW, THEREFORE, be it RESOLVED AND ORDERED that, pursuant to Section 37-51-1, 37-57-105, 37-57-107, 27-39-333, and 37-59-107 of the Mississippi Code of 1972, Amended, the Mayor and Board of Aldermen of the City of Long Beach are hereby requested to levy an ad valorem tax effort (1) in the amount of \$5,845,632 (including ad valorem taxes and homestead exemption reimbursement) for the school district maintenance program during the 2012-2013 fiscal year, plus (2) an amount sufficient, as determined by the financial Officer of the City of Long Beach, to pay the principal of and interest on School District indebtedness as the same became due during the 2011-2012 fiscal year, as follows, to wit:

- (a) a regular Three Mill levy for payment of notes issued by Long Beach School District pursuant to Miss. Code Ann. Section 37-59-101, et. seq., in the amount of \$304,000 pursuant to Miss Code Ann. Section 37-59-101, et. Seq., as approved by the Board of Trustees of the Long Beach School District
-

Minutes of August 21, 2012
Mayor and Board of Aldermen

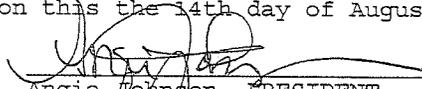
- (b) a special levy in the amount of \$327,554, to pay the unforgiven portion of the principal and interest on School District indebtedness incurred pursuant to the Community Disaster Loans. These loans were incurred to fund shortfalls in ad valorem tax collections on behalf of the District for the 2005-2006, 2006-2007, 2007-2008, and 2008-2009 school years. A portion of the total debt incurred was forgiven by the Federal Emergency Management Agency.

Trustee Craig Carpenter seconded the Motion, and upon the same being put to a roll call vote, the voting was as follows:

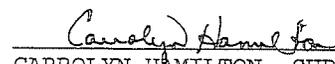
Trustee Craig Carpenter voted	<u>Aye</u>
Trustee Angie Johnson voted	<u>Aye</u>
Trustee Sandi Dulaney voted	<u>Aye</u>
Trustee Tim Pierce voted	<u>Aye</u>
Trustee James Stubbs voted	<u>Aye</u>

Minutes of August 21, 2012
Mayor and Board of Aldermen

The motion having received the affirmative vote of the Trustees, the present and voting President of the Board of Trustees of the Long Beach School District declared said motion carried and the foregoing Resolution and Order duly adopted on this the 14th day of August, 2012.



Angie Johnson, PRESIDENT
Board of Trustees of Long Beach
School District



CAROLYN HAMILTON, SUPERINTENDENT
Long Beach School District

BE IT FURTHER RESOLVED that the aforesaid amounts requested for operation and maintenance purposes and for principal and interest on bonds are to be the net amounts delivered to the District for the aforesaid purposes, after all delinquencies, deductions and costs of collections. As stipulated in Sections 37-57-1, 37-57-104 and 37-57-105 of the Mississippi Code of 1972, as amended, the levying authority shall levy an additional amount sufficient to cover anticipated delinquencies and costs of collection so that the net amount of money produced by the levy for school operation and maintenance purposes and for debt service maintenance and delivered to the District equals the amount requested by the District for such purposes. Any fee charged by the levying authority for collecting taxes on behalf of the District must be reasonable, comply with State law and be included in a separate levy by the levying authority for such purpose.

Minutes of August 21, 2012
Mayor and Board of Aldermen

Revised 7/1/2008

Original _____ Date Approved: 7/31/2012
Amended _____ Date Approved: _____

Long Beach School District
Combined Budget
For the Year Ending June 30, 2013

	Governmental Fund Types				Proprietary Fund Types		Fiduciary Funds	
	General	Special Revenue	Capital Projects	Debt Service	Enterprise	Internal Service	Scholarships	Total
Revenues:								
Local sources	6,616,376	421,965	0	482,000			6,400	7,529,761
Intermediate sources	0	0	0	0			0	0
State sources	12,610,531	521,508	0	508,751			0	13,640,780
Federal sources	187,000	2,450,353	0	0			0	2,647,353
Sixteenth section sources	0	14,300	0	0			0	14,300
Total Revenues	19,413,907	3,419,146	0	990,751			6,400	23,829,204
Expenditures								
Instruction	12,465,734	1,605,005	0	0			0	14,081,739
Support services	7,510,426	600,707	0	0			0	8,111,133
Noninstructional services	4,425	1,213,132	0	0			6,900	1,224,457
Sixteenth section	0	0	0	0			0	0
Facilities acquisition and construction	0	0	0	0			0	0
Debt service:								
Principal	0	100,000	0	1,006,689				1,106,689
Interest	0	15,484	0	240,479				265,969
Other	0	0	0	1,000				1,000
Total Expenditures	19,970,585	3,535,328	0	1,248,164			6,900	24,760,977
Excess (deficiency) of revenues over expenditures	(556,679)	(117,182)	0	(257,413)			(600)	(931,273)

Combined Budget

Minutes of August 21, 2012
Mayor and Board of Aldermen

Revised 7/11/2008

Original Date Approved: 7/31/2012
Amended Date Approved:

Long Beach School District
Combined Budget
For the Year Ending June 30, 2013

	Governmental Fund Types				Capital Projects	Debt Service	Permanent Trust	Proprietary Fund Types		Fiduciary Funds	
	General	Special Revenue	Enterprise	Internal Service				Scholarships	Total		
Other Financing Sources (Uses)											
Proceeds of General Obligation Bonds	0	0	0	0	0	0	0	0	0	0	0
Proceeds of Refunding Bonds	0	0	0	0	0	0	0	0	0	0	0
Proceeds of Loan(s)	0	0	0	0	0	0	0	0	0	0	0
Inception of Capital Lease(s)	0	0	0	0	0	0	0	0	0	0	0
Insurance Loss Recoveries	0	0	0	0	0	0	0	0	0	0	0
Sale of Transportation Equipment	0	0	0	0	0	0	0	0	0	0	0
Sale of Other Property	0	0	0	0	0	0	0	0	0	0	0
Indirect Costs	60,707	0	0	0	0	0	0	0	0	0	60,707
Other Transfers In	0	0	0	0	0	0	0	0	0	0	0
Operating Transfers In	2,428,582	30,000	0	0	48,000	0	0	0	0	0	2,504,582
Operating Transfers Out	(2,468,582)	0	0	0	(48,000)	0	0	0	0	0	(2,504,582)
Indirect Costs Transfers Out	0	(60,707)	0	0	0	0	0	0	0	0	(60,707)
Other Transfers Out	0	0	0	0	0	0	0	0	0	0	0
Payment to Refunded Bond Escrow Agent	0	0	0	0	0	0	0	0	0	0	0
Payment to Qualified Zone Academy Debt Escrow Agent	0	0	0	0	0	0	0	0	0	0	0
Miscellaneous Other Financing Use	0	0	0	0	0	0	0	0	0	0	0
Total Other Financing Sources(Uses)	20,707	(20,707)	0	0	0	0	0	0	0	0	0
Net Change in Fund Balances	(535,871)	(137,889)	0	0	(267,413)	0	0	(500)	(931,273)	0	(931,273)

Combined Budget

Minutes of August 21, 2012 Mayor and Board of Aldermen

Revised 7/1/2009

Original: _____ Date Approved: 7/31/2012
 Amended: _____ Date Approved: _____

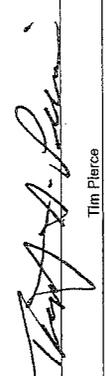
Long Beach School District
 Combined Budget

For the Year Ending June 30, 2013

	Governmental Fund Types				Proprietary Fund Types			Fiduciary Funds		Total
	General	Special Revenue	Capital Projects	Debt Service	Permanent Trust	Enterprise	Internal Service	Scholarships		
Fund Balance / Retained Earnings										
July 1, 2012	5,607,166	647,892	229	1,197,794				4,187		7,537,278
Prior period adjustments:										
Reclassify fund equity	0	0		0						0
Unrecorded Fund Equity	0	0		0						0
Reclassify fund types	0	0		0						0
July 1, 2012, as restated	5,607,166	647,892	229	1,197,794				4,187		7,537,278
Increase (decrease) in reserve for inventory	0	0		0						0
June 30, 2013	5,161,195	510,003	229	940,381				3,697		6,605,605

The above Original budget has been approved by the school board as noted in our board minutes dated July 31, 2012

Board President:  (signature) Date: July 31, 2012
 Angie Johnson (printed name)

Board Secretary:  (signature) Date: July 31, 2012
 Tim Pierce (printed name)

Combined Budget

Alderman Ponthieux made motion seconded by Alderman Hammons and unanimously carried to approve the proposal/lease, Building Office digital copier, Océ North America, as follows:

Minutes of August 21, 2012
Mayor and Board of Aldermen



Long Beach Building and Code
201 Jefferson Davis Avenue
Long Beach, MS 39560

July 31, 2012

Ms Veronica Howard,

Thank you for allowing Océ' North America to submit this proposal for your new multifunctional digital copier. The Canon ImageRunner Advance 4035 is a 35 page-per-minute black/white digital printer, scanner and copier. The Canon IR4035 was just introduced with the latest in digital technology. The following are the specifications for the IR 4035:

Canon Imagerunner 4035 Copier, 100-Sheet Duplexing Document Feeder, 1.25 GB RAM Memory, 80 GB Hard Disk Drive, UFR II and PCL5e/6 Print Controller, Color Universal Send Scanning, 1000-Sheet Finisher/50-Sheet Stapler Finisher, Fax Option, 4 x 550-sheet paper drawers and 15 amp surge protector.

Currently spending \$270.44 per month on a Ricoh copier.

Mississippi State Contract # 5-600-21161-12

36-Months: \$218.00 per month

Maintenance Contract: \$25.00 per month for allowance of 3,000 per month. All prints billed at \$0.0084 per black/white print. This maintenance agreement includes all parts, labor, toner, and supplies and is billed quarterly. This contract even includes staples!

I am confident this unit will give you years of trouble free service. We are grateful for the opportunity to earn your business and hope this proposal meets your expectations of us. Please contact us with any questions regarding this proposal.

Thanks,

Ruffin Fornea
Cell # 228-547-6294

Océ' North America
9480 Three Rivers Road
Gulfport, MS 39503

T 228-863-0458
F 228-863-0625

www.oceusa.com

Canon
CANON GROUP

Minutes of August 21, 2012
 Mayor and Board of Aldermen

 Maintenance Agreement		DATE SUBMITTED 8/15/2012		OMD EQUIP ORDER				
BILL TO	CUSTOMER NAME			SHIP TO IF DIFFERENT	CUSTOMER NAME			
	City of Long Beach				CUSTOMER NAME			
	ADDRESS P.O. Box 929				City of Long Beach - Building/Code			
	CITY/STATE/ZIP Long Beach/MS/39560				ADDRESS 201 Jeff Davis Ave			
BILL-TO CUST #		COMBINED BILLING MODEL/SERIAL	EXISTING MASTER AGREEMENT YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	CUSTOMER TAX EXEMPT YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>				
LOCATION CUST #		OPERATOR NAME Veronica	OPERATOR PHONE 863-1554	MAINT TAXABLE YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>				
		METER REQ METHOD (FAX, CALL, E-MAIL) Call	OPERATOR FAX # 865-0822	EMAIL ADDRESS				
FULL SERVICE MAINTENANCE PLAN INCLUDES (An option must be selected) <input type="checkbox"/> SUPPLIES (EXCLUDES PAPER & STAPLES) <input checked="" type="checkbox"/> SUPPLIES & STAPLES (EXCLUDES PAPER) <input type="checkbox"/> NO SUPPLIES								
FINANCED EMA YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		MAINTENANCE TERM 12	EFFECTIVE DATE 9/1/12	EMA P.C. NUMBER	P.O. EXP. DATE			
LEASED EMA YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>		LEASE TERM	State Contract <input checked="" type="checkbox"/> YES	FREQUENCY (Show Rates Below Same As) <input checked="" type="checkbox"/> Mth <input type="checkbox"/> Qtr <input type="checkbox"/> Annual <input type="checkbox"/> Dual				
IN ARREARS YES <input type="checkbox"/> NO <input type="checkbox"/>								
<i>Any changes to this agreement must be initialed by the customer</i>								
EQ ID	MODEL	SERIAL #	Comb Billing (Y/N)	Beginning Meter Read	Time or Usage (Y/N)	FIXED RATE	MIN VOL ALLOW	CPC ABOVE MIN.
	IR4035			0 - Black/White		25	3000	0.0084
EMA PRICE IS ANNUAL FOR FAX EQUIPMENT, MONTHLY OR QUARTERLY FOR ALL OTHER EQUIPMENT.								
NOTES			BILLING REQUIREMENTS					
			<input checked="" type="checkbox"/> Standard (Usage billed monthly in arrears; Based on date of install; Consolidated) <input type="checkbox"/> Special (attached signed "Customer Billing Requirements" checklist) <input type="checkbox"/> Connected Product to Customer Network? (If yes, attach signed "Site Survey")					
CUSTOMER ACKNOWLEDGEMENT								
YOU ACKNOWLEDGE RECEIPT OF, AND AGREE TO BE BOUND BY OCE IMAGISTICS D/B/A OCE NORTH AMERICA CORPORATE PRINTING DIVISION ADDITIONAL SALES TERMS AND CONDITIONS, WHICH ARE INCORPORATED HEREIN. ANY CHANGES THERETO MUST BE APPROVED IN WRITING BY OUR CORPORATE LEGAL DEPARTMENT OR SHALL NOT BE BINDING US. IF A DEVICE IS BEING PROVIDED BUT NOT BEING CONNECTED AT THE TIME OF THIS ORDER, OUR SITE SURVEY IS REQUIRED PRIOR TO CONNECTION IN THE FUTURE.								
CUSTOMER SIGNATURE			DATE	PRINT SIGNER NAME		PRINT SIGNER TITLE		
SALES REP NAME			REP#	ORGANIZATION		BRANCH NAME		
Ruffin Fornes				NATL <input type="checkbox"/> COMM <input type="checkbox"/> BPC <input checked="" type="checkbox"/>		Gulfport		
SALES REP SIGNATURE			BRANCH MANAGER SIGNATURE					
Form # I-10004 Version 05/08						Page 1 of _____		

Minutes of August 21, 2012
Mayor and Board of Aldermen



Océ Financial Services, Inc.
State and Local Agreement

200 - Lease Agreement Number

CUSTOMER INFORMATION					
FULL LEGAL NAME OF RENTER: Long Beach, City of				E-MAIL ADDRESS	
BILLING ADDRESS P.O. Box 929			CITY Long Beach	STATE MS	
ZIP+4 3950	PHONE# 228-863-1554	CONTACT NAME Account Payable		INVOICE ATTN OF Account Payable	
FEDERAL TAX ID #	CUSTOMER P.O. #	E-MAIL ADDRESS			
Is a P.O. required?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	ARE FUNDS APPROPRIATED	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	FISCAL FUNDING PERIOD FROM TO	

QTY	EQUIPMENT MODEL & DESCRIPTION	ACCESSORIES
1	IR4035	

See attached schedule for additional Equipment/Accessories or multiple installation addresses

Equipment Location (If different from Billing Address) Building and Code

PAYMENT PLAN		
Initial Rental Term In months	36	
Billing Frequency	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Other	
# of Payments	36	Total Periodic Payment (applicable taxes not included)
First		\$218.00
Next		
Next		

Included in your payment: (separate vendor agreement required) Equipment Maintenance Copier Supplies Software Maintenance

TERMS AND CONDITIONS

IMPORTANT: NEITHER THE VENDOR NOR ANY SALESPERSON ARE OUR AGENT. THEY HAVE NO AUTHORITY TO SPEAK ON OUR BEHALF OR MAKE ANY CHANGES TO THIS CONTRACT. THEIR STATEMENTS WILL NOT AFFECT YOUR RIGHTS OR OBLIGATIONS UNDER THIS CONTRACT.

1. Definitions: Parties' Relationship: The words "YOU" and "YOUR" refer to the Renter. The words "WE", "US", "OUR" and "OFSI" refer to the Lessor, Océ Financial Services, Inc. The term "Vendor" means either Océ Imaging Inc., Océ North America, Inc., its affiliates (other than OFSI), dealers and Canon U.S.A., Inc. The word "Parties" means "OFSI" and "YOU". The Equipment was selected by you and supplied by Vendor, not OFSI.

2. Contract Agreement: Payments: We agree to rent to you and you agree to rent from us the Equipment ("Equipment") listed above or identified in any attached Equipment Schedule ("Equipment Schedule"). The equipment will not be used for personal, family or household purposes. You acknowledge receipt of a copy of this contract. THIS CONTRACT IS NOT BINDING ON US AND WILL NOT COMMENCE UNTIL WE ACCEPT IT IN OUR OFFICES.

3. Total Payments: You promise to pay us the Total Periodic Payments according to the terms of the Payment Schedule shown above or any Equipment Schedule hereto, subject to your right of non-appropriation as provided in Section 18. If you so request, your base Maintenance payment commences simultaneously with the Term and such payment is included in your Total Periodic Payment as an accommodation to you and Vendor. We may increase the Total Periodic Payment as a result of any imposition of, or increase in taxes as provided in Section 13. REGARDLESS OF ANY DISPUTE WITH VENDOR, OR LOSS OR DAMAGE TO THE EQUIPMENT OR ANY OTHER REASON, YOU ARE REQUIRED TO PAY US ALL TOTAL PERIODIC PAYMENT AND OTHER SUMS DUE UNDER THIS CONTRACT. ALL TOTAL PERIODIC PAYMENT SHALL BE PAID BY YOU WITHOUT DEDUCTION AND RESPECTIVE OF ANY SET-OFF, COUNTERCLAIM, RECOURSE OR OTHER RIGHT WHICH YOU MAY HAVE AGAINST US, VENDOR, OR ANY OTHER PARTY.

4. Start of Contract/Term: The Contract shall commence on the acceptance date which shall be the date the Equipment is delivered, and shall continue until the earlier of (i) termination at our option upon the occurrence of an event of default, or (ii) the occurrence of an event of a non-appropriation under Section 18, or (iii) the expiration of the Term and your payment of all Total Periodic Payments and other sums due and your fulfillment of all other obligations under this Contract.

5. Due Date/Late Charges/Other Charges: The due date for your payments will be identified on your invoice. If any payment under this contract is not paid when due, you agree to pay a late charge at the rate of 10% of such late payment or \$35, whichever is greater. You also agree to pay \$75 to cover our costs of credit approval and documentation is included as a capitalized amount in computing your Total Periodic Payment. You authorize us to adjust the Total Periodic Payment by not more than 15% to reflect applicable taxes. Any contract charge that exceeds the amount allowed by law shall be reduced to the maximum allowed.

RENTAL ACCEPTANCE					
LESSOR Océ FINANCIAL SERVICES, INC.			RENTER Long Beach, City of		
AUTHORIZED SIGNATURE			AUTHORIZED SIGNATURE		
PRINT NAME	TITLE	DATE	PRINT NAME	TITLE	DATE

(revised 10/25/2010)

Page 1 of 2

Alderman Ponthieux made motion seconded by Alderman Lishen to approve application for Beer Permit, James Sipple, Rumors Bar, LLC, dba Gators Sports Pub, 19099 Pineville Road, Long Beach, Mississippi.

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

Alderman Bernie Parker	voted	Present, Not Voting
Alderman Gary J. Ponthieux	voted	Aye
Alderman Kaye H. Couvillon	voted	Aye

**Minutes of August 21, 2012
Mayor and Board of Aldermen**

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 all the Aldermen present and voting, the Mayor declared the motion carried.

*

*

Alderman Hammons made motion seconded by Alderman Carrubba and unanimously carried to approve application for Beer Permit, Lindsey R. Rogers, Mallini's Oyster Bar, 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	Present, Not Voting
Alderman Gary J. Ponthieux	voted	Aye
Alderman Kaye H. Couvillon	voted	Aye
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 all the Aldermen present and voting, the Mayor declared the motion carried.

There came on for consideration derelict properties and a letter with attachments from Zoning Enforcement Officer Claire Leatherwood, as follows:

Minutes of August 21, 2012
Mayor and Board of Aldermen

City of Long Beach

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



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruff

CITY ATTORNEY
James C. Simpson, Jr.

August 16, 2012

Mayor William Skellie Jr.

Board of Alderman

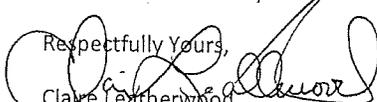
Rebecca Schruff, City Clerk

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

The property located at 613 Gardendale, has an overgrowth of grass and weeds, and is considered to be a threat to the safety and welfare of the neighborhood. The property remains to be in violation of CHAPTER THREE: SECTIONS #301.3, #302.1, & #302.4 (SEE ATTACHED DEFINITIONS) according to The International Property Maintenance Code 2006, which the City of Long Beach adopted as a means of reference.

A letter was mailed to Bank of America on July 11, 2012, allowing them SEVEN (7) days to make contact with our office for directions and or corrective measures. I have a confirmation from the United States Postal System that the letter to Bank of America was delivered July 13, 2012 at 1:53pm. As of this date, our office has not received any correspondence from Bank of America concerning the property referenced above.

Due to the fact, the property was adjudicated October, 2011. I am requesting the Mayor and Board of Alderman to make the decision; based on the above information, to issue a work order for the property to be cleaned by the Public Works Department within the determined time frame allowed by law.

Respectfully Yours,

Clark Leatherwood
Zoning Department

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

**Minutes of August 21, 2012
Mayor and Board of Aldermen**

CHAPTER 3

GENERAL REQUIREMENTS

SECTION 301
GENERAL

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

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

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

SECTION 302
EXTERIOR PROPERTY AREAS

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

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

Exception: Approved retention areas and reservoirs.

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

302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of (jurisdiction to insert height in inches). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

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

property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

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

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

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

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

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

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

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

SECTION 303
SWIMMING POOLS, SPAS AND HOT TUBS

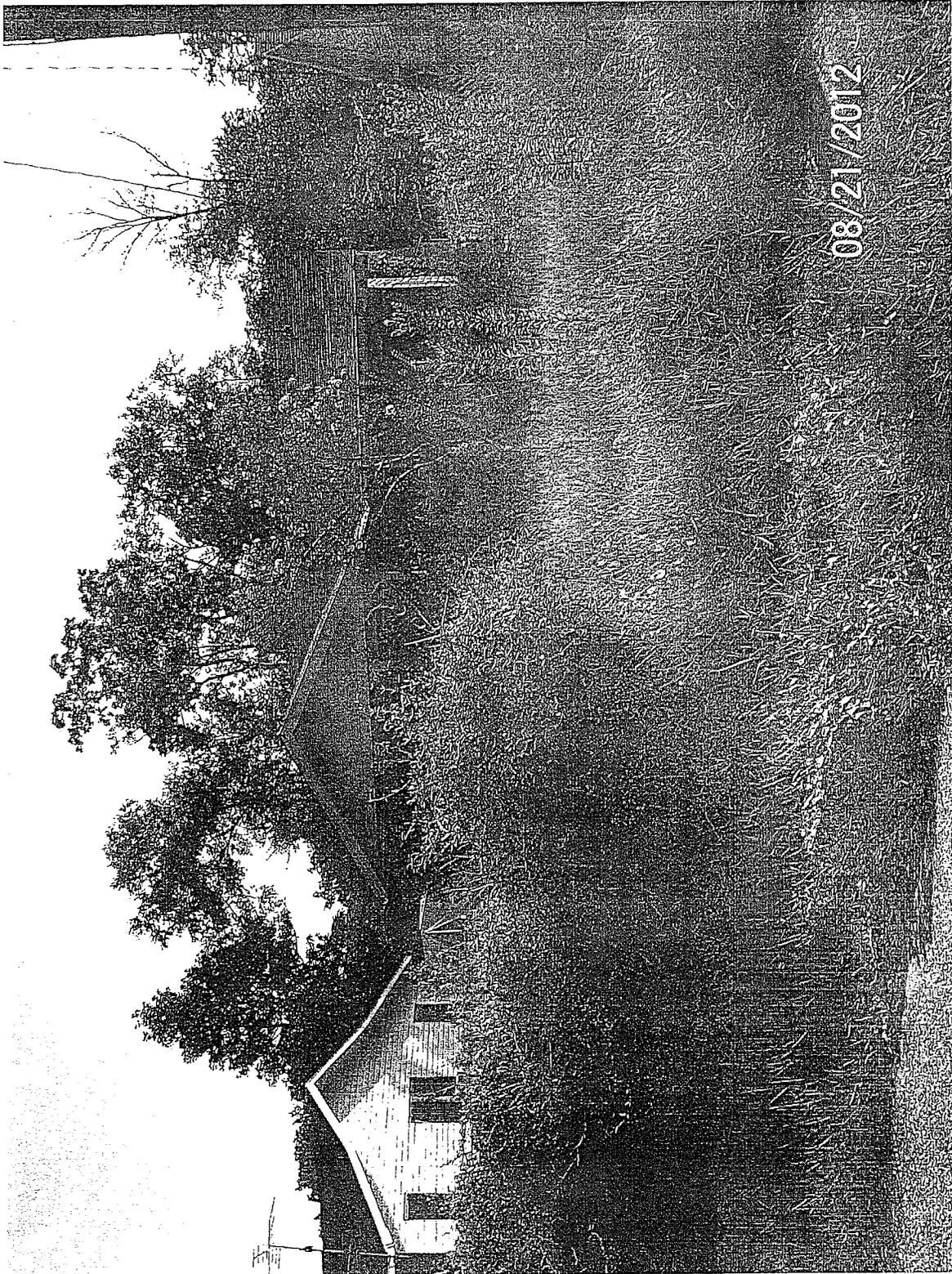
303.1 Swimming pools. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

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

Minutes of August 21, 2012
Mayor and Board of Aldermen



613. Garden Lake



It was noted for the record that the property is within the one year period from adjudication. Based upon the information and photographs as set forth above, Alderman Parker made motion seconded by Alderman Couvillon and unanimously carried to schedule the property for re-cleaning in accordance with §21-19-11 of the Mississippi Code 1972, as amended.

There came on for consideration the acoustics in the City Hall Meeting Room and recommendations from JBHM Architects. After considerable discussion, Alderman

**Minutes of August 21, 2012
Mayor and Board of Aldermen**

Carrubba made motion seconded by Alderman Parker and unanimously carried to request that Richard McNeely and Ryan Florreich, JBHM Architects, attend the next regular meeting, September 4, 2012, to further discuss their recommendations, requesting that they oversee the acoustical renovations at no cost to the City.

Upon discussion of a personnel matter, it was the consensus of the Mayor and Board of Aldermen to discuss the matter in closed session at the end of the regular agenda.

Alderman Anderson made motion seconded by Alderman Parker and unanimously carried to accept the resignation of Mr. Dick Kinser, with regret, from the Long Beach Civil Service Commission, commending Mr. Kinser for his years of dedicated service to the City and its employees.

*

*

Alderman Hammons made motion seconded by Alderman Anderson and unanimously carried to appoint Mr. Danny Hansen to the Long Beach Civil Service Commission to fill the unexpired term of Mr. Dick Kinser, Present-December, 2016.

There came on for consideration a letter from Rosemary G. Daley, Business Administrator, Church of the Good Shepherd, as follows:

Minutes of August 21, 2012
Mayor and Board of Aldermen

Church of the Good Shepherd

*P. O. Box 526
Espy Avenue at Pineville Road
Pass Christian, Mississippi 39571
(228) 452-9318*

*Pastor
Mike Barbera
(228) 864-7754*

*Associate Pastor
Mike Cassagne
(228) 871-5776*

*Young Adult and
Youth Pastor
Matt Murphy
(601) 540-3980*

August 8, 2012

Sports Complex Bldg
Attn: Bob Paul
P.O. Box 929
Long Beach, MS 39560

Dear Mr. Paul:

Per our phone conversation, we would like to reserve the Sports Complex Building for a Thanksgiving meal on Sunday, November 18, 2012.

The Church of the Good Shepherd will prepare a Thanksgiving buffet to be served to the community and church members. If there is any way that you could grant us a reduced fee (or no fee) to lease the building for this function, it would be greatly appreciated. The Thanksgiving season is a perfect time to reach out to anyone in the community in need of a meal, and we would very much like to be a part of that outreach. Please confirm our reservation, for the building, so we can move forward with planning this community function. You may contact me by cell phone at 228-341-4525.

In His Name,



Rosemary G. Daley
Church Business Administrator

*"I myself will be the shepherd of my sheep" - says the Lord God.
Ezekiel 34:15*

Upon discussion, Alderman Carrubba made motion seconded by Alderman Parker and unanimously carried to approve reduced rental fees afforded to non-profit organizations in accordance with the City's rental policy.

The Mayor recognized the City Attorney for his report and discussion was held regarding parking regulations in the City of Long Beach. Upon discussion, official action was taken, as follows:

**Minutes of August 21, 2012
Mayor and Board of Aldermen**

ORDINANCE NO.592

AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMAN OF THE CITY OF LONG BEACH, MISSISSIPPI, ESTABLISHING A GENERAL PARKING ORDINANCE WITHIN THE CITY OF LONG BEACH, MISSISSIPPI; AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, having made due investigation therefore, do now find, determine, adjudicate and declare that it is necessary and proper to adopt the following ordinance governing and relating to parking all vehicles within the city limits of the City of Long Beach, Mississippi; now therefore,

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:

ARTICLE 1. PARKING ALLOWED ONLY IN DESIGNATED AREAS

The City of Long Beach regulation of parking and stopping (hereinafter referred to as "parking") shall be governed by this ordinance. Parking in Long Beach is permitted only in lots and areas designated as permitted for parking, and in accordance with posted signage. Parking in un-designated areas, or in any area in which parking is prohibited, shall be a misdemeanor violation of municipal ordinance. For purposes of this ordinance, a parking violation is the violation of any provision of this ordinance or any other municipal ordinance providing for or regulating the parking or stopping of a vehicle. Nothing contained in this ordinance shall be construed to repeal, restrict or amend any other ordinance which shall continue to remain in full force and effect as if this ordinance had not been adopted.

ARTICLE 2. FINES

Violations of this ordinance shall be punishable by a fine not to exceed \$100.00. In addition, vehicles parked in un-designated areas or in any area in which parking is prohibited are subject to and may be being towed and stored, at the owner's expense.

ARTICLE 3. PARKING CITATION FORMS

The parking citation shall be the notice of violation for purposes of this article. The parking citation shall contain information concerning the nature, date, time and location of the alleged violation, the state vehicle license plate number, and make of car. In those cases where a license plate is not visible and/or legible, either the vehicle identification number or the state inspection tag number may be used in lieu of the state vehicle license plate number. In the case

**Minutes of August 21, 2012
Mayor and Board of Aldermen**

of delivery vehicles, the certificate of public necessity and convenience number (CPNC) may also be in lieu of the state vehicle license plate number. The parking citation shall also contain information advising the person charged of the manner and the time in which he may contest the violation charged in the notice. The parking citation shall also provide that a failure to timely answer or appear before the City of Long Beach Municipal Court shall be considered a prima facie admission of the violation set forth in the parking citation, in which event the City of Long Beach Municipal Court may assess the appropriate fine or fines and all penalties thereto and collect the same and issue receipts.

ARTICLE 4. PARKING CITATIONS - SERVICE.

A parking citation shall be served personally upon the operator of a vehicle who is present at the time of service. If the operator is not so served, or is not present, the parking citation shall be served upon the registered owner of the vehicle by affixing the parking citation to the vehicle in a conspicuous place thereon. The original parking citation shall be signed by the issuing officer who shall affirm the truth of the facts set forth therein. An operator of a vehicle who is not the owner thereof, but who uses or operates the vehicle with permission of the owner, express or implied, shall be considered the agent of the owner to receive a parking citation required to be served upon the operator or registered owner of a vehicle in accordance with the provisions of this article.

If the registered owner or operator of a vehicle drives the vehicle away from or in any manner leaves the site of the violation while the issuing officer is preparing the parking citation, or refuses service of the parking citation and drives away from or in any manner leaves the site of the violation, this fact shall be duly noted on the original and all copies of the parking citation. This original and all copies of a parking citation shall constitute a business record of the city and shall constitute prima facie evidence that the parking citation was issued and that an attempt at service thereof was made in accordance with the provisions of this article.

ARTICLE 5. EFFECTIVE DATE.

This Ordinance shall take effect and be in force thirty (30) days after its adoption, publication and enrollment thereof as provided by law.

The above and foregoing Ordinance No. 592 was introduced in writing by Alderman Parker who moved its adoption. Alderman Ponthieux seconded the motion to adopt the

Minutes of August 21, 2012
Mayor and Board of Aldermen

Ordinance, and after discussion, no member of the Board of Aldermen having requested the Ordinance to be read by the City Clerk, and the question being put to a roll call vote, the result was as follows:

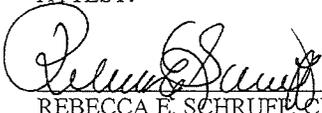
Alderman Leonard Carrubba	voted	Aye
Alderman Gary Ponthieux	voted	Aye
Alderman Bernie Parker	voted	Aye
Alderman Kay Couvillon	voted	Aye
Alderman Ronnie Hammons	voted	Aye
Alderman Mark Lishen	voted	Aye
Alderman Carolyn Anderson	voted	Aye

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and said Ordinance Number 592 adopted and approved this, the 21st day of August, 2012.

APPROVED:


WILLIAM SKELLIE, JR., MAYOR

ATTEST:


REBECCA E. SCHRUPF, CITY CLERK

Minutes of August 21, 2012
Mayor and Board of Aldermen

The appointment of Danny Hansen to the Long Beach Civil Service Commission came on for further discussion and it was noted for the record that Mr. Hansen is a member of the Long Beach Port Commission and tendered his resignation in order to serve on the Civil Service Commission.

Upon further discussion, Alderman Ponthieux made motion seconded by Alderman Anderson and unanimously carried to suspend the rules and amend to Municipal Docket to address the following:

- Alderman Ponthieux made motion seconded by Alderman Anderson and unanimously carried to accept the resignation of Danny Hansen from the Long Beach Port Commission.
- Alderman Ponthieux made motion seconded by Alderman Anderson and unanimously carried to appoint Mr. Roger Ladner to the Long Beach Port Commission as the Ward 1 representative, Present-May, 2015.

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

There came on for consideration a personnel matter and Alderman Hammons recused himself from the meeting; Alderman Lishen made motion seconded by Alderman Parker and unanimously carried to meet in Closed Session to determine whether or not to declare an executive session.

The meeting resumed in open session and, based upon discussion held in Closed Session, Alderman Lishen made motion seconded by Alderman Carrubba to meet in executive session for the transaction of public business, to-wit: to discuss a personnel matter relating to the job performance of a city employee holding a specific position.

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

Minutes of August 21, 2012
Mayor and Board of Aldermen

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried, whereupon, the Mayor and Board of Aldermen met in executive session.

* * *

The meeting resumed in open session and, based upon discussion held and information obtained in executive session, no formal action was required or taken in open session.

There being no further business to come before the Mayor and Board of Aldermen at this time, Alderman Carrubba made motion seconded by Alderman Anderson and unanimously carried to recess the meeting to Tuesday, September 4, 2012, at 4:00 o'clock p.m.

APPROVED:

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

Alderman Gary J. Ponthieux, Ward 1

Alderman Bernie Parker, Ward 2

Alderman Kaye H. Couvillon, Ward 3

Alderman Ronnie Hammons, Jr., Ward 4

Alderman Mark E. Lishen, Ward 5

Alderman Carolyn J. Anderson, Ward 6

Date

ATTEST:

Rebecca E. Schruoff, City Clerk