

Minutes of August 19, 2014  
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, 2014, 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, Kelly Griffin, Ronnie Hammons, Jr., Mark E. Lishen, Alan Young, City Clerk Rebecca E. Schruff, and City Attorney James C. Simpson, Jr.

Alderman Bernie Parker was absent the meeting.

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

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

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

- August 5, 2014 – Regular/Closed Executive Session, as submitted;
- August 12, 2014 – Work Session, as submitted.

\*\*\*\*\*

Alderman Hammons made motion seconded by Alderman Lishen and unanimously carried to approve minutes of the Long Beach Planning Commission, as follows:

- August 11, 2014 – Work Session, as submitted;
- August 14, 2014 – Regular, as submitted.

\*\*\*\*\*

Alderman Hammons made motion seconded by Alderman Griffin and unanimously carried to approve payment of invoices as listed in Docket of Claims 081914, with the following adjustments:

- Add invoice as submitted by Troy Glass in the amount of \$340.00 for lot cleanup and hazardous house cleanout, 105 Oakview Avenue;

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- Remove invoice 1990-2-FINAL, Twin L Construction in the amount of \$27,333.50 for Bear Bayou Retaining Wall;
- Add invoice in the amount of \$26,219.68 to Twin L Construction for Bear Bayou Retaining Wall.

\*\*\*\*\*

Alderman Carrubba made motion seconded by Alderman Griffin and unanimously carried to approve Fire Department Surplus property, as follows:

- (1) 2005 WHITE FORD FREESTAR VAN – VIN2FMZA57635BA43738.

\*\*\*\*\*

Based upon certification by the Civil Service Commission and the recommendation of the respective department heads, Alderman Lishen made motion seconded by Alderman Carrubba and unanimously carried to approve personnel matters, as follow:

FIRE DEPARTMENT:

- Step Increase, Driver/Operator Heath Mitchell, FS-10-VI, effective September 16, 2014.

MUNICIPAL COURT:

- Step Increase, Deputy Court Clerk Debbie Korte, CSA-4-X, effective August 1, 2014.

POLICE DEPARTMENT:

- New Hire, Recruit Police Officer Joshua Bundy, PS-5-B, effective August 16, 2014.

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

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Date: July 7, 2014

To: Mayor Skellie  
Board of Alderman

From: Wayne McDowell  
Chief of Police

Re: Retiring Officer's Service Weapon

Dear Mayor and Board,

Mississippi Code 1972, et seq., annotated and as amended Section 45-9-131 allows the governing authorities to approve the purchase of a retiring law enforcement officer to purchase his/her sidearm which was issued to him by the law enforcement agency from which he retired. The governing authorities shall determine the amount to be paid for the firearm.

It is my request that you authorize Captain Thomas Bishop to purchase his assigned duty weapon, Glock 21 Ser # TPB-949, which has sentimental value to him. Please keep in mind that Capt. Bishop served over 32 years with the City of Long Beach, both as a volunteer Reserve Officer and as a full time sworn Officer. I would suggest that you considered a minimal amount of \$1.00 be paid for his sidearm.

I have attached a copy of statute 45-9-131 for your quick review.

Sincerely,

Wayne McDowell  
Chief of Police

A handwritten signature in black ink, appearing to read 'Wayne McDowell', is written over the typed name and title.

# Minutes of August 19, 2014 Mayor and Board of Aldermen

Search - 1 Result - § 45-9-131. Purchase of sidearm by retiring law enforcement officer or... Page 1 of 1

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Miss. Code Ann. § 45-9-131 (Copy w/ Cite)  
Miss. Code Ann. § 45-9-131

Pages: 2

MISSISSIPPI CODE of 1972

\*\*\* Current through the 2013 Regular Session and 1st and 2nd Extraordinary Sessions \*\*\*

TITLE 45. PUBLIC SAFETY AND GOOD ORDER  
CHAPTER 9. WEAPONS  
PURCHASE OF SIDEARMS BY RETIRING LAW ENFORCEMENT PERSONNEL

Miss. Code Ann. § 45-9-131 (2013)

§ 45-9-131. Purchase of sidearm by retiring law enforcement officer or spouse of law enforcement officer killed in line of duty

Upon approval of the governing authority of the municipality or county, a member of any municipal or county law enforcement agency who retires under any state retirement system or the spouse of a law enforcement officer who is killed in the line of duty may be allowed to purchase as his or her personal property one (1) sidearm which was issued to the law enforcement officer by the law enforcement agency from which he or she retired or by whom he or she was employed at the time of death. The governing authority of the municipality or county shall determine the amount to be paid for the firearm by the retiring member of the law enforcement agency or the spouse of the law enforcement officer.

**HISTORY:** SOURCES: Laws, 1995, ch. 462, § 1; Laws, 2013, ch. 381, § 1, eff from and after passage (approved Mar. 20, 2013.)

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Miss. Code Ann. § 45-9-131 (Copy w/ Cite)

Pages: 2

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[http://web.lexisnexis.com/research/retrieve?\\_m=be8bfa216a492f82dff03214416123c2&cs...](http://web.lexisnexis.com/research/retrieve?_m=be8bfa216a492f82dff03214416123c2&cs...) 8/14/2014

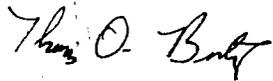
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July 23, 2014

Long Beach Police Dept.  
P.O. Box 929  
Long Beach, Ms 39560

Dear Chief McDowell,

Upon my pending retirement, I am requesting to purchase my city  
issued Glock Model 21, Serial #TPB949.  
Thank you for your consideration.



Capt. Thomas O. Bishop

Upon discussion, Alderman Carrubba made motion seconded by Alderman Young and unanimously carried to approve the purchase of his service weapon by Captain Thomas Bishop for One Dollar (\$1.00).

\*\*\*\*\*

Alderman Carrubba made motion seconded by Alderman Ponthieux and unanimously carried acknowledging receipt of the July, 2014, Revenue/Expense Report.

\*\*\*\*\*

Alderman Carrubba made motion seconded by Alderman Hammons and unanimously carried to approve the AT&T Service Agreement, contingent upon the City

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Mayor and Board of Aldermen

continuing with AT&T service. It was noted for the record that the City is reviewing a new carrier that could provide a considerable savings; said AT&T agreement is as follows:



Schedule For The Purchase Of Equipment And/Or Service

Customer Name LONG BEACH CITY  
Customer Number 622138

Quote # 321325262	Maintenance Service	Total Maintenance	\$939.53 (Excluding Taxes)
Customer Reference # (Informational Purposes Only)	<input type="checkbox"/> Accepted <input type="checkbox"/> Declined	Total Number of Months	See Detail (Maintenance Term)
Tax Exempt <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Common Anniversary Date Mths.		
Certification #	If you have selected CAD Maintenance for location(s) under this order, the maintenance term will be adjusted to reflect the actual maintenance term.		

Pursuant to the terms and conditions of the agreement referenced herein and any mutually agreed upon amendments thereto, Customer agrees to purchase and AT&T Communication Systems Southeast, agrees to provide Equipment and/or Services described in this Order. This Order shall automatically incorporate herein all the terms and conditions of the Agreement, and any mutually agreed upon amendments thereto, and any and all terms and conditions on any Customer order forms, purchase orders or other Customer documents shall be deemed deleted. If Customer elects the "Lease" option and for any reason the lease is not honored, or the leasing company fails to make payments, Customer agrees to pay "Cash" per AT&T's then standard payment terms for the Equipment and/or services covered by this order. Payment for installation services is due upon completion of the installation services and invoicing to the Customer.

If a serial number(s) is listed for a type of equipment to be installed, maintenance services will be provided only for the serial(s) of that type with the listed serial number(s). If the implementation of this Order is delayed, by no fault of AT&T, sixty (60) or more days from the original agreed implementation date, or if there is no agreed date, AT&T will have the following options: (i) reduce the Total Equipment Price to reflect then current AT&T pricing; (ii) require payment for Equipment delivered and services performed to that time; or (iii) cancel the Order and collect reasonable termination charges, including manufacturer's rescheduling charges plus non-recoverable materials and labor expended and lost margin.

LONG BEACH CITY

AT&T Communication Systems Southeast

Accepted By:

By \_\_\_\_\_  
Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

By \_\_\_\_\_  
Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_

Name (Type or Print) \_\_\_\_\_  
Title \_\_\_\_\_

Name (Type or Print) \_\_\_\_\_  
Title \_\_\_\_\_

Quote ID 321325262

Customer Number 622138

Expiration Date: October 10, 2014

Customer Reference # \_\_\_\_\_  
(For Informational Purposes Only)

Proprietary Information between AT&T and Customer ONLY. Any distribution outside of these parties will result in additional charges to customer for engineering and configuring the quote at AT&T's then current rates.

Report Date: 8/11/2014 10:11:16AM  
Page 1 of 2

(Customer Initials)

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Mayor and Board of Aldermen



321325262		LONG BEACH BCM	
Location Number / Name		Address	
4 CITY HALL/COURT		201 JEFF DAVIS AVE.	
City/State/Zip		LONG BEACH, MS 39560	
Agreement		2K5A017762	
Maintenance Contract		Estimated Start / End Date	
Key/BCM Equip Maintenance w/charging		09/01/2014 / 09/31/2015	
LNSMTC		Billing Option	
3550		3550	
Total		Monthly Estimate	
\$958.53		\$79.99	

Parts Description	# Of Units	Manufacturer Part #	AT&T Part #	# Ports	MTC Unit Price	Total Maintenance
T24 KEY INDICATOR MODULE - CHARCOAL	1	NTB829AAAA	873871	0	\$3.10	\$37.21
600VA WALL MOUNT UPS W/EXT. RUN TIME	1	ON800XA-WL-SNK	797851	0	\$16.80	\$201.60
BCM 4X16 STATION/TRUNK MBM	1	NT5B42AAAA	836251	0	\$0.00	\$0.00
BCM-GATM6- 6 PORT GLOBAL ANALOG TRUNK MEDIA BAY MODUL	1	NT5B44AAAA	875039	0	\$0.00	\$0.00
T7318E SET-CHARCOAL,BELLSOUTH BRANDED	3	NTB827AAAH	873856	1	\$13.86	\$166.32
T7208 SET-CHARCOAL,BELLSOUTH BRANDED	10	NTB828AA8N	873954	1	\$46.20	\$554.40
T&R ANALOG STATION SETLINE PROTECTOR, 5 PIN	12	5S-AP	726368	0	\$0.00	\$0.00
BCM WALL MOUNT KIT FOR BCM400,200,1000 HARDWARE PLTRFM	1	NTA83422	832489	0	\$0.00	\$0.00
GROUND BAR 1 PER 66M150 FOR 6 SERIES PROTECTORS	1	350-032	302516	0	\$0.00	\$0.00

Extended maintenance price reduced by prorated maintenance term for products under warranty.

LNSMTC	Items Not Covered	Estimated Start / End Date	Maintenance Total	Billing Option
		09/01/2014 / 09/31/2015	\$0.00	Monthly
			3550	BSC

Parts Description	# Of Units	Manufacturer Part #	AT&T Part #	MTC Unit Price	Total Maintenance
T24 KEY INDICATOR MODULE INSTALLATION KIT (ENGRFR/SP)	1	NTA83612	873873	Not Applicable	Not Applicable
NA BCM 3.7 BCM400 BASE SYSTEM STD	1	NTB70AAAH	875756	Not Applicable	Not Applicable

Extended maintenance price reduced by prorated maintenance term for products under warranty.

Report Date: 8/11/2014 10:11:16AM  
Page 2 of 2

Quote ID: 321325262  
Customer Number: 622138  
Expiration Date: October 10, 2014  
Customer Reference #: \_\_\_\_\_  
(For Informational Purposes Only)

Proprietary information between AT&T and Customer ONLY. Any distribution outside of these parties will result in additional charges to customer for engineering and configuring the quote at AT&T's then current rates.

(Customer initials)

Alderman Ponthieux made motion seconded by Alderman Lishen and unanimously carried to accept the School District Ad Valorem Tax Resolution and Budget for Fiscal Year 2014-2015, as follows:

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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

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There came on for consideration at the August 12, 2014 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 12, 2014, 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 2014-2015 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 \$6,061,269 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 2014-2015.

WHEREAS, after careful consideration and deliberation, the Long Beach School District did, at a regular meeting on July 22, 2014, find the necessity and need for, and did duly adopt a budget for the 2014-2015 fiscal year which required a local ad valorem tax effort of \$ 6,061,269 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 June 30, 2014, and as mandated under

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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 \$6,061,269 (including ad valorem taxes and homestead exemption reimbursement) for the school district maintenance program during the 2014-2015 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 2014-2015 fiscal year, as follows, to wit:

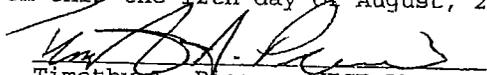
- (a) a regular Three Mill levy for payment of notes issued by Long Beach School District pursuant to Miss. Code Ann. Section 37-59-101, et. seq., in the amount of \$ 346,926 pursuant to Miss Code Ann. Section 37-59-101, et. Seq., as approved by the Board of Trustees of the Long Beach School District

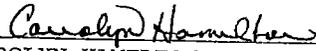
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Trustee Shane Walker seconded the Motion,  
and upon the same being put to a roll call vote, the voting  
was as follows:

Trustee Shane Walker voted	<u>Aye</u>
Trustee Angie Johnson voted	<u>Absent</u>
Trustee Sandi Dulaney voted	<u>Aye</u>
Trustee Tim Pierce voted	<u>Aye</u>
Trustee Patricia Bennett voted	<u>Aye</u>

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 12th day of August, 2014.

  
Timothy I. Pierce, VICE-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

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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 19, 2014 Mayor and Board of Aldermen

Revised 7/1/2008

Long Beach School District  
Combined Budget  
For the Year Ending June 30, 2015

Original \_\_\_\_\_ Date Approved: 7/22/2014  
Amended \_\_\_\_\_ Date Approved: \_\_\_\_\_

	Governmental Fund Types				Proprietary Fund Types			Fiduciary Funds	
	General	Special Revenue	Capital Projects	Debt Service	Permanent Trust	Enterprises	Internal Service	Scholarships	Total
<b>Revenues:</b>									
Local sources	6,547,131	450,265	1	346,926				8,100	7,352,423
Intermediate sources	0	0	0	0	0	0	0	0	0
State sources	14,495,112	654,877	0	608,751	0	0	0	0	15,658,740
Federal sources	168,000	2,825,509	0	0	0	0	0	0	2,991,509
Sixteenth section sources	0	30,300	0	0	0	0	0	0	30,300
<b>Total Revenues</b>	<b>21,208,243</b>	<b>3,960,951</b>	<b>1</b>	<b>855,677</b>				<b>8,100</b>	<b>26,032,972</b>
<b>Expenditures</b>									
Instruction	13,373,932	1,583,665	0	0	0	0	0	0	14,957,597
Support services	8,289,774	705,197	0	0	0	0	0	0	8,994,971
Noninstructional services	3,025	1,467,627	0	0	0	0	0	0	1,470,652
Sixteenth section	0	0	0	0	0	0	0	0	0
Facilities acquisition and construction	0	0	3,227,275	0	0	0	0	0	3,227,275
Debt service:									
Principal	0	100,000	0	2,011,000	0	0	0	0	2,111,000
Interest	0	16,484	0	120,245	0	0	0	0	136,729
Other	0	0	0	2,500	0	0	0	0	2,500
<b>Total Expenditures</b>	<b>21,667,531</b>	<b>3,871,873</b>	<b>3,227,275</b>	<b>2,133,745</b>				<b>8,100</b>	<b>30,908,624</b>
<b>Excess(deficiency) of revenues over expenditures</b>	<b>(459,288)</b>	<b>88,978</b>	<b>(3,227,274)</b>	<b>(1,278,068)</b>				<b>0</b>	<b>(4,875,652)</b>

Combined Budget

Minutes of August 19, 2014  
Mayor and Board of Aldermen

Revised 7/1/2008

Original \_\_\_\_\_ Date Approved: 7/23/2013  
Amended \_\_\_\_\_ Date Approved: \_\_\_\_\_

Long Beach School District  
Combined Budget

For the Year Ending June 30, 2014

	Governmental Fund Types			Permanent Trust	Proprietary Fund Types		Fiduciary Funds		Total
	General	Special Revenue	Capital Projects		Debt Service	Enterprise	Internal Services	Scholarships	
<b>Other Financing Sources (Uses)</b>									
Proceeds of General Obligation Bonds	0	0	0	0				0	0
Proceeds of Refunding Bonds	0	0	0	0				0	0
Proceeds of Loan(s)	0	0	0	0				0	0
Inception of Capital Lease(s)	0	0	0	0				0	0
Insurance Loss Recoveries	0	0	0	0				0	0
Sale of Transportation Equipment	0	0	0	0				0	0
Sale of Other Property	0	0	0	0				0	0
Indirect Costs	57,700	0	0	0				0	57,700
Other Transfers In	0	0	0	0				0	0
Operating Transfers In	2,957,228	0	0	41,000				0	2,998,228
Operating Transfers Out	(2,847,702)	(65,000)	0	(65,526)				0	(2,998,228)
Indirect Costs Transfers Out	0	(67,700)	0	0				0	(67,700)
Other Transfers Out	0	0	0	0				0	0
Payment to Refunded Bond Escrow Agent	0	0	0	0				0	0
Payment to Qualified Zone Academy Debt Escrow Agent	0	0	0	0				0	0
Miscellaneous Other Financing Use	0	0	0	0				0	0
<b>Total Other Financing Sources(Uses)</b>	<b>177,226</b>	<b>(152,700)</b>	<b>0</b>	<b>(24,526)</b>				<b>0</b>	<b>0</b>
<b>Net Change in Fund Balances</b>	<b>(282,062)</b>	<b>(63,722)</b>	<b>(3,227,274)</b>	<b>(1,302,594)</b>				<b>0</b>	<b>(4,875,652)</b>

Combined Budget

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Mayor and Board of Aldermen

Revised 7/17/2008

Long Beach School District Combined Budget For the Year Ending June 30, 2015	Original		Amended		Due Approved: 7/22/2014		Date Approved:		Total
	X								
Fund Balance / Retained Earnings	Governmental Fund Types			Proprietary Fund Types			Fiduciary Funds		
	General	Special Revenue	Capital Projects	Debt Services	Permanent Trust	Enterprises	Internal Services	Scholarships	
July 1, 2014	5,876,171	840,991	3,227,505	1,849,047				286	11,594,000
Prior period adjustments:									
Reclassify fund equity	0	0	0	0					0
Unrecorded Fund Equity	0	0	0	0					0
Reclassify fund types	0	0	0	0					0
July 1, 2014, as restated	5,876,171	840,991	3,227,505	1,849,047				286	11,594,000
Increase (decrease) in reserve for inventory	0	0	0	0					0
June 30, 2015	5,584,109	777,269	231	946,453				286	6,718,348

The above Original budget has been approved by the school board as noted in our board minutes dated July 22, 2014

Board President:  (signature) Date: July 22, 2014  
Angie Johnson (printed name)

Board Secretary:  (signature) Date: July 22, 2014  
Sandi Dulaney (printed name)

Combined Budget

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Alderman Lishen made motion seconded by Alderman Hammons and unanimously carried to approve one Library Department and two Harbor Department budget amendments, FY 13-14, as follows:

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*Long Beach Public Library*  
209 Jeff Davis Avenue  
Long Beach, Mississippi 39560  
228-863-0711  
Fax 228-863-8511

August 14, 2014

Mayor Billy Skellie  
Board of Aldermen  
201 Jeff Davis Avenue  
Long Beach, MS 39560

Dear Mayor Skellie and Aldermen,

Due to the high increase of the cost of utilities, I have exceeded my estimated budget and have only a little over \$100 left for the rest of the year in the account # 620000.

I am respectfully requesting that you approve the transfer of monies totaling \$5,150 to this account which, also, covers other charges and services. \$4,150 would be taken from account # 600400 which covers overtime and \$1,000 would be taken from the account # 610700 which covers operating supplies.

Thank you for considering this. And thank you for all that you do for our community.

Jeannie Ripoll, Director



City of Long Beach  
 Budget Amendment Request

Fund Name	General	Date	8/19/2014
Department #	409	Budget Entry #	
Department Name	Library		

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Electric Utilities 409-626004	16,000		5,150	21,150
Overtime 409-600400	4,150	-	(4,150)	-
Operating Supplies 409-610700	3,000	-	(1,000)	2,000

Amendment to move funds within the Library's budget.

Amendment #33

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Mayor and Board of Aldermen

To: Mayor

City of Long Beach Board of Alderman

City of Long Beach Port Commission

From: Long Beach Harbor Master

Subject: Budget Amendment

Respectfully request a budget amendment from Capital to 445-62 Service in the amount of 8,500.00 dollars to cover over run of services. Electrical and Engineering account due to electrical increases, engineering for projects not covered by FEMA.

William Angley

Long Beach Harbor Master

City of Long Beach

Budget Amendment Request

Fund Name  
 Department #  
 Department Name

Harbor  
 445  
 Harbor Operations

Date  
 Budget Entry #  
 8/19/2014

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Engineering Fees 445-621100	-	-	5,500	5,500
Electric Utilities 445-626004	25,000	15,000	3,000	43,000
Fund Balance	-	-	(8,500)	-

Amendment to increase the budget for Engineering Fees and Electric Utilities from Fund Balance to make repairs in the Harbor

Amendment #32

Minutes of August 19, 2014  
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To: Mayor

City of Long Beach Board of Alderman

City of Long Beach Port Commission

From: Long Beach Harbor Master

Subject: Budget Amendment

Respectfully request a budget amendment from Capital to 445-611200 Harbor Maintenance in the amount of 3,000.00 dollars to cover over maintenance projects that are a safety/ emergency fix. There are numerous rotten deck boards far more than one person can replace on their own. The fuel building need repairs and strengthening to be ready in case of another hurricane in the event it needs to be moved. Weather station sensors are in need of overhaul and or replacement. Which record daily weather data and is used by NOAA and us during a storm.

  
William Angley

Long Beach Harbor Master

City of Long Beach  
 Budget Amendment Request

Fund Name \_\_\_\_\_ Harbor \_\_\_\_\_ Date \_\_\_\_\_ 8/19/2014  
 Department # \_\_\_\_\_ 445 \_\_\_\_\_ Budget Entry # \_\_\_\_\_  
 Department Name \_\_\_\_\_ Harbor Operations \_\_\_\_\_

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Harbor Maintenance 445-611200	2,000		3,000	5,000
Fund Balance	-	-	(3,000)	-

Amendment to increase the budget for Harbor Maintenance from Fund Balance to make repairs in the Harbor

Amendment #31

\*\*\*\*\*

Alderman Hammons made motion seconded by Alderman Griffin and unanimously carried to schedule a public hearing, Tuesday, September 16, 2014, at 5:00 p.m. in the City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not properties situated in the City of Long Beach are in such a state of uncleanliness of as to constitute a menace to the public health and safety of the community; said properties is as follows:

- 929 East Beach Boulevard, Long Beach, Mississippi; Irmgard T. H. Pries

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- It was noted for the record that 106 East 5<sup>th</sup> Street, Long Beach, Mississippi, Rose Barrale L/E, was cleaned and in compliance at this time.

\*\*\*\*\*

The Special Tax Assessment, Cleaning of 105 Oakview Avenue, was taken under advisement for further review and consideration at the next regular meeting, September 2, 2014.

\*\*\*\*\*

Alderman Carrubba made motion seconded by Alderman Lishen and unanimously carried acknowledging receipt of the Building Official's Property Complaint Report.

\*\*\*\*\*

Due to his absence, Alderman Carrubba made motion seconded by Alderman Hammons to take the request to waive NSF fees submitted by Steve Nicosia under advisement for further review and consideration at the next regular meeting, September 2, 2014.

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

Alderman Bernie Parker	voted	Absent, Not Voting
Alderman Gary Ponthieux	voted	Nay
Alderman Kelly Griffin	voted	Nay
Alderman Alan Young	voted	Aye
Alderman Leonard Carrubba, Sr.	voted	Aye
Alderman Mark Lishen	voted	Aye
Alderman Ronnie Hammons, Jr.	voted	Aye

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

\*\*\*\*\*

There came on for consideration a letter with attachment from Gina Pepe, as follows:

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8/14/2014

Mississippi Vacation Properties LLC  
228 Coleman Ave. Suite C-1  
Waveland, Ms. 39576  
985-788-4462

To whom this concerns.

I manage the property at 320 N Park Row Ave, Long Beach for Mr. McKinnley.  
Mr. McKinley bought this property last November and had to overcome alot of issues  
to get it where it is today.  
Mr. McKinnley is a great owner and pays all his bills there on time, as He is struggling  
To keep afloat there.  
July 4<sup>th</sup> weekend ( the family in Unit 3 of the opposite building ) at 320 W Park Row  
Ave. Connected a water slide to Mr. McKinnley's water line which caused an increase  
on Mr. McKinnley's bill of aprx. \$500.  
The water meter reader was the one who told Me what went on and that is why the water  
bill is huge. I approached the renters in the other building and they told Me they hooked  
up on Mr. Mckinnleys's property because their line was too far.  
They are not taking full responsability as they said the people across the street owned the  
slide..and they only used it an hour when it was running water all weekend!  
So I am asking relief on this bill for Mr. McKinnley,  
His bills average In the low 200 range not 700 range.  
I appreciate your time and help.

Thank You  
Sincerely,

Gina Pepe

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Account Number	Customer # Name	Mfr Meter Number	Cd Read Date	Time By	Parcel	Bill #	Curr Read	Location Usage	Repl Usage	Charge Amt	Billed Amt	Status
170	1 WT-MULTIPL U 1252	19155	A 07/07/2014		MCKINLEY, DION D	6700878	3295,020	393 PARK ROW AVENUE	0	174.83	768.24	Active
170	1 WT-MULTIPL U 1252		A 06/05/2014			6690189	3200,000	95,020	0	61.32	215.52	
170	1 WT-MULTIPL U 1252		A 05/07/2014			6684573	3192,940	7,060	0	61.32	254.37	
170	1 WT-MULTIPL U 1252		A 04/01/2014			6678984	3173,890	19,050	0	61.32	211.76	
170	1 WT-MULTIPL U 1252		A 03/03/2014			6673403	3167,990	5,610	0	61.32	210.81	
170	1 WT-MULTIPL U 1252		A 02/04/2014			6672809	3167,390	24,850	0	61.32	273.16	
170	1 WT-MULTIPL U 1252		A 01/03/2014			6667247	3157,530	28,280	0	61.32	284.26	
170	1 WT-MULTIPL U 1252		A 12/03/2013			6656637	3102,250	2,590	0	61.32	201.36	
170	1 WT-MULTIPL U 1252		A 11/07/2013			6656056	3106,560	170	0	.00	193.19	

\*\* END OF REPORT - Generated by Armetrice Johnson \*\*

Ms. Pepe stated that the water meter reader related to her that the people in the neighboring building hooked up water slides to her water hose over the 4<sup>th</sup> of July week-end resulting in high water usage and fees; she is requesting that the city adjust her bill for the excess amount.

After considerable discussion Alderman Lishen made motion seconded by Alderman Ponthieux that the water was used and therefore it is a matter between Ms. Pepe and the neighbors who used it.

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Upon further discussion, Alderman Hammons offered substitute motion seconded by Alderman Carrubba to adjust the sewer treatment and sewer collection fees to the average amount for this account, noting for the record that water fees, garbage collection fees and sewer debt fees would not be adjusted.

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

Alderman Bernie Parker	voted	Absent, Not Voting
Alderman Gary Ponthieux	voted	Nay
Alderman Kelly Griffin	voted	Aye
Alderman Alan Young	voted	Aye
Alderman Leonard Carrubba, Sr.	voted	Aye
Alderman Mark Lishen	voted	Nay
Alderman Ronnie Hammons, Jr.	voted	Aye

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

\*\*\*\*\*

Alderman Young left and was absent the meeting.

\*\*\*\*\*

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The Mayor and Board of Aldermen took up the matter of the request for cancellation of 2012 tax sale for Tax Parcel No. 0612F-02-085.000 (522 Trautman Avenue) owned by Scott and Anna Lynn Sanders. After discussion of the subject, Alderman Carrubba offered and moved the adoption of the following Resolution and Order:

RESOLUTION AND ORDER BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, DECLARING VOID THE IMPOSITION OF THE SPECIAL ASSESSMENT AND RESULTING LIEN IMPOSED BY THE CITY FOR CLEAN-UP EXPENSES FOR THE PROPERTY SITUATED AT 522 TRAUTMAN AVENUE, LONG BEACH, MISSISSIPPI, BY THE CITY'S RESOLUTION DATED JUNE 5, 2012, AND CANCELLING THE TAX SALE HELD ON AUGUST 27, 2012, FOR THE COLLECTION OF THE AMOUNT IMPOSED BY SUCH LIEN FOR TAX PARCEL 0612F-02-085.000 AND RELATED PURPOSES

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

1. That pursuant to MCA Section 21-19-11, as amended, the Governing Authorities of the City of Long Beach did attempt to issue a notice for an administrative hearing to Mr. and Mrs. Scott Sanders for the clean-up of the property situated at 522 Trautman Avenue (Tax Parcel No. 0612F-02-085.000) for a hearing to be held on May 1, 2012. That according to the aforementioned statute the City Code Office issued a notice of the administrative hearing by certified mail to Mr. and Mrs. Scott Sanders, 2202 Sylvester Drive, Gulfport, MS 39501 for the aforementioned property on or about April 4, 2012. That according to the records on file herein the U.S. Postal Service attempted service upon the Sanders at the aforementioned address thereafter and the notice was returned to the Code Office as "Return to Sender - Not Deliverable as Addressed - Unable to Forward" dated April 6, 2012. Additionally, the Code Office did post the notice on the overgrown vacant property. That after the notice of the administrative hearing came back "undeliverable" no "additional efforts" were made to ascertain the whereabouts of the Sanders at that time and to notify them of the upcoming administrative hearing. Apparently, unbeknownst to the City Code Office, Mr. Sanders was in the Navy and well in advance of the hearing he and his wife were transferred to Honolulu, Hawaii. Mrs. Sanders provided their new forwarding address to the County Tax Assessor's Office. [Also, contained in the Code Office files was a demolition permit issued by the City on April 25, 2012, to L. L. Bond & Co., Inc., a contractor hired by the Sanders to remove the remaining slab on the property.]

2. That on May 1, 2012, the Governing Authorities did hold an administrative hearing on the subject property and determine that the property was in such a state of uncleanness to constitute a "public menace" as provided in MCA Section 21-19-11, as amended. [The Sanders

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did not appear at the hearing or otherwise respond to the City's notice of the hearing.] The City further determined that if the Sanders did not clean up their overgrown lot the City would use its own contractor to do so and impose a lien against the property for the cost of the clean-up. The Code Office files indicate that a notice of the decision of the City was sent to the Sanders at the same address after the May 1, 2012 hearing and that notice was also returned as "undelivered".

3. That on or about May 15, 2012, the City directed its Public Works Contractor, Utility Partners, to proceed with clean-up of the subject property. The property was cleaned by Utility Partners on or about May 24, 2012 and the cost of the cleanup was \$4,430.47. On June 5, 2012, the Governing Authorities of the City adopted a Resolution pursuant to MCA Section 21-19-11, amended, adjudicating the cost of the clean-up of the subject property for the sum of \$4,430.47, imposed a penalty in the sum of \$2,215.24, and ordered the property to be sold at the next Tax Sale to recover the total sum of \$6,645.71. [The Sanders had paid the real property taxes for the tax year that was due at that time.]

4. On or about August 27, 2012, pursuant to an interlocal agreement with the City of Long Beach, the Harrison County Tax Collector proceeded to sell the subject property for the aforementioned unpaid special assessment and lien imposed by the City for the clean-up of the Sanders' land. That Warren H. Poarch, LLC purchased the subject property at the Tax Sale and paid the sum of \$6,645.71 to the Tax Collector in full satisfaction of the lien. That the Tax Collector remitted these funds to the City of Long Beach, MS in the time and manner required by law.

5. That the Governing Authorities have recently been informed by Mr. and Mrs. Scott Sanders that they have received the notice of maturity of the aforementioned Tax Sale to Warren H. Poarch, LLC. The Sanders have further advised that they did not receive the written notices of the administrative hearing held on May 1, 2012, and subsequent proceedings where the aforementioned special assessment and lien was imposed by the City that serves as the underlying basis of the 2012 Tax Sale.

6. Without admitting any liability and in an effort to settle and compromise a disputed claim, the City Attorney has advised the Governing Authorities of the City that a legitimate dispute exists as to whether or not the City provided the Sanders with lawful notice of the initial administrative hearing under the Constitutional principles of Due Process and lawfully imposed

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the lien for the clean-up of the property. See *Davis v. Estate of Tiblier*, 107 So.3d 181 (Miss. App. 2013) and the case of *Jones v. Flowers*, 547 U.S. 220, 225, 126 S. Ct. 1708, 164 L. Ed. 2d 415 (2006).

7. That the Sanders have agreed to pay one-half of the costs of the clean-up or \$2,215.24 to the City of Long Beach to facilitate the refund of the aforementioned purchase price to the tax purchaser. That the Governing Authorities agree to be responsible for one-half of the costs of the clean-up costs or \$2,215.23 and the administrative penalty of \$2,215.24 for a total of \$4,430.47. That upon receipt of their share of the funds from the Sanders, the City will pay \$6,645.71 to the Harrison County Chancery Clerk's office to be refunded to Warren H. Poarch, LLC, as the tax purchaser as provided by law. The Chancery Clerk advises that based upon the foregoing the tax purchaser is not entitled to any interest or additional sums over and above the amount paid at the tax sale in 2012. Nevertheless, the Sanders agree that they will be responsible for any interest or other sums that may be required by law to be paid to the tax purchaser hereafter.

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

1. That based upon the foregoing and pursuant to MCA Section 21-33-57, the Governing Authorities of the City of Long Beach, declares the Tax Sale of the subject property (being Tax Parcel No. 0612F-02-085.000) to Warren H. Poarch, LLC on or about August 27, 2012, as null and void

2. That the Mayor and City Clerk are hereby directed to immediately transmit a certified copy of this Resolution to the offices of the Harrison County Chancery Clerk and County Tax Collector with the Resolution to also be indexed and filed in the deed records.

3. That upon the receipt of the funds from the Sanders or their attorney in the sum of \$2,215.24 by the City no later than August 22, 2014, the Mayor and City Clerk are hereby directed to immediately pay the sum of \$6,645.71 (which includes the funds paid to the City by Sanders) to the Harrison County Chancery Clerk's office to be refunded to Warren H. Poarch, LLC, as the tax purchaser as provided by law.

4. That the Mayor and City Clerk are hereby authorized to execute and deliver such documents and take such other action as shall be reasonable and necessary to accomplish these purposes.

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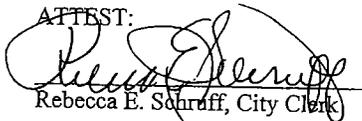
The above and foregoing Resolution having been introduced in writing, was first read by the Clerk and moved by Alderman Carrubba seconded by Alderman Ponthieux, and was adopted by the following vote:

Alderman Bernie Parker	voted	Absent, Not Voting
Alderman Gary J. Ponthieux	voted	Aye
Alderman Kelly Griffin	voted	Aye
Alderman Alan Young	voted	Absent, Not Voting
Alderman Leonard G. Carrubba, Sr.	voted	Aye
Alderman Mark E. Lishen	voted	Aye
Alderman Ronnie Hammons, Jr.	voted	Aye

APPROVED:

  
William Skellie, Jr., Mayor

ATTEST:

  
Rebecca E. Schraff, City Clerk

\*\*\*\*\*

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

**PUBLIC COMMENTS PERTAINING TO MATTERS NOT APPEARING ON THE AGENDA**

**NOTE:** All comments shall be directed to the Chairman (Mayor) at the end of the meeting.  
 Comments of a personal nature regarding Individual members of the Governing Authority (Mayor and Board of Aldermen), City Staff and/or Personnel, other Citizens, disruptive comments or improper actions will not be permitted.  
 Public Comments will be limited to a total of ten (10) minutes and limited to a maximum of two (2) minutes per person.  
 Except as otherwise directed by the Chairman (Mayor), Public Comments will not be permitted before or after the allotted time. Disruption of the regular business meeting will be cause for removal from the public meeting.

PLEASE PRINT:		SUBJECT MATTER
	NAME / ADDRESS / TELEPHONE	
1	LINDA BLAKENEY 222 OAK ST, LONG BEACH, MS	REQUEST RESPONSE FROM BUILDING OFFICIAL PROPERTY COMPLAINT FILED 8/6/2014 WILLOW LAKE - CONTINUING VIOLATIONS OF BUILDING PERMIT BY CITY ORDINANCES
2		
3		
4		
5		
6		
7		
8		
9		
10		

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

Excel Worksheet: public comments - agenda PUBLIC COMMENTS-NOT ON AGENDA

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

\*\*\*\*\*

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APPROVED:

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

\_\_\_\_\_  
Alderman Gary J. Ponthieux, Ward 1

\_\_\_\_\_  
Alderman Bernie Parker, Ward 2

\_\_\_\_\_  
Alderman Kelly Griffin, Ward 3

\_\_\_\_\_  
Alderman Ronnie Hammons, Jr., Ward 4

\_\_\_\_\_  
Alderman Mark E. Lishen, Ward 5

\_\_\_\_\_  
Alderman Alan Young, Ward 6

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Rebecca E. Schruff, City Clerk