

**Minutes of September 2, 2014
Mayor and Board of Aldermen**

Be it remembered that six (6) public hearings before the Mayor and Board of Aldermen, Long Beach, Mississippi, were begun and held, at 5:00 o'clock p.m., Tuesday, the 2nd day of September, 2014, in the Long Beach City Hall, 201 Jeff Davis Avenue, in said City, and the same being the time, date and place fixed by order of the Mayor and Board of Aldermen for holding said public hearings.

There were present and in attendance on said board and at the public hearings the following named persons: Mayor William Skellie, Jr., Aldermen Leonard G. Carrubba, Sr., Gary J. Ponthieux, Bernie Parker, Kelly Griffin, Ronnie Hammons, Jr., Mark E. Lishen, City Clerk Rebecca E. Schruff and City Attorney James C. Simpson, Jr.

Alderman Alan Young was absent the public hearings.

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

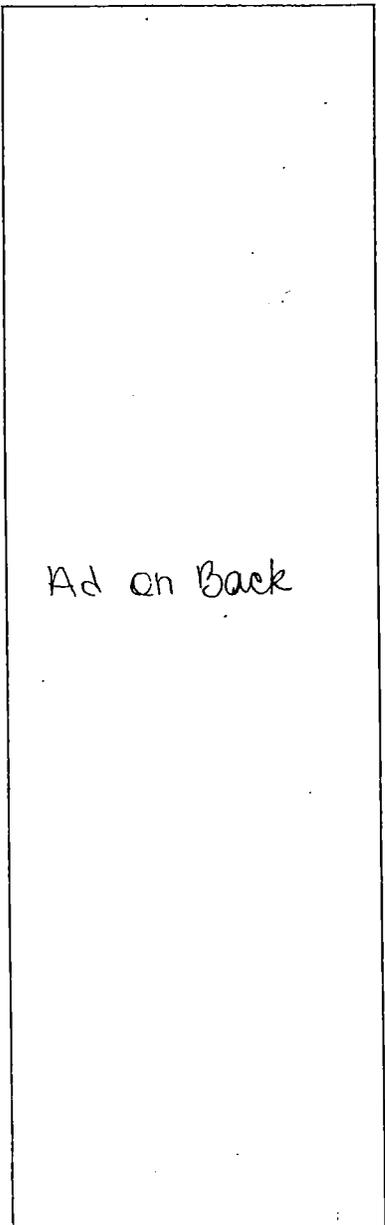
The first public hearing was called to order on the proposed budget and proposed tax levies for the upcoming fiscal year, October 1, 2014 through September 30, 2015.

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 15, 2014, she did cause to be published in The Sun Herald, a newspaper with a general circulation in the City of Long Beach and published in Harrison County, Mississippi, Legal Notice of Public Hearing, as evidenced by the Publisher's Proof of Publication.

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

Minutes of September 2, 2014
Mayor and Board of Aldermen

Proof of Publication



Ad on Back

STATE OF MISSISSIPPI

COUNTY OF HARRISON

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

- Vol. 130 No., 322 dated 21 day of Aug, 2014
- Vol. 130 No., 329 dated 28 day of Aug, 2014
- Vol. _____ No., _____ dated _____ day of _____, 20____
- Vol. _____ No., _____ dated _____ day of _____, 20____
- Vol. _____ No., _____ dated _____ day of _____, 20____
- Vol. _____ No., _____ dated _____ day of _____, 20____
- Vol. _____ No., _____ dated _____ day of _____, 20____

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

Crista Brackett

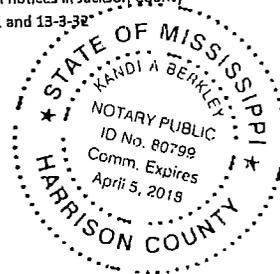
Clerk

Sworn to and subscribed before me this 28 day of Aug, A.D., 2014

[Signature]

Notary Public

*The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32



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Mayor and Board of Aldermen

**NOTICE OF A PUBLIC HEARING
ON THE PROPOSED
BUDGET AND PROPOSED TAX
LEVIES FOR THE UPCOMING
FISCAL YEAR FOR LONG BEACH,
MISSISSIPPI**

The City of Long Beach, Mississippi, will hold a public hearing on its proposed budget and proposed tax levies for the fiscal year beginning October 1, 2014 and ending September 30, 2015, on Tuesday, September 2, 2014, at 5:00 o'clock p.m. in the City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi, 39560.

The City of Long Beach is now operating with projected total budget revenue of \$9,586,297. (54.2%) or \$5,198,181 of such revenue is obtained through ad valorem taxes. For the next fiscal year, the proposed budget has total projected revenue of \$9,774,914. Of that amount, (52.2%) or \$5,107,141 is proposed to be financed through a total ad valorem tax levy.

The decision to not increase the ad valorem tax millage rate for fiscal year October 1, 2014 through September 30, 2015, means you will not pay more in ad valorem taxes on your home, automobile tag, utilities, business fixtures and equipment and rental real property, unless the assessed value of your property has increased for fiscal year October 1, 2014, through September 30, 2015.

*

*

The Clerk further reported that the Legal Notice of Public Hearing and Proposed Budget/Tax Levy was posted on the bulletin boards at City Hall, the Water Department, the Building Official's Office, 201 Jeff Davis Avenue, Long Beach, Mississippi; the Long Beach Public Library, 209 Jeff Davis Avenue, Long Beach, Mississippi; and the city's official website www.cityoflongbeachms.com.

Upon discussion, it was noted for the record that proposed revenues for the city are \$17,457,891 and proposed expenses are \$17,205,692; the proposed tax levy for the city

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will remain the same at 48.98 mills. The proposed tax levy for school district purposes will be set at 58.67 mills based upon their adopted budget for fiscal year 2014-2015, which is 2.75 mills less than last year due to forgiveness of their Community Disaster Loan. Total City and School Millage is 107.65.

* * *

The Mayor opened the floor for public comments regarding the proposed budget and tax levies for fiscal year 2014-2015 and no one came forward to be heard.

* * *

There being no further public comments, Alderman Carrubba made motion seconded by Alderman Griffin and unanimously carried to close the public hearing, noting for the record that the proposed budget and tax levies for fiscal year 2014-2015 would be officially adopted at the recess meeting scheduled for Tuesday, September 9, 2014, at 5:00 o'clock p.m., City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi.

The second public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach, Mississippi, located at 125 Mt. Bass and assessed to Joey N. and Kiasha M. Brou, is in such a state of uncleanness as to constitute a menace to the public health and safety of the community.

The Mayor recognized the Clerk for her report, whereupon, Alderman Parker made motion seconded by Alderman Carrubba and unanimously carried to make said report a part of the record of the 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 August 5, 2014, she did cause to be sent, via certified mail, electronic receipt requested, Notice of Hearing, to Joey N. and Kiasha M. Brou, 125 Mt. Bass, Long Beach, Mississippi, as the same appears of record on the proposed 2014 Harrison County Real Property Tax Rolls.
- Said Notice of Hearing was "Returned to Sender – Not Deliverable as Addressed – No Forwarding Address on File" by the USPS.
- Said Notice of Hearing was posted on the subject property, 125 Mt. Bass, Long Beach, Mississippi; at City Hall, the Water Department, the Building Official/Zoning Enforcement Office, 201 Jeff Davis Avenue, Long Beach, Mississippi; the Long Beach Public Library, 209 Jeff Davis Avenue, Long Beach,

Minutes of September 2, 2014 Mayor and Board of Aldermen

Mississippi; and the city's official website www.cityoflongbeachms.com; said notice is as follows:

City of Long Beach

BOARD OF ALDERMEN
Leonard G. Carrubba, Sr. - At-Large
Gary J. Ponthieux - Ward 1
Bernie Parker - Ward 2
Kelly Griffin - Ward 3
Ronnie Hammons, Jr. - Ward 4
Mark E. Lishen - Ward 5
Alan Young - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruoff

CITY ATTORNEY
James C. Simpson, Jr.

August 5, 2014

MAILED

Date: _____

Joey N. Brou
Kiasha M. Brou
125 Mt. Bass Street
Long Beach, Mississippi 39560

91 7108 2133 3938 0607 6793

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 August 5, 2014, hold a public hearing at 5:00 p.m., Tuesday, September 2, 2014, at the Long Beach City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Joey N. and Kiasha M. Brou, and situated in the City of Long Beach, Mississippi, at 125 Mt. Bass Street, is in such a state of uncleanliness 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: 125 Mt. Bass Street, Long Beach, Mississippi
Parcel Number: 0611N-03-056.000
Legal Description: LOT 17 LENORA HEIGHTS SUBD.

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

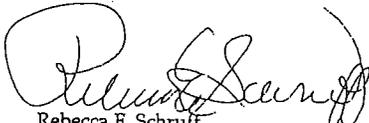
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Mayor and Board of Aldermen

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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.

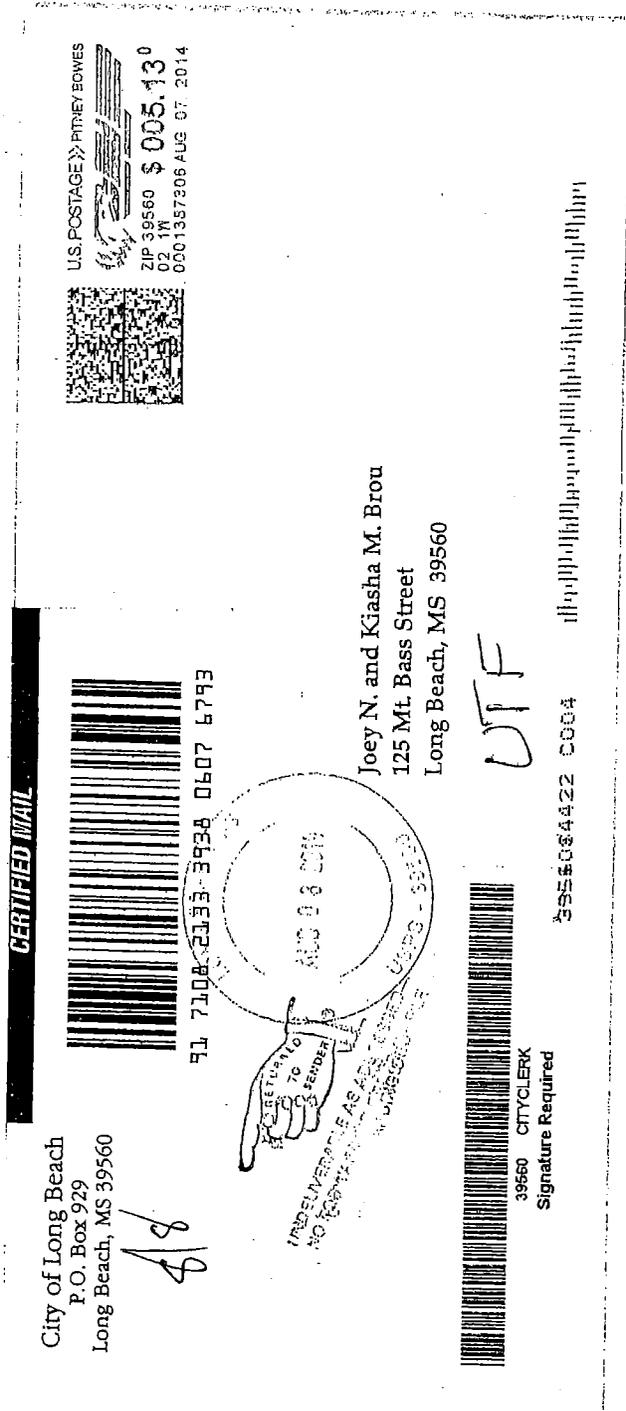
All decisions rendered under the provisions of this section may be appealed in the same manner as other appeals from municipal boards or courts are taken.

Done by order of the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, this the 5th day of August, 2014.



Rebecca E. Schruft
City Clerk

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Mayor and Board of Aldermen



- The Clerk submitted photographs taken by Building Official Earl Levens on September 2, 2014, depicting the subject property, 125 Mt. Bass, Long Beach, Mississippi, in its present condition, as follows:



- The Clerk submitted a sworn affidavit affirming that Building Official Earl Levens posted the Notice of Hearing on the subject property, 125 Mt. Bass Long Beach, Mississippi, on or before August 18, 2014, and affirming that photographs of the subject were taken on September 2, 2014; said affidavit is as follows:

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Mayor and Board of Aldermen

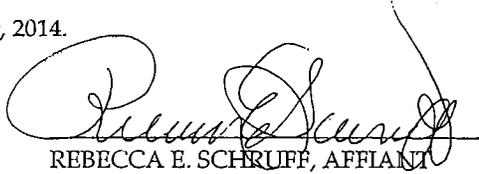
AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

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

1. That he is the duly appointed and acting Building Official of the City of Long Beach, Mississippi;
2. That in such capacity, he is responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of uncleanliness as to constitute a menace to the public health and safety of the community; he is responsible for the taking of photographs of those certain properties to determine the state of the properties in their 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 18, 2014, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Joey N. and Kiasha M. Brou, and located at 125 Mt. Bass, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on September 2, 2014, 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 September 2, 2014.

This the 2nd day of September, 2014.


REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 2nd day of September, 2014.

-My Commission Expires-


NOTARY PUBLIC



AFFIDAVIT-PHOTOS;POST NOTICE

Minutes of September 2, 2014
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The Mayor opened the floor for comments from the property owner or their representative and no one came forward to be heard.

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

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The Mayor and Board of Aldermen took up the matter of the public hearing on the property located at 125 Mt. Bass, Long Beach, Mississippi, 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 Parker 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 125 MT. BASS, 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 125 Mt. Bass, 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 August 5, 2014, 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 September 2, 2014, 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;

3. That the Mayor and Board of Aldermen having considered testimony

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evidence adduced at hearing regarding the condition of the subject property and the observations of individual Aldermen concerning the condition of the subject property in its condition on the date of hearing, and being fully advised in the premises, do find and adjudicate that the property is, in its present condition, in such a state of uncleanliness as to be a menace to the public health and safety of the community and/or 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 125 Mt. Bass, Long Beach, Mississippi, which parcel of land is identified by Harrison County Tax Parcel Number 0611N-03-056.000 and according to said tax records is owned by Joey N. and Kiasha M. Brou is at present in such a state of uncleanliness as to be a menace to the public health and safety of the community and/or 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 Building Official Earl Levens dated July 30, 2014, and attached hereto.

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

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

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follows:

Alderman Bernie Parker	voted	Aye
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

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 2nd day of September, 2014.



APPROVED:



 William Skellie, Jr., Mayor

ATTEST


 Rebecca E. Schreff, City Clerk

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City of Long Beach

BOARD OF ALDERMEN

Leonard G. Carrubba, Sr. - At-Large
Gary J. Ponthieux - Ward 1
Bernie Parker - Ward 2
Kelly Griffin - Ward 3
Ronnie Hammons, Jr. - Ward 4
Mark E. Lishen - Ward 5
Alan Young - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruoff

CITY ATTORNEY
James C. Simpson, Jr.

NOTICE OF VIOLATION

July 10, 2014

Joey and Kiasha Brou
125 Mount Bass Street
Long Beach, MS 39560

91 7108 2133 3938 7857 6621

Reference: 125 Mount Bass Street, Long Beach, Mississippi 39560
Tax Parcel Number: 0611N-03-056.000.
Legal Description: LOT 17 LENORA HEIGHTS SUBD.

After inspecting the above referenced property I find that it is in violation of the 2012 International Property Maintenance Code for the City of Long Beach, MS as listed below:

2012 International Property Maintenance Code, Chapter 3, Section 302.4: Weeds. "All premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve (12) 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."

The purpose of this letter is to request that you inspect or have inspected the above referenced property and voluntarily have such land cleaned, within fourteen (14) days from date above, failure to or refusal to respond to this notice will result in a citation being issued to appear in the Long Beach Municipal court and/or a hearing before the Mayor and Board of Aldermen of the City of Long Beach, where the board can adjudicate the above property and may take action to clean-up the property, all cost in doing so will be assessed to the property or property owner.

Please notify my office by emailing veronica@cityoflongbeachms.com, earl@cityoflongbeachms.com or by fax at (228) 863-1558 as soon as the referenced violation has been corrected, so that the premises can be inspected or if you have any questions or concerns. In the event you do not own the property in question, my office would appreciate being informed of these facts.

2012 International Property Maintenance Code, Chapter 1, Section 111.1 Application for appeal. "Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within twenty (20) days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code area adequately satisfied by other means."

Sincerely,

Earl Levens
Building/Code/Zoning Official

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

Minutes of September 2, 2014
Mayor and Board of Aldermen

The third public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach, Mississippi, located at 0 Shady Drive and assessed to Melvin Broadus, is in such a state of uncleanness as to constitute a menace to the public health and safety of the community.

The Mayor recognized the Clerk for her report, whereupon, Alderman Carrubba made motion seconded by Alderman Griffin and unanimously carried to make said report a part of the record of the 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 August 5, 2014, she did cause to be sent, via certified mail, electronic receipt requested, Notice of Hearing, to Melvin Broadus, 6214 Bambo Street, Diamondhead, Mississippi, 39525, as the same appears of record on the proposed 2014 Harrison County Real Property Tax Rolls.
- Said Notice of Hearing was left (no authorized recipient available) at the address of record by the USPS.
- Said Notice of Hearing was posted on the subject property, 0 Shady Drive, Long Beach, Mississippi; at City Hall, the Water Department, the Building Official/Zoning Enforcement Office, 201 Jeff Davis Avenue, Long Beach, Mississippi; the Long Beach Public Library, 209 Jeff Davis Avenue, Long Beach, Mississippi; and the city's official website www.cityoflongbeachms.com; said notice is as follows:

Minutes of September 2, 2014 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
 Kelly Griffin - Ward 3
 Ronnie Hammons, Jr. - Ward 4
 Mark E. Lishen - Ward 5
 Alan Young - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruff

CITY ATTORNEY
James C. Simpson, Jr.

August 5, 2014

MAILED
Date: 8/7/14

Melvin Broadus
6214 Bambo Street
Diamondhead, MS 39525

91 7108 2133 3938 0607 6809

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 August 5, 2014, hold a public hearing at 5:00 p.m., Tuesday, September 2, 2014, at the Long Beach City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Melvin Broadus, and situated in the City of Long Beach, Mississippi, at 0 Shady Drive, is in such a state of uncleanliness 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: 0 Shady Drive, Long Beach, Mississippi
 Parcel Number: 0511K-02-026.012
 Legal Description: LOT IN NE ¼ OF NE ¼ BEING ON W SIDE SHADY DR. SEC 9-8-12

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

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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 5th day of August, 2014.


Rebecca E. Schuff
City Clerk

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USPS.com® - USPS Tracking™

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English Customer Service USPS Mobile Register / Sign In

USPS.COM Search USPS.com or Track Packages

Quick Tools Ship a Package Send Mail Manage Your Mail Shop Business Solutions

USPS Tracking™  Customer Service > Have questions? We're here to help.

Tracking Number: 9171082133393806076809

Expected Delivery Day: Friday, August 8, 2014

Product & Tracking Information			Available Actions
Postal Product: First-Class Mail®	Features: Certified Mail™	Return Receipt Electronic	Text Updates
DATE & TIME	STATUS OF ITEM	LOCATION	Email Updates
August 8, 2014, 12:45 pm	Notice Left (No Authorized Recipient Available)	DIAMONDHEAD, MS 39525	
We attempted to deliver your item at 12:45 pm on August 8, 2014 in: DIAMONDHEAD, MS 39525 and a notice was left because an authorized recipient was not available. No further information is available for this item.			
August 8, 2014, 3:52 am	Departed USPS Facility	GULFPORT, MS 39503	
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August 7, 2014, 5:06 pm	Accepted at USPS Origin Sort Facility	LONG BEACH, MS 39560	

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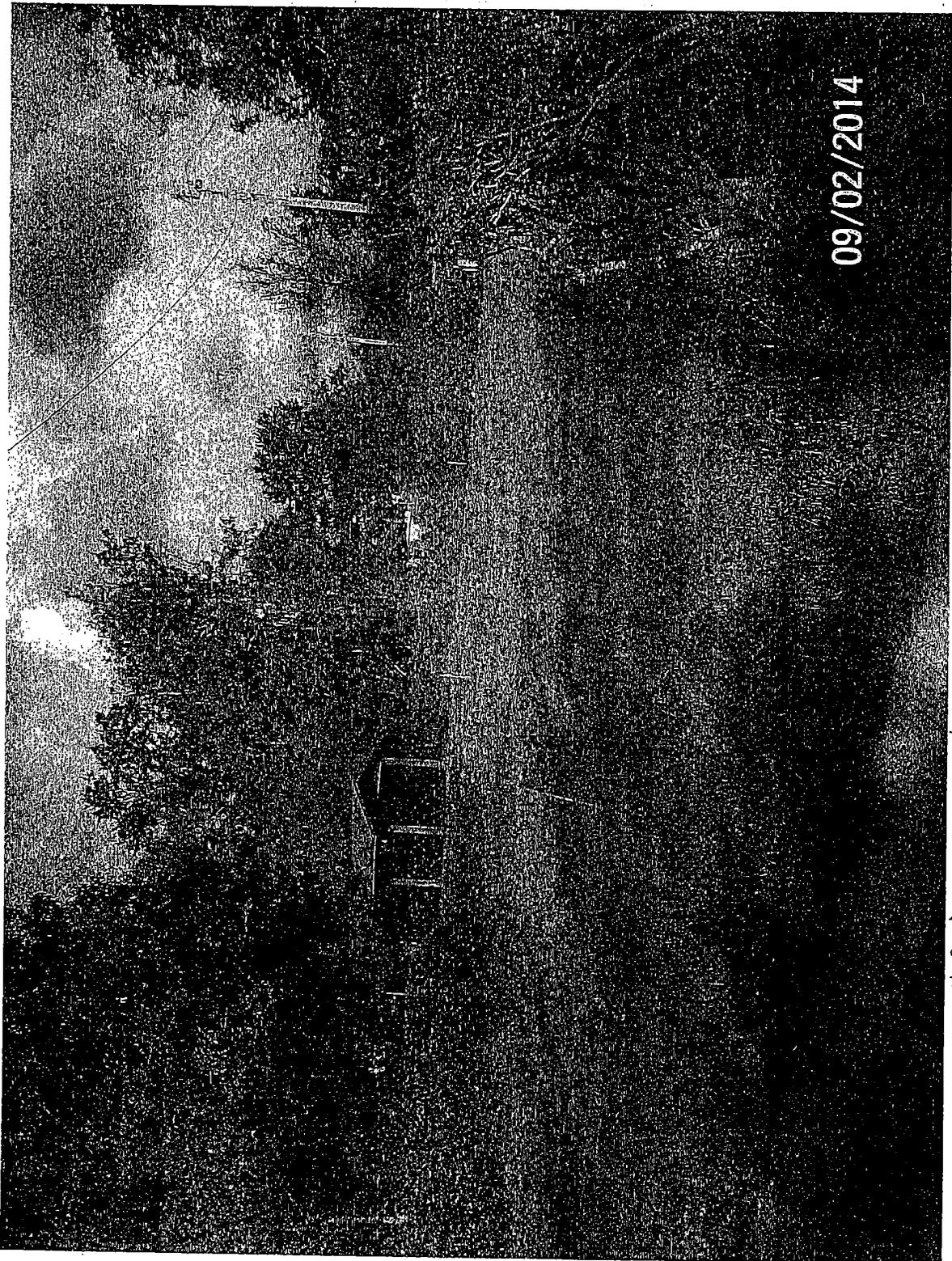
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https://tools.usps.com/go/TrackConfirmAction.action?iRef=fullpage&tLc=1&text28777=... 8/27/2014

➤ The Clerk submitted photographs taken by Building Official Earl Levens on September 2, 2014, depicting the subject property, 0 Shady Drive, Long Beach, Mississippi, in its present condition, as follows:



09/02/2014

Shady Dr HC
ex Key Mower

Minutes of September 2, 2014
Mayor and Board of Aldermen



- The Clerk submitted a sworn affidavit affirming that Building Official Earl Levens posted the Notice of Hearing on the subject property, 0 Shady Drive, Long Beach, Mississippi, on or before August 18, 2014, and affirming that photographs of the subject were taken on September 2, 2014; said affidavit is as follows:

Minutes of September 2, 2014
Mayor and Board of Aldermen

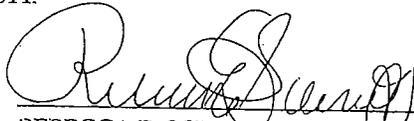
AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

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

1. That he is the duly appointed and acting Building Official of the City of Long Beach, Mississippi;
2. That in such capacity, he is responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of uncleanliness as to constitute a menace to the public health and safety of the community; he is responsible for the taking of photographs of those certain properties to determine the state of the properties in their 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 18, 2014, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Melvin Broadus, and located at 0 Shady Drive, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on September 2, 2014, 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 September 2, 2014.

This the 2nd day of September, 2014.


REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 2nd day of September, 2014.

-My Commission Expires-


NOTARY PUBLIC



AFFIDAVIT-PHOTOS,POST NOTICE

**Minutes of September 2, 2014
Mayor and Board of Aldermen**

* * *

The Mayor opened the floor for comments from the property owner or their representative and Mr. Anthony Begley came forward, representing Mr. Broadus who is out of the country. He stated that there is a large pile of debris on the property, allegedly left the by the contractor on a city project. He is maintaining the property, however, needs the debris pile removed by the City.

Upon discussion, it was noted for the record that the City will attempt to resolve the problem.

* * *

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

Based upon discussion held and information obtained during the course of this public hearing, Alderman Carrubba made motion seconded by Alderman Griffin and unanimously carried finding that the subject property located at 0 Shady Drive and assessed to Melvin Broadus, in its present condition, is in compliance with State Law, City Ordinances and Property Maintenance Codes; no further action was required or taken at this time.

The fourth public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach, Mississippi, located at 710 North Nicholson Avenue and assessed to Ashraf Ali, is in such a state of uncleanliness as to constitute a menace to the public health and safety of the community.

The Mayor recognized the Clerk for her report, whereupon, Alderman Griffin made motion seconded by Alderman Hammons and unanimously carried to make said report a part of the record of the 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 August 5, 2014, she did cause to be sent, via certified mail, electronic receipt requested, Notice of Hearing, to Ashraf Ali, 214 North Jefferson Avenue, Unit C, Margate, NJ, 08402, as the same appears of record on the proposed 2014 Harrison County Real Property Tax Rolls.
- Said Notice of Hearing was delivered on August 12, 2014, by the USPS.
- Said Notice of Hearing was posted on the subject property, 710 North Nicholson Avenue, Long Beach, Mississippi; at City Hall, the Water Department, the Building

Minutes of September 2, 2014
Mayor and Board of Aldermen

Official/Zoning Enforcement Office, 201 Jeff Davis Avenue, Long Beach, Mississippi; the Long Beach Public Library, 209 Jeff Davis Avenue, Long Beach, Mississippi; and the city's official website www.cityoflongbeachms.com; said notice is as follows:

City of Long Beach

BOARD OF ALDERMEN
Leonard G. Carrubba, Sr. - At-Large
Gary J. Ponthieux - Ward 1
Bernie Parker - Ward 2
Kelly Griffin - Ward 3
Ronnie Hammons, Jr. - Ward 4
Mark E. Lishen - Ward 5
Alan Young - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruff

CITY ATTORNEY
James C. Simpson, Jr.

August 5, 2014

91 7108 2133 3938 0607 4816

MAILED

Date: 8/21/14

Ali Ashraf
214 N. Jefferson Avenue, Unit C
Margate, NJ 08402

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 August 5, 2014, hold a public hearing at 5:00 p.m., Tuesday, September 2, 2014, at the Long Beach City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Ali Ashraf, and situated in the City of Long Beach, Mississippi, at 710 North Nicholson Avenue, is in such a state of uncleanliness 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: 710 North Nicholson Avenue, Long Beach, Mississippi
Parcel Number: 06110-03-010.000
Legal Description: LOT 10 LESS W 140 FT BLK 3 GARDENDALE ADD SEC 13-8-12

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

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www.cityoflongbeachms.com

Minutes of September 2, 2014
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 5th day of August, 2014.


Rebecca E. Schruft
City Clerk

Minutes of September 2, 2014 Mayor and Board of Aldermen

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Product & Tracking Information

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First-Class Mail®

Features:
Certified Mail™

Return Receipt Electronic

Text Updates

Email Updates

DATE & TIME	STATUS OF ITEM	LOCATION
August 12, 2014, 10:47 am	Delivered	MARGATE CITY, NJ 08402
Your item was delivered at 10:47 am on August 12, 2014 in MARGATE CITY, NJ 08402.		
August 11, 2014, 4:42 pm	Notice Left (No Authorized Recipient Available)	MARGATE CITY, NJ 08402
August 11, 2014, 8:47 am	Out for Delivery	MARGATE CITY, NJ 08402
August 11, 2014, 8:37 am	Sorting Complete	MARGATE CITY, NJ 08402
August 11, 2014, 8:30 am	Arrived at Unit	MARGATE CITY, NJ 08402
August 10, 2014, 1:17 pm	Departed USPS Facility	BELLMAWR, NJ 08031
August 9, 2014, 7:09 pm	Arrived at USPS Facility	BELLMAWR, NJ 08031
August 7, 2014, 9:50 pm	Departed USPS Facility	GULFPORT, MS 39503
August 7, 2014, 8:21 pm	Arrived at USPS Origin Facility	GULFPORT, MS 39503
August 7, 2014, 5:06 pm	Accepted at USPS Origin Sort Facility	LONG BEACH, MS 39580

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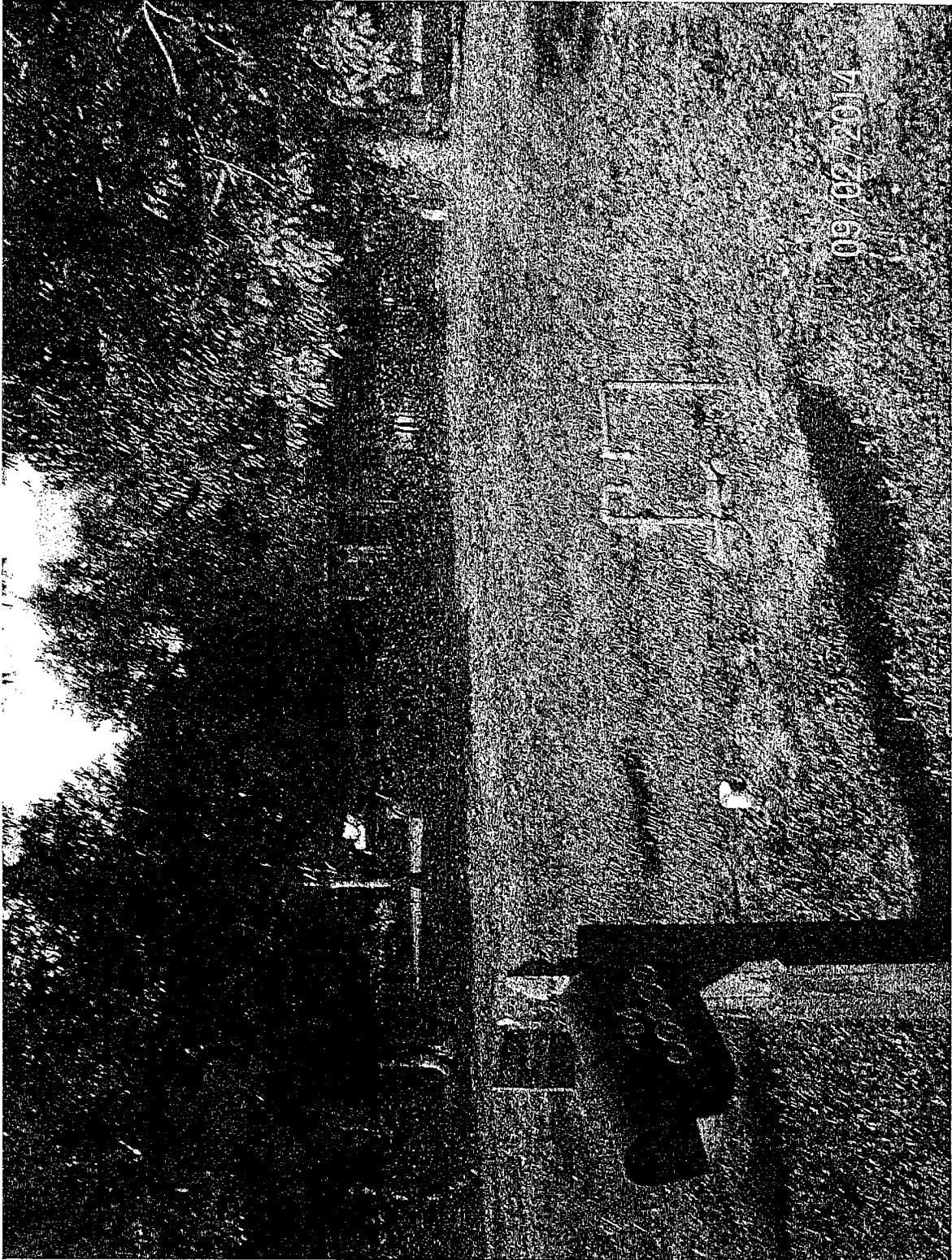
Business Customer Gateway
Postal Inspectors
Inspector General
Postal Explorer
National Postal Museum

http://tools.usps.com/go?TrackConf=Action.action?ref=fullpage&hl=1&text=9777= 8/27/2014

*

*

- The Clerk submitted photographs taken by Building Official Earl Levens on September 2, 2014, depicting the subject property, 710 North Nicholson Avenue, Long Beach, Mississippi, in its present condition, as follows:



- The Clerk submitted a sworn affidavit affirming that Building Official Earl Levens posted the Notice of Hearing on the subject property, 710 North Nicholson Avenue, Long Beach, Mississippi, on or before August 18, 2014, and affirming that photographs of the subject were taken on September 2, 2014; said affidavit is as follows:

Minutes of September 2, 2014
Mayor and Board of Aldermen

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

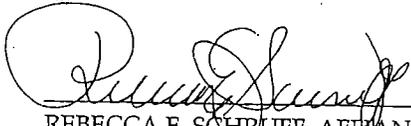
BEFORE ME, the under signed legal authority authorized to administer oaths in and for the jurisdiction aforesaid, on this day personally appeared EARL LEVENS, known to me to be the Building Official of the City of Long Beach, Mississippi, who being by me first duly sworn, deposes and says on oath as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

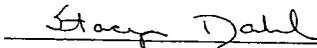
3. That on or before August 18, 2014, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Ashraf Ali, and located at 710 North Nicholson Avenue, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on September 2, 2014, 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 September 2, 2014.

This the 2nd day of September, 2014.


REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 2nd day of September, 2014.

-My Commission Expires-


NOTARY PUBLIC



AFFIDAVIT-PHOTOS;POST NOTICE

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**Minutes of September 2, 2014
Mayor and Board of Aldermen**

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

The Clerk submitted a letter from Ashraf Ali, as follows:

Ashraf Ali
214 N. Jefferson Ave Unit C
Margate NJ 08402
08/18/2014

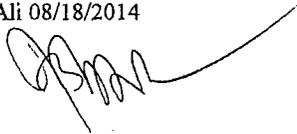
Rebecca E. Schuff
City Clerk Tax Collector
City of Long Beach
201 Jeff Davis P.O Box 929
Long Beach MS 39560

Dear Rebecca E. Schuff:

This letter is in response to NOTICE OF HEARING scheduled for Tuesday September 2nd 2014 at the Long Beach City Hall, 201 Jeff Davis Ave. Long Beach MS 39560, for the property located in Long Beach address is 710 N. Nicholson Ave Long Beach MS 39560. The said property has been cleaned and will be maintained moving forward but I do have some issues I would like to bring those to your attention.

My family and I were resident of Long Beach for many years I was working at the Grand Casino Gulfport and my wife was employed at Winn-Dixie in Long Beach, we were very happy and living a good life but due to unforeseen circumstance not in our control we had to leave after Hurricane Katrina, I went to work in Bossier City LA and we were hoping to be back soon on the Coast but things did not work well and we end up in Atlantic City NJ. We were still hopeful and praying to get back home but again we were not having any luck and here we got hit with Hurricane Sandy. I got laid off my wife was still employed here but things were getting tough and finally after Seven Years making the payments on the house in Long beach and paying rent here just got to be overwhelm. In Dec 2013 we decided to let the Long Beach house go in to foreclosure it was a hard choice for both of us but we just could not manage financially. I did kept up with the house in Long Beach all those years. Its getting harder and not getting easier but I did manage to pay for the service to get the house done in Long Beach I will do my best to keep up. (I am in touch with Rebecca Ladner at the Gulf Coast Community FCU for the up keep) I will keep you posted. Here is my info Ashraf Ali cell 228-596-8289 home 609-823-0670 my Lawn Service gentleman name is Leroy Sales Cell 228-669-6218 he just did the lawn and will maintain it until bank takes over.

Ashraf Ali 08/18/2014



*

*

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

Based upon discussion held and information obtained during the course of this public hearing, Alderman Hammons made motion seconded by Alderman Lishen

**Minutes of September 2, 2014
Mayor and Board of Aldermen**

and unanimously carried finding that the subject property located at 710 North Nicholson Avenue and assessed to Ashraf Ali, in its present condition, is in compliance with State Law, City Ordinances and Property Maintenance Codes; no further action was required or taken at this time.

The fifth public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach, Mississippi, located at 220 Beach Boulevard and assessed to Shelter Rock Two, LLC, is in such a state of uncleanliness as to constitute a menace to the public health and safety of the community.

The Mayor recognized the Clerk for her report, whereupon, Alderman Carrubba made motion seconded by Alderman Griffin and unanimously carried to make said report a part of the record of the 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 August 5, 2014, she did cause to be sent, via certified mail, electronic receipt requested, Notice of Hearing, to Shelter Rock Two, LLC, C/O 12206 Highway 49, Gulfport, Mississippi, 39503, as the same appears of record on the proposed 2014 Harrison County Real Property Tax Rolls.
- Said Notice of Hearing was delivered on August 8, 2014, by the USPS.
- Said Notice of Hearing was posted on the subject property, 220 Beach Boulevard, Long Beach, Mississippi; at City Hall, the Water Department, the Building Official/Zoning Enforcement Office, 201 Jeff Davis Avenue, Long Beach, Mississippi; the Long Beach Public Library, 209 Jeff Davis Avenue, Long Beach, Mississippi; and the city's official website www.cityoflongbeachms.com; said notice is as follows:

Minutes of September 2, 2014 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
Kelly Griffin - Ward 3
Ronnie Hammons, Jr. - Ward 4
Mark E. Lishen - Ward 5
Alan Young - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

August 5, 2014

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruff

CITY ATTORNEY
James C. Simpson, Jr.

MAILED

Date: 8/7/14

Shelter Rock Two, LLC
C/O 12206 Highway 49
Gulfport, MS 39503

91 7108 2133 3938 0607 6823

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 August 5, 2014, hold a public hearing at 5:00 p.m., Tuesday, September 2, 2014, at the Long Beach City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Shelter Rock Two, LLC, and situated in the City of Long Beach, Mississippi, at 220 Beach Boulevard, is in such a state of uncleanliness 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: 220 Beach Boulevard, Long Beach, Mississippi

Parcel Number: 0612G-02-042.000

Legal Description: 5.1 AC (C) BEG 77.1 FT E OF INTER OF W LINE OF SEC 13 & N MAR OF HWY 90 N
307.1 FT W 40 FT N 14 DG W 197.5 N 65 DG E 437.3 FT S 28 DGE 175.1 FT S 61 DG W
133.3 FT S 24

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

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Minutes of September 2, 2014
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 5th day of August, 2014.


Rebecca E. Schruif
City Clerk

Minutes of September 2, 2014 Mayor and Board of Aldermen

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Your item was delivered at 1:08 pm on August 8, 2014 in GULFPORT, MS 39503.		
August 8, 2014, 10:24 am	Out for Delivery	GULFPORT, MS 39503
August 8, 2014, 10:14 am	Sorting Complete	GULFPORT, MS 39503
August 8, 2014, 8:41 am	Arrived at Unit	GULFPORT, MS 39503
August 8, 2014, 1:04 am	Departed USPS Facility	GULFPORT, MS 39503
August 7, 2014, 8:21 pm	Arrived at USPS Origin Facility	GULFPORT, MS 39503
August 7, 2014, 5:06 pm	Accepted at USPS Origin Sort Facility	LONG BEACH, MS 39580

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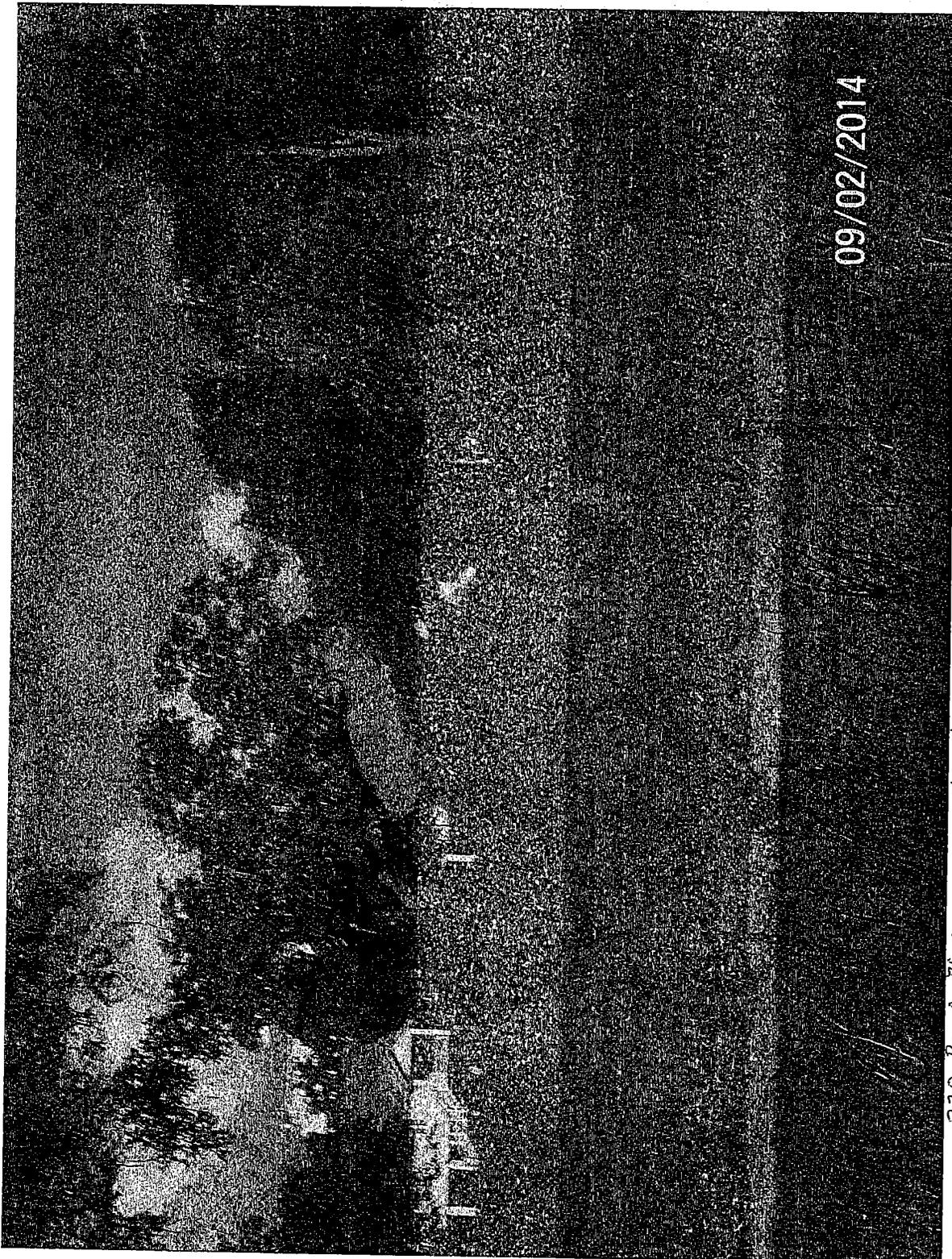
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*

*

- The Clerk submitted photographs taken by Building Official Earl Levens on September 2, 2014, depicting the subject property, 220 Beach Boulevard, Long Beach, Mississippi, in its present condition, as follows:



- The Clerk submitted a sworn affidavit affirming that Building Official Earl Levens posted the Notice of Hearing on the subject property, 220 Beach Boulevard, Long Beach, Mississippi, on or before August 18, 2014, and affirming that photographs of the subject were taken on September 2, 2014; said affidavit is as follows:

Minutes of September 2, 2014
Mayor and Board of Aldermen

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

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

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

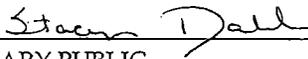
2. That in such capacity, he is responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of uncleanliness as to constitute a menace to the public health and safety of the community; he is responsible for the taking of photographs of those certain properties to determine the state of the properties in their 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 18, 2014, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Shelter Rock Two, LLC, and located at 220 Beach Boulevard, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on September 2, 2014, 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 September 2, 2014.

This the 2nd day of September, 2014.


REBECCA E. SCHUFF, AFFIRANT

SWORN TO AND SUBSCRIBED before me on this the 2nd day of September, 2014.


NOTARY PUBLIC

-My Commission Expires-



AFFIDAVIT-PHOTOS;POST NOTICE

*

*

**Minutes of September 2, 2014
Mayor and Board of Aldermen**

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

*

*

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

**Minutes of September 2, 2014
Mayor and Board of Aldermen**

The Mayor and Board of Aldermen took up the matter of the public hearing on the property located at 220 Beach Boulevard, Long Beach, Mississippi, 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 220 BEACH BOULEVARD, 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 220 Beach Boulevard, 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 August 5, 2014, 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 September 2, 2014, 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 September 2, 2014
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 uncleanliness as to be a menace to the public health and safety of the community and/or 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 220 Beach Boulevard, Long Beach, Mississippi, which parcel of land is identified by Harrison County Tax Parcel Number 0612G-02-042.000 and according to said tax records is owned by Shelter Rock Two, LLC, is at present in such a state of uncleanliness as to be a menace to the public health and safety of the community and/or 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 Building Official Earl Levens dated July 30, 2014 and attached hereto.

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

Alderman Griffin seconded the motion to adopt the foregoing resolution and

Minutes of September 2, 2014
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 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

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 2nd day of September, 2014.



APPROVED:

William Skellie, Jr.

William Skellie, Jr., Mayor

ATTEST:
Rebecca E. Schruff

Rebecca E. Schruff, City Clerk

Minutes of September 2, 2014
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
Kelly Griffin - Ward 3
Ronnie Hammons, Jr. - Ward 4
Mark E. Lishen - Ward 5
Alan Young - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schuff

CITY ATTORNEY
James C. Simpson, Jr.

NOTICE OF VIOLATION

June 5, 2014

Shelter Rock Two, LLC
2420 Athania Parkway
Metairie, LA 70001

91 7108 2133 3938 9857 0803

Reference: 220 Beach Boulevard, Long Beach, Mississippi 39560
Tax Parcel Number: 0612G-02-042.000
Legal Description: 5.1 AC (C) BEG 77.1 FT E OF INTER OF W LINE OF SEC 13 & N MAR OF HWY 90
N 307.1 FT W 40 FT N 14 DG W 197.5 FT N 65 DG E 437.3 FT S 28 DGE 175.1 FT S
61 DG W 133.3 FT S 24.
Reference: 0 5TH Street, Long Beach, Mississippi 39560
Tax Parcel Number: 0612G-02-042.001
Legal Description: 2.7 AC (C) COM AT INTER OF W LINE OF SEC 13 & N MAR OF HWY 90 NELY
ALONG HWY 77.1 FT N 307.1 FT W 40 FT N 14 DG W 197.5 FT TO POB ON W
LINE OF SEC N 65 DG E 437.3

To whom it may concern:

After inspecting the above referenced property I find that it is in violation of the 2012 International Property Maintenance Code for the City of Long Beach, MS as listed below:

2012 International Property Maintenance Code, Chapter 3, Section 302.4: Weeds. "All premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve (12) 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."

The purpose of this letter is to request that you inspect or have inspected the above referenced property and voluntarily have such land cleaned, within fourteen (14) days from date above, failure to or refusal to respond to this notice will result in a hearing before the Mayor and Board of Aldermen of the City of Long Beach, where the board can adjudicate the above property and may take action to clean-up the property, all cost in doing so will be assessed to the property or property owner.

Please notify me as soon as the referenced violation has been corrected, so that the premises can be inspected. In the event you do not own the property in question, my office would appreciate being informed of these facts.

2012 International Property Maintenance Code, Chapter 1, Section 111.1 Application for appeal. "Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within twenty (20) days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code area adequately satisfied by other means."

Should you have any questions, you may contact my office at (228) 863-1554.

Sincerely,

Earl Levens
Building/Code/Zoning Official

Cc: Shelter Rock Two, LLC 91 7108 2133 3938 9857 7000
c/o 12206 Highway 49
Gulfport, MS 39503
201 Jeff Davis • P.O. Box 929 • Long Beach, MS 39560 • 863-1556 • FAX 865-0822
www.cityoflongbeachms.com

Minutes of September 2, 2014 Mayor and Board of Aldermen

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Tracking Number: 9171082133393898570803

Expected Delivery Day: Monday, June 9, 2014

Product & Tracking Information

Postal Product:
First-Class Mail®

Features:
Certified Mail™

Return Receipt Electronic

Available Actions

Text Updates

Email Updates

DATE & TIME	STATUS OF ITEM	LOCATION
June 7, 2014, 11:48 pm	Depart USPS Sort Facility	NEW ORLEANS, LA 70113
Your item departed our NEW ORLEANS, LA 70113 sort facility on June 7, 2014 at 11:48 pm. No further information is available for this item.		
June 7, 2014, 3:34 pm	Processed through USPS Sort Facility	NEW ORLEANS, LA 70113
June 7, 2014	Electronic Shipping Info Received	
June 6, 2014, 11:10 pm	Depart USPS Sort Facility	GULFPORT, MS 39503
June 6, 2014, 8:01 pm	Processed at USPS Origin Sort Facility	GULFPORT, MS 39503
June 6, 2014, 6:46 pm	Accepted at USPS Origin Sort Facility	LONG BEACH, MS 39560

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6/26/2014

Minutes of September 2, 2014 Mayor and Board of Aldermen

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Tracking Number: 9171082133393898577000

Expected Delivery Day: Saturday, June 7, 2014

Product & Tracking Information

Available Actions

Postal Product: First-Class Mail® Features: Certified Mail™ Return Receipt Electronic

Text Updates

Email Updates

June 9, 2014, 4:04 pm Delivered GULFPORT, MS 39503

Your item was delivered at 4:04 pm on June 9, 2014 in GULFPORT, MS 39503.

June 7, 2014, 11:02 am Available for Pickup GULFPORT, MS 39503

June 7, 2014 Electronic Shipping Info Received

June 7, 2014, 12:15 am Processed through USPS Sort Facility GULFPORT, MS 39503

June 6, 2014, 11:10 pm Depart USPS Sort Facility GULFPORT, MS 39503

June 6, 2014, 8:01 pm Processed at USPS Origin Sort Facility GULFPORT, MS 39503

June 6, 2014, 6:46 pm Accepted at USPS Origin Sort Facility LONG BEACH, MS 39550

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6/26/2014

**Minutes of September 2, 2014
Mayor and Board of Aldermen**

The sixth and final public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach, Mississippi, located at 0 5th Street and assessed to Shelter Rock Two, LLC, is in such a state of uncleanliness as to constitute a menace to the public health and safety of the community.

The Mayor recognized the Clerk for her report, whereupon, Alderman Ponthieux made motion seconded by Alderman Carrubba and unanimously carried to make said report a part of the record of the 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 August 5, 2014, she did cause to be sent, via certified mail, electronic receipt requested, Notice of Hearing, to Shelter Rock Two, LLC, C/O 12206 Highway 49, Gulfport, Mississippi, 39503, as the same appears of record on the proposed 2014 Harrison County Real Property Tax Rolls.
- Said Notice of Hearing was delivered on August 8, 2014, by the USPS.
- Said Notice of Hearing was posted on the subject property, 0 5th Street, Long Beach, Mississippi; at City Hall, the Water Department, the Building Official/Zoning Enforcement Office, 201 Jeff Davis Avenue, Long Beach, Mississippi; the Long Beach Public Library, 209 Jeff Davis Avenue, Long Beach, Mississippi; and the city's official website www.cityoflongbeachms.com; said notice is as follows:

Minutes of September 2, 2014
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
Kelly Griffin - Ward 3
Ronnie Hammons, Jr. - Ward 4
Mark E. Lishen - Ward 5
Alan Young - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruff

CITY ATTORNEY
James C. Simpson, Jr.

August 5, 2014

MAILED

Date: 8/7/14

Shelter Rock Two, LLC
C/O 12206 Highway 49
Gulfport, MS 39503

71 7108 2133 3938 0607 6830

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 August 5, 2014, hold a public hearing at 5:00 p.m., Tuesday, September 2, 2014, at the Long Beach City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Shelter Rock Two, LLC, and situated in the City of Long Beach, Mississippi, at 0 5th Street, is in such a state of uncleanness as to be a menace to the public health and safety of the community, all in accordance with Section 21-19-11 of the Mississippi Code of 1972, as amended. Said property is more particularly described, as follows:

Address: 0 5th Street, Long Beach, Mississippi

Parcel Number: 0612G-02-042.001

Legal Description: 2.7 AC (C) COM AT INTER OF W LINE OF SEC 13 & N MAR OF HWY 90 NELY
ALONG HWY 77.1 FT NO 307.1 FT W 40 FT N 14 DG W 197.5 FT TO POB ON W
LINE OF SEC N 65 DG E 437.3

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

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Minutes of September 2, 2014
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 5th day of August, 2014.



Rebecca E. Schruoff
City Clerk

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Expected Delivery Day: Friday, August 8, 2014

Product & Tracking Information

Postal Product: First-Class Mail® Features: Certified Mail™ Return Receipt Electronic

DATE & TIME	STATUS OF ITEM	LOCATION
August 8, 2014, 1:08 pm	Delivered	GULFPORT, MS 39503
Your item was delivered at 1:08 pm on August 8, 2014 in GULFPORT, MS 39503.		
August 8, 2014, 10:24 am	Out for Delivery	GULFPORT, MS 39503
August 8, 2014, 10:14 am	Sorting Complete	GULFPORT, MS 39503
August 8, 2014, 8:41 am	Arrived at Unit	GULFPORT, MS 39503
August 8, 2014, 1:04 am	Departed USPS Facility	GULFPORT, MS 39503
August 7, 2014, 6:21 pm	Arrived at USPS Origin Facility	GULFPORT, MS 39503
August 7, 2014, 5:06 pm	Accepted at USPS Origin Sort Facility	LONG BEACH, MS 39560

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Minutes of September 2, 2014
Mayor and Board of Aldermen

- The Clerk submitted photographs taken by Building Official Earl Levens on September 2, 2014, depicting the subject property, 0 5th Street, Long Beach, Mississippi, in its present condition, as follows:



- The Clerk submitted a sworn affidavit affirming that Building Official Earl Levens posted the Notice of Hearing on the subject property, 0 5th Street, Long Beach, Mississippi, on or before August 18, 2014, and affirming that photographs of the subject were taken on September 2, 2014; said affidavit is as follows:

Minutes of September 2, 2014
Mayor and Board of Aldermen

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH

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

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

2. That in such capacity, he is responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of uncleanliness as to constitute a menace to the public health and safety of the community; he is responsible for the taking of photographs of those certain properties to determine the state of the properties in their 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;

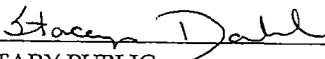
3. That on or before August 18, 2014, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property assessed to Shelter Rock Two, LLC, and located at 0 5th Street, Long Beach, Mississippi and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on September 2, 2014, 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 September 2, 2014.

This the 2nd day of September, 2014.


REBECCA E. SCHRUFF, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 2nd day of September, 2014.

-My Commission Expires-


NOTARY PUBLIC



AFFIDAVIT-PHOTOS,POST NOTICE

*

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**Minutes of September 2, 2014
Mayor and Board of Aldermen**

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

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

Minutes of September 2, 2014
Mayor and Board of Aldermen

The Mayor and Board of Aldermen took up the matter of the public hearing on the property located at 0 5th Street, Long Beach, Mississippi, 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 0 5TH STREET, LONG BEACH, MISSISSIPPI, TO BE A MENACE TO
THE PUBLIC HEALTH AND SAFETY OF THE COMMUNITY AND REQUIRING
OWNER OF SUCH PROPERTY TO CLEAN SAID PROPERTY.

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

1. That on complaint and motion of the Governing Authorities of the City of Long Beach wherein lies the property known as 0 5th Street, Long Beach, Mississippi, (hereinafter referred to as the subject parcel), and after discussion of same, the Mayor and Board of Aldermen, at its regular meeting of August 5, 2014, 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 September 2, 2014, 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;

3. That the Mayor and Board of Aldermen having considered testimony

**Minutes of September 2, 2014
Mayor and Board of Aldermen**

evidence adduced at hearing regarding the condition of the subject property and the observations of individual Aldermen concerning the condition of the subject property in its condition on the date of hearing, and being fully advised in the premises, do find and adjudicate that the property is, in its present condition, in such a state of uncleanliness as to be a menace to the public health and safety of the community and/or 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 0 5th Street, Long Beach, Mississippi, which parcel of land is identified by Harrison County Tax Parcel Number 0612G-02-042.001 and according to said tax records is owned by Shelter Rock Two, LLC, is at present in such a state of uncleanliness as to be a menace to the public health and safety of the community and/or 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 Building Official Earl Levens dated July 30, 2014, and attached hereto.

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

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

Minutes of September 2, 2014
Mayor and Board of Aldermen

Alderman Bernie Parker	voted	Aye
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

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 2nd day of September, 2014.



APPROVED:

William Skellie, Jr.

William Skellie, Jr., Mayor

ATTEST:

Rebecca E. Schruoff

Rebecca E. Schruoff, City Clerk

Minutes of September 2, 2014
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
Kelly Griffin - Ward 3
Ronnie Hammons, Jr. - Ward 4
Mark E. Lishen - Ward 5
Alan Young - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruff

CITY ATTORNEY
James C. Simpson, Jr.

NOTICE OF VIOLATION

June 5, 2014

Shelter Rock Two, LLC
2420 Athania Parkway
Metairie, LA 70001

91 7108 2133 3938 9857 0803

Reference: 220 Beach Boulevard, Long Beach, Mississippi 39560
Tax Parcel Number: 0612G-02-042.000
Legal Description: 5.1 AC (C) BEG 77.1 FT E OF INTER OF W LINE OF SEC 13 & N MAR OF HWY 90
N 307.1 FT W 40 FT N 14 DG W 197.5 FT N 65 DG E 437.3 FT S 28 DGE 175.1 FT S
61 DG W 133.3 FT S 24.

Reference: 0 5TH Street, Long Beach, Mississippi 39560
Tax Parcel Number: 0612G-02-042.001
Legal Description: 2.7 AC (C) COM AT INTER OF W LINE OF SEC 13 & N MAR OF HWY 90 NELY
ALONG HWY 77.1 FT N 307.1 FT W 40 FT N 14 DG W 197.5 FT TO POB ON W
LINE OF SEC N 65 DG E 437.3

To whom it may concern:

After inspecting the above referenced property I find that it is in violation of the 2012 International Property Maintenance Code for the City of Long Beach, MS as listed below:

2012 International Property Maintenance Code, Chapter 3, Section 302.4: Weeds. "All premises and exterior property shall be maintained free from weeds or plant growth in excess of twelve (12) 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."

The purpose of this letter is to request that you inspect or have inspected the above referenced property and voluntarily have such land cleaned, within fourteen (14) days from date above, failure to or refusal to respond to this notice will result in a hearing before the Mayor and Board of Aldermen of the City of Long Beach, where the board can adjudicate the above property and may take action to clean-up the property, all cost in doing so will be assessed to the property or property owner.

Please notify me as soon as the referenced violation has been corrected, so that the premises can be inspected. In the event you do not own the property in question, my office would appreciate being informed of these facts.

2012 International Property Maintenance Code, Chapter 1, Section 111.1 Application for appeal. "Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within twenty (20) days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code area adequately satisfied by other means."

Should you have any questions, you may contact my office at (228) 863-1554.

Sincerely,


Earl Levens
Building/Code/Zoning Official

Cc: Shelter Rock Two, LLC 91 7108 2133 3938 9857 7000
c/o 12206 Highway 49
Gulfport, MS 39503
201 Jeff Davis • P.O. Box 929 • Long Beach, MS 39560 • 863-1556 • FAX 865-0822
www.cityoflongbeachms.com

Minutes of September 2, 2014 Mayor and Board of Aldermen

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Expected Delivery Day: Monday, June 9, 2014

Product & Tracking Information

Postal Product: First-Class Mail®
 Features: Certified Mail™, Return Receipt Electronic

Available Actions

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[Email Updates](#)

DATE	STATUS OF ITEM	LOCATION
June 7, 2014, 11:48 pm	Depart USPS Sort Facility	NEW ORLEANS, LA 70113
Your item departed our NEW ORLEANS, LA 70113 sort facility on June 7, 2014 at 11:48 pm. No further information is available for this item.		
June 7, 2014, 3:34 pm	Processed through USPS Sort Facility	NEW ORLEANS, LA 70113
June 7, 2014	Electronic Shipping Info Received	
June 6, 2014, 11:10 pm	Depart USPS Sort Facility	GULFPORT, MS 39503
June 6, 2014, 8:01 pm	Processed at USPS Origin Sort Facility	GULFPORT, MS 39503
June 6, 2014, 6:46 pm	Accepted at USPS Origin Sort Facility	LONG BEACH, MS 39560

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6/26/2014

Minutes of September 2, 2014 Mayor and Board of Aldermen

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Tracking Number: 9171082133393898577000

Expected Delivery Day: Saturday, June 7, 2014

Product & Tracking Information

Available Actions

Postal Product: **First-Class Mail®** Features: **Certified Mail™** [Return Receipt Electronic](#)

[Text Updates](#)

[Email Updates](#)

[REDACTED]		
June 9, 2014, 4:04 pm	Delivered	GULFPORT, MS 39503
Your item was delivered at 4:04 pm on June 9, 2014 in GULFPORT, MS 39503.		
June 7, 2014, 11:02 am	Available for Pickup	GULFPORT, MS 39503
June 7, 2014	Electronic Shipping Info Received	
June 7, 2014, 12:15 am	Processed through USPS Sort Facility	GULFPORT, MS 39503
June 6, 2014, 11:10 pm	Depart USPS Sort Facility	GULFPORT, MS 39503
June 6, 2014, 8:01 pm	Processed at USPS Origin Sort Facility	GULFPORT, MS 39503
June 6, 2014, 6:46 pm	Accepted at USPS Origin Sort Facility	LONG BEACH, MS 39560

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6/26/2014

Minutes of September 2, 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 first Tuesday in September, 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, Bernie Parker, Kelly Griffin, Ronnie Hammons, Jr., Mark E. Lishen, City Clerk Rebecca E. Schruuff, and City Attorney James C. Simpson, Jr.

Alderman Alan Young was absent the meeting.

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

The meeting was called to order and Alderman Parker made motion seconded by Alderman Griffin and unanimously carried to authorize advertisement for bids, Public Works Annual Contracts.

There were no announcements, presentations, or proclamations.

Alderman Parker made motion seconded by Alderman Hammons and unanimously carried to suspend the rules and amend the Municipal Docket, as follows:

Item XI. DEPARTMENTAL BUSINESS; PERSONNEL; c. Building Office – (1) Resignation.

Alderman Hammons made motion seconded by Alderman Griffin and unanimously carried to approve the regular meeting minutes of the Mayor and Board of Aldermen dated August 19, 2014, as submitted.

Alderman Parker made motion seconded by Alderman Hammons and unanimously carried to approve the regular meeting minutes of the Long Beach Planning Commission dated August 28, 2014, as submitted.

Minutes of September 2, 2014
Mayor and Board of Aldermen

Alderman Hammons made motion seconded by Alderman Ponthieux and unanimously carried to approve the regular meeting minutes of the Long Beach Port Commission dated August 21, 2014, as submitted.

Alderman Parker made motion seconded by Alderman Ponthieux and unanimously carried to approve payment of invoices as listed in Docket of Claims number 090214.

There was no report from the Mayor's Office.

Alderman Parker made motion seconded by Alderman Carrubba and unanimously carried to approve the transfer from the Fire Department to the Public Works Department, as follows:

One (1) 2008 Ford F450 VIN 1FDXF46RX8EA93615

There was no action required or taken regarding the Community Development Block Grant (CDBG).

Alderman Ponthieux made motion seconded by Alderman Griffin to Police Department personnel matters, as follows:

- Resignation Dispatcher Jolee Knight, effective August 27, 2014;
- Step Increase, Lt. Richard Brazil, PS-12-XIV, effective October 1, 2014;
- Step Increase, Sergeant Mike Plavidal, PS-11-VI, effective October 16, 2014;
- Step Increase, Captain John Carrubba, PS-13-XVI, effective October 1, 2014;
- Step Increase, Office Manager Susan Bowes, CSA-6-V, effective October 1, 2014;
- Step Increase, Chief Wayne McDowell, PSA-17-XI, effective October 1, 2014;
- Step Increase, Police Officer 1st Class Jeremy Bammert, effective September 16, 2014;
- Step Increase, Police Officer 1st Class James Hansen, effective September 16, 2014.

The motion carried upon the affirmative voice of the all Aldermen present and voting, with Alderman Carrubba, present, NOT voting.

*

*

Alderman Parker made motion seconded by Alderman Carrubba and unanimously carried to approve Harbor personnel matters, as follows:

Minutes of September 2, 2014
Mayor and Board of Aldermen

- Resignation Harbor Guard Laurel Getchell, effective August 31, 2014;
- Step Increase, Harbor Master William Angley, H-15-X, effective February 1, 2014.

*

*

It was the consensus of the Mayor and Board of Aldermen to discuss the Building Official resignation in executive session at the end of the meeting.

Alderman Hammons made motion seconded by Alderman Ponthieux and unanimously carried to take the following matters under advisement for further consideration and review at the recess meeting scheduled for Tuesday, September 9, 2014, 5:00 o'clock p.m., City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi:

- Resolution; Tax Levy FY 14-15;
- Resolution; Adopt FY 14-15 Budget.

There was no additional action required or taken regarding derelict properties.

The Special Tax Assessment- Cleaning of 105 Oakview Avenue, was taken under advisement for further consideration and review at the recess meeting scheduled for Tuesday, September 9, 2014, 5:00 o'clock p.m., City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi.

Alderman Lishen made motion seconded by Alderman Ponthieux to deny the request from Steve Nicosia to NSF fees charged to his water/account.

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

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

**Minutes of September 2, 2014
Mayor and Board of Aldermen**

Alderman Ponthieux made motion seconded by Alderman Carrubba and unanimously carried to approve the Special Event Application – Pink Heart Funds Walk of Life, stipulating that the organization reimburse the City for actual costs incurred for assistance with the event; said application is as follows:

August 21, 2014

City of Long Beach
Board of Alderman
Long Beach, MS 39560

Dear City Officials:

I am writing in regard to this years' Walk Of Hope. The Walk Of Hope is a yearly fundraising walk initiated by Pink Heart Funds whose sole purpose is to provide wigs for children with cancer and cranial burns and wigs/breast prosthetic's to women surviving or in the process of cancer treatments at no expense to them. We would like to gain permission to use the Town Green at no charge to our non-profit organization. This would take place Saturday, October 11, 2014.

Thank you for your time and consideration.

Very Sincerely Yours,

JoAn Niceley
President/Founder
Pink Heart Funds

Minutes of September 2, 2014
Mayor and Board of Aldermen

October 11, 2014
8:00 - 12:00
Saturday
Stage/ Bleachers
North/South
Gazebos
Pink Heart
Walk of Hope

CITY OF LONG BEACH
SPECIAL EVENT APPLICATION
City Clerk's Office * 201 Jeff Davis Avenue * P.O. Box 929 * Long Beach, MS 39560

Date Received By Clerk's Office: 8/18/14 Time: _____ By: CS

Please complete this application in accordance with the City of LONG BEACH Special Events Policy, and return it to the Office of the City Clerk at least 90 calendar days before the first day of the event.

Sponsoring Organization's Legal Name: Pink Heart Funds
Organization Address: 5095 Beatline Rd. Long Beach
Organization Agent: JoAn Niceley Title: President
Phone: 228-860-1978 Work Home: 228-575-8299 During event: 228-860-1978
228-222-4245
Agent's Address: 7544 Red Creek Rd, Long Beach
Agent's E-Mail Address: pinkheartfunds@gmail.com
Event Name: Walk of Hope

Please give a brief description of the proposed special event: A Walk/Run
to raise funds for children & women
with cancer to receive free of charge
wigs & prostheses -

Event Day(s) & Date(s): October 11, 2014 Event Time(s): 8:00 - 12:00 ^{AM}

Set-Up Date & Time: 5:30 AM Tear-Down Date & Time: 10/11/14 - 10:30

Event Location: Town Green Stage/Bleacher Area
both Gazebos

ANNUAL EVENT: Is this event expected to occur next year? YES NO

How many years has this event occurred? 3rd year

ADOPTED: 11.15.11-BOARD ACTION

Minutes of September 2, 2014
Mayor and Board of Aldermen

INSURANCE: All sponsors of special events must carry liability insurance with coverage of at least \$500,000. An event sponsor must provide a valid certificate of insurance naming the City of Long Beach as an additional insured party on the policy. A sponsor of a Low Hazard event may request that Board of Aldermen waive the insurance requirement and execute a Hold Harmless and Indemnification Agreement. This event qualifies consideration for Low Hazard because:

X Attached

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that: A Certificate of Insurance must be provided which names the City of Long Beach as an additional named insured party on the policy or I am requesting that Board of Aldermen waive the insurance requirement for this Low Hazard Event as identified in paragraph above

related to insurance, and I have executed the Hold Harmless and Indemnification Agreement on behalf of the event sponsor.

All food vendors must be approved by the Harrison County Health Department, and each food or other vendor must provide the City of Long Beach with a Certificate of Insurance which names the City of Long Beach as an additional named insured party on the policy.

The approval of this special event may include additional requirements or limitations, based on the City's review of this application. Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.

As the duly authorized agent of the sponsoring organization, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other City requirements, ordinances and other laws, which apply to the Special Event. By signing this Special Event Application, I declare I am 21 years of age or older.

8/29/14
Date

[Signature]
Signature of Sponsoring Organization's Agent

RETURN THIS APPLICATION at least ninety (90) days before the first day of the event to:
CITY CLERK'S OFFICE - 201 JEFF DAVIS AVENUE - P.O. BOX 929 - LONG BEACH, MS 39560

ADOPTED: 11.15.11-BOARD ACTION

Minutes of September 2, 2014
Mayor and Board of Aldermen



PINKHEA-01 TGARFIELD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
7/22/2014

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER SouthGroup Insurance Services 412 Highway 90, Suite 6 Bay Saint Louis, MS 39520	CONTACT NAME: Angelyn Treutel Zeringue PHONE (A/C No., Ext.): (228) 466-4498 FAX (A/C No.): (888) 415-8922 E-MAIL ADDRESS: angelyn.treutel@southgroup.net																				
	<table border="1"> <tr> <th colspan="2">INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> <tr> <td>INSURER A:</td> <td>Covington Specialty Insurance Company</td> <td></td> </tr> <tr> <td>INSURER B:</td> <td></td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A:	Covington Specialty Insurance Company		INSURER B:			INSURER C:			INSURER D:			INSURER E:			INSURER F:	
INSURER(S) AFFORDING COVERAGE		NAIC #																			
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INSURER B:																					
INSURER C:																					
INSURER D:																					
INSURER E:																					
INSURER F:																					
INSURED Pink Heart Funds P.O. Box 1047 Long Beach, MS 39560																					

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADD'L SUBR INSR	WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC			VBA29237200	3/13/2014	3/13/2015	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						WC STATUTORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Non Profit Organization: Outreach Program that Provides Cranial Nlgs;

CERTIFICATE HOLDER City Of Long Beach P.O. Box 929 Long Beach, MS 39560	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
---	--

There came on for consideration a letter from Family Readiness Officer S. L. Pitpitan, USNMCB One, as follows:

Minutes of September 2, 2014
Mayor and Board of Aldermen



DEPARTMENT OF THE NAVY
U.S. NAVAL MOBILE CONSTRUCTION BATTALION ONE
5301 BAINBRIDGE AVE BOX #81
GULFPORT, MS 39501

1700
Ser CO/142
August 21, 2014

Mr. W. S. Skellie Jr.
Long Beach Mayor
P. O. Box 929
Long Beach, MS 39560

Dear Mr. Skellie,

SUBJECT: REQUEST USE OF LONG BEACH SENIOR CENTER FACILITIES FOR NMCB
ONE RETURN AND REUNION EVENT

Our Sailors of U.S. Naval Mobile Construction Battalion ONE recently returned from a deployment to PACOM and NORTHCOM for construction, contingency operations, civic action, and humanitarian assistance in support of Commander, U.S. Seventh Fleet and U.S. Fleet Forces Command. I am writing to formally request the use of the Long Beach Senior Center as the venue for our Family Return and Reunion Event on 12 September 2014.

Being a non-profit group, our budget is limited and I am asking for a waiver for the facility usage fee.

My point of contact for any questions is LT Ezra Merritt at cell: (202) 531-8885 or by email, ezra.merritt@navy.mil and our Family Readiness Group President Mrs. Amanda Prosize at cell: (618) 513-2619.

Sincerely,

S. L. PITPITAN
Family Readiness Officer
By direction
of the Commander

Upon discussion, Alderman Carrubba made motion seconded by Alderman Hammons and unanimously carried to approve the request as set forth above, waiving fees in accordance with city policy regarding non-profit government affiliates.

Alderman Ponthieux made motion seconded by Alderman Carrubba and unanimously carried to approve the Special Event Application – St. Patrick’s Day Parade, stipulating that the organization reimburse the City for actual costs incurred for assistance with the event; said application is as follows:

Minutes of September 2, 2014
Mayor and Board of Aldermen

CITY OF LONG BEACH
SPECIAL EVENT APPLICATION
City Clerk's Office * 201 Jeff Davis Avenue * P.O. Box 929 * Long Beach, MS 39560

Date Received By Clerk's Office: 8/28/14 Time: 11:34 By: CS

Please complete this application in accordance with the City of LONG BEACH Special Events Policy, and return it to the Office of the City Clerk at least 90 calendar days before the first day of the event.

Sponsoring Organization's Legal Name: Southern Star Lodge NO. 500 F&AM

Organization Address: Southern Star Lodge NO. 500 F&AM P.O. Box 500 Long Beach MS 39560

Organization Agent: Shane Walker Title: Organizer

Phone: (228) 697-3868 Work Home: (228) 575-2000 During event: (228) 697-3868

Agent's Address: 109 York Dr. Long Beach MS 39560

Agent's E-Mail Address: 109 York Dr Long Beach MS 39560

Event Name: The Long Beach St. Patrick's Day Parade & Festival

Please give a brief description of the proposed special event: Parade Live music vendors, food vendors games

Event Day(s) & Date(s): 03/07/15 Event Time(s): 9am - 5pm

Set-Up Date & Time: 03/ Tear-Down Date & Time: 5pm - 8pm 03/07/15

Event Location: _____

ANNUAL EVENT: Is this event expected to occur next year? YES NO

How many years has this event occurred? 2

ADOPTED: 11.15.11-BOARD ACTION

Minutes of September 2, 2014 Mayor and Board of Aldermen

MAP: (a) If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. (b) Show any streets or parking lots that you are requesting to be blocked off, and location of vendors, if any. A final map, if different, must be provided seven (7) days before the event. (c) Please show an emergency vehicle access lane.

STREET CLOSURES: Start Date/ Time: 03/07/15 ^{13:45} through Date/ Time 03/02/15 ^{14:30}

RESERVED PARKING: Are you requesting reserved parking? YES NO

If yes, list the number of street spaces, City lots or locations where parking is requested:

VENDORS: Food Concessions? YES NO Other Vendors? YES NO

DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT? YES NO

If yes, are liquor license and liquor liability insurance attached? YES NO

If yes, what time? _____ Until _____

ENTERTAINMENT: Are there any entertainment features related to this event? YES NO

If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule.

ATTENDANCE: What is the expected (estimated) attendance for this event? 1000 to 1500

AMUSEMENT: Do you plan to have any amusement or carnival rides? YES NO

If yes, you are required to obtain a permit through the City Clerk's Office.

REST ROOMS: Are you planning to provide portable rest rooms at the event? YES NO

If yes, how many? _____

As an event organizer, you must consider the availability of rest room facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the rest room facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

OTHER REQUESTS: (i.e., Police Department assistance, Fire Dept., street closures, electrical, etc.)

8 Police Officers 2 Firemen & Reserve Street Closures from 13457-1430

ADOPTED: 11.15.11-BOARD ACTION

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INSURANCE: All sponsors of special events must carry liability insurance with coverage of at least \$500,000. An event sponsor must provide a valid certificate of insurance naming the City of Long Beach as an additional insured party on the policy. A sponsor of a Low Hazard event may request that Board of Aldermen waive the insurance requirement and execute a Hold Harmless and Indemnification Agreement. This event qualifies consideration for Low Hazard because:

will Turn in before Event!

CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that: A Certificate of Insurance must be provided which names the City of Long Beach as an additional named insured party on the policy or I am requesting that Board of Aldermen waive the insurance requirement for this Low Hazard Event as identified in paragraph above

related to insurance, and I have executed the Hold Harmless and Indemnification Agreement on behalf of the event sponsor.

All food vendors must be approved by the Harrison County Health Department, and each food or other vendor must provide the City of Long Beach with a Certificate of Insurance which names the City of Long Beach as an additional named insured party on the policy.

The approval of this special event may include additional requirements or limitations, based on the City's review of this application. Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.

As the duly authorized agent of the sponsoring organization, I am applying for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the terms of the written confirmation of approval, and all other City requirements, ordinances and other laws, which apply to this Special Event. By signing this Special Event Application, I declare I am 21 years of age or older.

03/07/15
Date

[Signature]
Signature of Sponsoring Organization's Agent

**RETURN THIS APPLICATION at least ninety (90) days before the first day of the event to:
CITY CLERK'S OFFICE - 201 JEFF DAVIS AVENUE - P.O. BOX 929 - LONG BEACH, MS
39560**

ADOPTED: 11.15.11-BOARD ACTION

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Event Title: St. Patrick's Day Parade & Festivals

DEPARTMENTAL USE ONLY: Please contact applicant directly with any questions or concerns. Sign and return to the City Clerk's Office, as soon as possible.

Approvals noted below, by departments, indicate they have been made aware of the request and the reasonability of their department has been met.

Police Dept.: AK Recommend Approval: YES NO Est. Economic Impact: \$ _____

Fire Dept.: MS Recommend Approval: YES NO Est. Economic Impact: \$ _____

Public Works: DW Recommend Approval: YES NO Est. Economic Impact: \$ _____

Traffic Eng.: _____ Recommend Approval: YES NO Est. Economic Impact: \$ _____

Parks/REC: RP Recommend Approval: YES NO Est. Economic Impact: \$ _____

Have businesses been notified for street closures?: YES NO

Reason for disapproval _____

Any special requirements/conditions: Request to waive ALL fees.

Rental fees waived - must reimburse city for actual costs

Insurance / Indemnification Received: _____

Insurance Approved: _____

Board of Aldermen Approved: 9/2/14 Denied: _____

Approval/ Denial Mailed: _____

ADOPTED: 11.15.11-BOARD ACTION

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Mayor and Board of Aldermen

cityclerk@cityoflongbeachms.com

From: Shane Walker <shanewalker76@gmail.com>
Sent: Thursday, August 28, 2014 10:19 AM
To: cityclerk@cityoflongbeachms.com
Subject: Fwd: The Third Annual St. Patrick's Day Parade March 7, 2015

----- Forwarded message -----

From: Shane Walker <shanewalker76@gmail.com>
Date: Thu, Aug 28, 2014 at 10:13 AM
Subject: The Third Annual St. Patrick's Day Parade March 7, 2015
To: Rachel Walker <rachelwalker116@gmail.com>

Southern Star Lodge NO.500 F& AM is hosting the Third Annual St. Patrick's Festival and Parade March 7, 2015. We would like to have the Town Green and any other fee's waived for this event . Thank you in advance for your consideration in this matter .

Minutes of September 2, 2014 Mayor and Board of Aldermen



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CITY OF LONG BEACH
PARKS AND RECREATION DEPARTMENT
APPLICATION FOR PERMIT

TOWN GREEN

Group / Individual Name (Permit tee): Long Beach St. Patrick's dx
Southern Star Lodge No. 500 F&AM Parade and Festival (Shane Walker)
Telephone Number: (228) 697-3868 (228) 875-2000 (228) 697-3868
Home Work Cell
Street Address: 109 York dr
City Long Beach State LA 70601 Zip 70600
Type of Event: Parade and festival
Start Time: 4:00 am
Closing Time: 6:00 pm

It is agreed between the City of Long Beach and the permit tee that the named facility is reserved on
03/07/15
(Date)

The person(s) requesting this permit

1. Agrees to personally accept responsibility for any damage done to the facility, grounds or equipment by persons in his/her group during the reserved period of time, and will hold the City of Long Beach harmless of any damage done to permit tee or permit tee's equipment.
2. Agrees to maintain order and control over persons in the group.
3. Agrees to abide by all policies and procedures of the City of Long Beach, the Long Beach Parks and Recreation Department as directed by the contents of the Town Green policy statement.
4. Understands that failure to comply with all the terms of the aforementioned policy as well as any violation of federal, state, or municipal law in conjunction with the use of this facility will result in the cancellation of the privilege of using this facility and will jeopardize any future permit grants for this or any other facility. I hereby agree that I have read and understand the regulations and policies governing the use of the Long Beach Town Green, including the deck area and shoo-fly.

Signature Shane Walker Date 08/06/14
Southern Star Lodge No. 500 F&AM

Rental Fee \$ _____ Receipt # _____ Date _____
Deposit Fee \$ _____ Receipt # _____ Date _____
Clean-up Fee \$ _____ Receipt # _____ Date _____

PLEASE REVIEW THE POLICY AND RETAIN FOR YOUR RECORDS

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STATE OF MISSISSIPPI
COUNTY OF HARRISON
SECOND JUDICIAL DISTRICT

RELEASE AND IDNEMNITY

WHEREFORE, for and in consideration of the use of the ground of the City of Long Beach, Town Green and structures erected upon it owned by the City of Long Beach, Mississippi, and located at 115 East 3rd Street, I Shane Walker (Sawthorn Street) do hereby release, acquit and forever discharge the City of Long Beach, Mississippi, and all of its respective agents, servants, employees, elected and non-elected officials, successors, predecessors, insurers, attorneys, and any and all other legal entities and persons, of and from any and all claims, demands, actions, damages, liability, or legal recourse of any type, and expenses (including attorneys' fees) in connection with or arising from or out of my use of the Town Green.

WHEREFORE, PREMISES CONSIDERED:

The undersigned further agrees that he/she shall indemnify and hold harmless the City against and from all claims, demands, actions, rights of action, liabilities, losses, judgments, costs, expenses, and attorney fees which shall or may rise by virtue of anything done or omitted to be done by us, including through or by its agents, employees, or other representatives, arising out of, claimed on account of, or in any manner predicated upon the use of the above mentioned property. The undersigned further agrees to protect and save and keep the City harmless and indemnify the City against and from any and all claims, demands, actions, liabilities, judgments, losses, costs, damages or expenses (including attorneys' fees) arising out of, claimed on account of, or in any manner predicated upon any accident or other occurrence arising from the use of the above mentioned property causing injury to person(s) (including death) or property to whomsoever or whatever in law and equity.

Furthermore, as part of the consideration for using the abovementioned property, the undersigned agree to assume full responsibility and liability for any and all risk of loss by theft, vandalism, destruction, or otherwise, of any and all items of personal property belonging to the organization, group or members thereof while in and about said facility, regardless of whether or not said loss relates to, or arises out of, the use of said facility and, in addition, said organization or group agrees to indemnify and hold the City of Long Beach, its agents and servants, and employees harmless from and against all claims and expenses for same, including attorneys fees.

This, the 7th day of March, 2015.

Authorized Signature Shane Walker

Witness [Signature]

~ 2 ~

There was no action required or taken regarding agenda Item. XIII. 4. Glenn Mitchell – Letter of Compliance/Cleanup; Ronald Jefferson Property Beatline Road.

The City Attorney updated the Mayor and Board of Aldermen on several matters, none of which required official action.

Minutes of September 2, 2014
 Mayor and Board of Aldermen

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

PUBLIC COMMENTS PERTAINING TO MATTERS <u>NOT</u> APPEARING ON THE AGENDA	
<p>NOTE: All comments <u>shall</u> be directed to the Chairman (Mayor) at the end of the meeting.</p> <p>Comments of a personal nature regarding individual members of the Governing Authority (Mayor and Board of Aldermen), City Staff and/or Personnel, other Citizens, disruptive comments or improper actions <u>will not</u> be permitted.</p> <p>Public Comments will be limited to a total of ten (10) minutes and limited to a maximum of two (2) minutes per person.</p> <p>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.</p>	
PLEASE PRINT:	
NAME / ADDRESS / TELEPHONE	SUBJECT MATTER
1	UPDATE - WRITTEN RESPONSE FROM BUILDING OFFICIAL ON COMPLAINT FILED 6-6-2014
2	LINDA BLAKENY REQUEST UPDATE ON WRITTEN RESPONSE FROM BUILDING OFFICIAL COMPLAINT FILED 6-6-2014
3	Anthony Bagley O. Shady De. M&L Board vs Lot.
4	ANNE DiLorenza - Pink Heart FUNDS
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

There came on for consideration a personnel matter in the Building Permit Office and discussion was held to determine whether or not to declare an executive session.

Upon further discussion, Alderman Parker made motion seconded by Alderman Ponthieux to meet in executive session for the transaction of public business, to-wit: to discuss a personnel matter relating to the position of Building Official.

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

Alderman Bernie Parker	voted	Aye
Alderman Gary Ponthieux	voted	Aye
Alderman Kelly Griffin	voted	Aye
Alderman Alan Young	voted	Absent, Not Voting
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 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, Alderman Carrubba made motion seconded by Alderman Lishen and unanimously carried to accept the resignation of Building Official Earl Levens effective September 15, 2014, and authorizing the City Clerk to advertise for the full time position of Building Official/Zoning Enforcement Officer.

* * * * *

There being no further business to come before the Mayor and Board of Aldermen at this time, Alderman Carrubba made motion seconded by Alderman Parker and unanimously carried to recess the meeting to Tuesday, September 9, 2014, at 5:00 o'clock p.m., City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi.

* * * * *

Minutes of September 2, 2014
Mayor and Board of Aldermen

APPROVED:

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

Alderman Gary J. Ponthieux, Ward 1

Alderman Bernie Parker, Ward 2

Alderman 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. Schruoff, City Clerk