

Be it remembered that a regular meeting of the Port Commission of the City of Long Beach, Mississippi, was begun and held at the Long Beach School District Central Office, 19148 Commission Road, in said City at 5:30 p.m., it being the third Thursday in April, 2007, and the same being the time, date, and place fixed for holding said meeting.

There were present and in attendance on said Port Commission and at the meeting the following named persons: Commission President Phil Kies, Commissioners James Hancock, Vernon Ehlers, Robert Starek, Steve Nicosia, Barbara Reed, and Chuck Ryan, Harbormaster Calvin Poupart, Port Attorney Bryan Vonder Bruegge, and Deputy City Clerk Stacey Dahl.

Absent the meeting were Commissioners Charles Purchner and Charles Stringer.

There were no comments or amendments to the agenda.

Commissioner Ehlers made motion seconded by Commissioner Starek to approve the Port Commission Minutes of March 15, 2007, noting a correction with the LESS AND EXCEPT clause in the Lease Agreement between the Long Beach Port Commission and Lookout Catering, LLC as spread on Minute Book 5 pages 213,214,and 215. The corrected **Legal Description: Lease Agreement Between the Long Beach Port Commission as Lessor and Lookout Catering, LLC, Lessee** ordered spread upon the minutes of this meeting in words and figures as follows:

Exhibit "A"

LEGAL DESCRIPTION:

LEASE AGREEMENT BETWEEN THE LONG BEACH PORT COMMISSION AS LESSOR AND CJSII, INC.

A parcel of land situated and being located in Township 8 South, Range 12 West, City of Long Beach, First Judicial District of Harrison County, Mississippi and being more particularly described as follows:

Commence at the intersection of the Northern right-of-way of U. S. Highway 90 with the Westerly right-of-way of Cleveland Avenue; thence S 27°48'50" E 198.80 feet along the southerly projection of said Westerly right-of-way of Cleveland Avenue; thence S 69°40'50" W 358.03 feet to an iron rod located at the Northeast corner of property to the Long Beach Yacht Club; thence S 28°11'35" E 241.46 feet along the Easterly line of property to the Long Beach Yacht Club, to the Point of Beginning; thence N 83°07'35" E 345.43 feet; thence S 85°33'50" E 13.09 feet; thence S 53°24'50" E 15.65 feet; thence S 28°3'10" E 55.44 feet; thence S 14°12'10" E 15.72 feet; thence S 16°14'15" W 15.82 feet; thence S 61°25'40" W 31.07 feet to the mean high water line of the Long Beach Small Craft Harbor; thence Northwesterly and Westerly along the meandering mean high water line of said Long Beach Small Craft Harbor the following eight courses, N 50°29'50" W 31.74 feet; N 67°11'30" W 22.74 feet; N 82°56'10" W 49.11 feet; N 88°05'10" W 49.50 feet; S 89°32'00" W 49.78 feet; S 84°51'05" W 49.86 feet; S 78°34'50" W 48.51 feet; S 71°54'00" W 48.66 feet to the intersection with the Easterly line of property to the Long Beach Yacht Club; thence N 28°11'35" W 63.58 feet along said Easterly line of property to the Long Beach Yacht Club, to the said Point of Beginning.

LESS & EXCEPT the following described parcel:

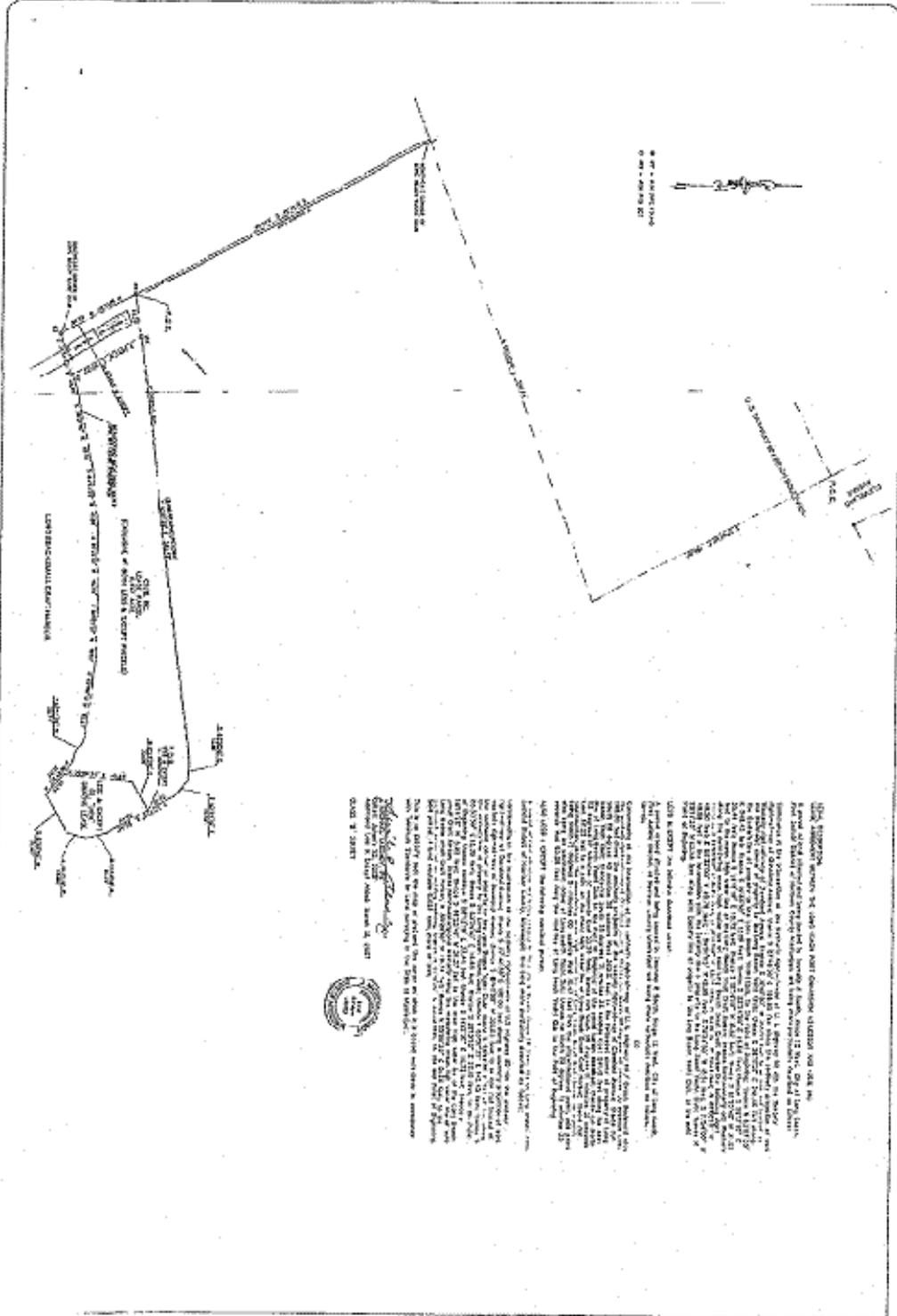
A parcel of land situated and being located in Township 8 South, Range 12 West, City of Long Beach, First Judicial District of Harrison County, Mississippi and being more particularly described as follows, to-wit:

Commencing at the intersection of the northerly right-of-way of U. S. Highway 90 / Beach Boulevard with the westerly right-of-way of Cleveland Avenue; thence run South 27 degrees 48 minutes 50 seconds East 198.80 feet along the southerly projection of the westerly right-of-way of Cleveland Avenue; thence run South 69 degrees 40 minutes 50 seconds West 358.03 feet to the Northeast corner of property of Long Beach Yacht Club; thence run South 28 degrees 11 minutes 35 seconds East 241.46 feet along the east line of Long Beach Yacht Club to the Point of Beginning of the parcel herein described; thence run North 83 degrees 07 minutes 35 seconds East 345.43 feet; thence run South 28 degrees 11 minutes 35 seconds East 57.22 feet to a point on the mean high water line of Long Beach Small Craft Harbor; thence run Southwesterly along the meandering mean high water line of Long Beach Small Craft Harbor to a point being South 71 degrees 54 minutes 00 seconds West 30.47 feet from the aforementioned point, said point also being the Southeast corner of Long Beach Yacht Club; thence run North 28 degrees 11 minutes 35 seconds West 63.58 feet along the east line of Long Beach Yacht Club to the Point of Beginning.

ALSO LESS & EXCEPT the following described parcel:

A parcel of land situated and being located in Township 8 South, Range 12 West, City of Long Beach, First Judicial District of Harrison County, Mississippi; and being more particularly described as follows:

Commencing at the intersection of the northerly right-of-way of U.S. Highway 90 with the westerly right-of-way of Cleveland Avenue; thence S 27°48'50" E 198.80 feet along a southerly projection of said westerly right-of-way of Cleveland Avenue; thence S 69°40'50" W 358.03 feet to an iron rod located at the northeast corner of property to the Long Beach Yacht Club; thence S 28°11'35" E 241.46 feet along the easterly line of property to the Long Beach Yacht Club; thence N 83°07'35" E 345.43 feet; thence S 85°33'50" E 13.09 feet; thence S 53°24'50" E 15.65 feet; thence S 28°3'10" E 22.00 feet, to the Point of Beginning; thence continue S 28°13'10" E 33.44 feet; thence S 14°12'10" E 15.72 feet; thence S 16°14'15" W 15.82 feet; thence S 61°25'40" W 31.07 feet to the mean high water line of the Long Beach Small Craft Harbor; thence northwesterly and westerly along the meandering mean high water line of said Long Beach Small Craft Harbor, N 50°29'50" W 31.74 feet; thence N 05°56'32" E 50.69 feet to the northeast corner of an existing building; thence N 61°46'50" E 25.00 feet, to the said Point of Beginning. Said parcel of land contains 0.085 acre, more or less.



THE UNDERSIGNED, GEORGE W. LANE, of the County of ... State of ... do hereby certify that the above is a true and correct copy of the original ... as the same appears from the records of the ...

Witness my hand and seal of office this ... day of ... 19...

GEORGE W. LANE, Clerk of the ...

(Seal)

The question received the affirmative vote of all commissioners present and voting, with Commissioner Nicosia abstaining.

The commission recognized Mr. Rob Stinson, President of the Long Beach Chamber of Commerce/Chairman of the Kite Festival, and discussion was held regarding the Kite Fest scheduled for May 5, 2007. The Kite Fest drew a crowd of approximately 2000 last year and the Chamber is anticipating larger participation this year. After considerable discussion regarding the safety of children and adults attending Kite Fest, it was the consensus of the commission to “split” the Harbor parking lot west of Cleveland Avenue, designating half for boaters and half for Kite Fest visitors; utilizing barricades to direct boater traffic.

Commissioner Reed was preliminarily absent the meeting and arrived at 6:05 p.m.

Commissioner Kies apprised the commission of his meeting with the Secretary of State’s staff regarding harbor expansion. The Secretary of State’s office expressed concern over infringing on the sand beach, more specifics are needed on the dimensions of harbor expansion and legal descriptions.

After considerable discussion, it was the consensus of the commission to request David Ball, City Engineer, to work with Commission Starek to provide engineered dimension drawings and legal descriptions to the Port Commission by April 30, 2007, so as to allow the Port to move forward with requesting a lease from the Secretary of State for an expanded harbor.

Commissioner Hancock made motion seconded by Commissioner Ehlers and unanimously carried to approve the bills as listed on Docket of Claims #041907.

Commissioner Hancock made motion seconded by Commissioner Nicosia and unanimously carried to suspend the rules to recognize Mr. Kert Meyer and his request to replace a wooden fence at the Yacht Club.

It was the consensus of the commission that the replacement of a fence does not require any action by the Port Commission.

Commissioner Ehlers left the meeting at 6:50 p.m.

The commission recognized Mr. Bryan Vonder Bruegge for the Port Attorney's report of which no action was required or taken.

The commission recognized Mr. Calvin Poupart for the Harbormaster's report; whereupon Mr. Poupart updated the commission on the progress of repairs to the harbor.

There being no further business to come before the Port Commission at this time, Commissioner Hancock made motion seconded by Commissioner Starek and unanimously carried to adjourn until the next regular meeting in due course.

APPROVE:

PHIL KIES, PRESIDENT

DATE

ATTEST:

STACEY DAHL, DEPUTY CITY CLERK