

The Board of Mayor and Aldermen of the City of Waveland, Mississippi, met in regular session at the Waveland City Hall Boardroom, 301 Coleman Avenue, Waveland, MS. on March 5, 2013 at 6:30 p.m., to take action on the following matters of city business.

PUBLIC COMMENTS

Re: Mr. Richard Kennedy

Mr. Richard Kennedy was present to discuss issues regarding cleanup violations in his neighborhood. Mr. Kennedy said he didn't see anything happening and felt that matters were getting worse. He expressed concerns about the RV park near his home; will that be accepted? Mr. Yarborough said he would check, but he didn't think an RV Park was allowed in any Use District; the County does not allow RV parks. He said they're not allowed as a permanent use in either the County or City. Fire Chief Mike Smith agreed with Alderman Kidd who said this is an important issue, but unfortunately usually is a long legal process to get resolved. Much of this issue is being handled through Chief Smith's department and he assured Mr. Kennedy it is in process and he will see a resolution, but it will take a considerable amount of time. He noted that Mr. Kennedy has multiple issues in his neighborhood and each issue has to be handled differently. Chief Smith told Mr. Kennedy he could come see him about progress with this problem in the future.

MAYOR'S REPORT

Re: Bids were opened for the 30' x 50' pre-engineered metal building (Fire Training Facility at the Central Fire Station) and taken under advisement at 6:00 immediately preceding this meeting. (EXHIBIT A)

- a) Spread on the Minutes that the Bids were accepted for the 30' x 50' pre-engineered metal building were accepted by the 4:00 pm deadline on March 4, 2013 and were subsequently opened at 6:00 pm immediately preceding this regular meeting of the Board of Mayor and Aldermen. These bids have been taken under advisement pending review and recommendation by the Public Works Director, Chief Mike Smith and City Attorney Gary Yarborough.

ROLL CALL

Mayor Garcia noted for the record the presence of Aldermen Stahler, Geoffrey, and Kidd along with City Attorney Gary Yarborough and City Clerk Lisa Planchard.

Absent due to prior work obligations was Alderman Shane Lafontaine

MAYOR'S REPORT (Continued)

On behalf of the Board of Mayor and Aldermen, the Mayor said he would like to thank Mr. Darrel Antoine, Mr. Harold Gillum, and Mr. Aaron Wilkerson for coming out over the weekend of February 23 and 24, 2013 to assist with the repair of a sewerage and drainage back-up caused by the recent heavy rains. The Mayor also recognized electrician Mr. Aaron Wilkerson for giving of his time at no charge to the City for this work. Mayor Garcia thanked all of the employees of the Public Works and Streets Departments for working long hours and through lunch breaks to get the water tie-in in for the water system in Lakeshore this past weekend; this will service approximately 11 to 12 residents. At this time the Mayor asked Mr. Anderson to recognize and name the individuals that worked that weekend. Mr. Anderson noted Darrel Antoine, Kenny Kientz, Harold Gillum, Brad James and himself, along with the Mayor. The Mayor said he appreciated all of the citizens in the affected area for their patience and mentioned Alderman Lafontaine's gratitude to all of the employees' hard work last weekend and this weekend to get these sewer/water projects repaired.

On Wednesday February 20, 2013, Alderman Stahler and Mayor Garcia attended a welcome luncheon at the American Legion Post 77 in honor of the Legion's National Commander, Mr. James E. Koutz from the State of Indiana. The Mayor said he and Alderman Stahler presented the Commander with a plaque from the City of Waveland as

well as welcoming him to Waveland. Mayor Garcia presented Board members with an article about Commander Koutz.

Mayor Garcia thanked Mrs. Mary Turcotte for a luncheon held to recognize the Hancock County volunteers for their work throughout the community. The Mayor also recognized the Seal Family for their help. Mrs. Turcotte said there is a service hour record of donated service hours which amounts to about \$800,000.00 per year of donated services in Hancock County. Mrs. Turcotte expressed her gratitude for the assistance of the elected officials during the luncheon.

The National Weather Service in Slidell, Louisiana will be holding their National Storm Spotter class at the Waveland Central Fire Station on March 13th beginning at 6 p.m. Waveland was the first Storm Ready Community on the Mississippi Gulf Coast pre Hurricane Katrina and was the very first to be awarded by the New Orleans National Forecast Office, but lost the recognition after Hurricane Katrina destroyed the Fire Stations and emergency management equipment. Mayor Garcia said that he and the Chief have already resubmitted the application for the City's Storm Ready Community recognition.

Sunday the Mayor said he was not able to be a part of the American Legion Post #77 and Ladies Auxiliary welcome of the Ride of Recovery Disabled Veterans when they arrived along the Gulf Coast because he was helping Mr. Anderson's staff with the Utility issues in Lakeshore. Chief Hurt said it went pretty well; his officers began leading the group into town at around 2:30 p.m. from the State line. All in all, there were about 4 sets of veterans totaling more than 200 participants. The Chief said there were a lot of Waveland citizens present and everyone showed great emotion and appreciation during the visit. The Mayor and Chief Hurt discussed tentative plans for the event for 2014, which would detour the riders to the beach, ride along the beach (much more pleasant and safer regarding traffic) and then north on Main Street to Hwy 90 in Bay St. Louis. Alderman Stahler and others said next year there needs to be much more advance publicity.

ALDERMEN'S COMMENTS:

Re: Alderman Stahler:

- a) Through the MS. Urban Forestry Council, the City has been given 500 free trees, not only to plant but to give away. There are 100 bald cypress trees, 100 black gum, 100 green ash, 100 sweet gum trees and 100 cherry bark oak. The City will plant a few of them, but most will be given away and the Mayor will plan a date for the giveaway.
- b) Reminded everyone of the upcoming Community Clean-up, to be held Thursday, March 7, 2013, to include pruning and working on the median of Highway 90 from the fire station to the Bay St. Louis line. She said this is part of Keep Waveland Beautiful effort and they have quite a large volunteer group going now. The Mayor said he and Alderman Lafontaine, with the help of Keep Waveland Beautiful had planned a cleanup event for April. This will include Waveland Avenue, Kiln Waveland Cutoff, Avenue B, and Highway 90 from Waveland Avenue to Wal-Mart. Alderman Kidd said he should be sufficiently recovered by then to also help out.

MAYOR'S REPORT (Continued)

- a) Reminded everyone of the upcoming St. Patrick's Parade with Waveland Civic Association in the Downtown Area (Coleman Avenue). The following day the members of the Civic Association will be present from 10:30 a.m. or 11 a.m. to begin cleaning up Coleman Avenue. Time permitting; they may get the whole route cleaned. This should send a positive message to the Community.

Re: Alderman Geoffrey:

Alderman Geoffrey had no comments.

Re: Alderman Kidd:

- a) Asked Alderman Stahler for some of the trees for the athletic complex on Waveland Avenue. Alderman Kidd said that he would like to plant some trees along that fence line. Alderman Stahler said they would look very nice. Mayor Garcia recommended that Alderman Kidd get a total of the trees he would like so Alderman Stahler could put them aside for this area. Alderman Stahler noted that the City can use what they need/want first, and then donate the rest.

- b) Asked Mr. Anderson about a lift station on Avenue B that is blinking. The line for 'Ms. Joann' got opened up; this is much appreciated. A ditch and culvert across the street from S&B's Restaurant is stopped up; asked Mr. Anderson to look at this. Mr. Anderson said he knew the one Alderman Kidd was speaking of and would look at it.
- c) Alderman Kidd asked Police Chief Hurt about a Seadoo off of Catalina St. near Avenue D. He said this Seadoo keeps moving from one place to another. Mayor Garcia said it must be from when it floods. The Chief said he would check to see if it had been stolen.

Chief Hurt said that Friday was the City's Animal Warden's last day. He said that Mr. Jonathan Paulk had overheard about the debris problems and the need for clean-up on Hogan Street and he voluntarily went out there and cleaned up Hogan Street on his last day since he was not busy.

AMEND AGENDA/COURT DEPARTMENT/RESOLUTIONS

Re: Amend the agenda to approve a Resolution Requesting to use the Hancock County Justice Court to hold Municipal Court

Alderman Stahler moved, seconded by Alderman Kidd to approve amending the agenda to include the resolution requesting local legislation to allow the City to conduct Municipal Court outside of City of limits and support from the Hancock County Board of Supervisors for use of the Hancock County Justice Court for Waveland City Court.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey and Kidd

Voting Nay: None

Absent: Lafontaine

Re: Approve the Resolution Requesting to use the Hancock County Justice Court to hold Municipal Court

Alderman Kidd moved, seconded by Alderman Geoffrey to approve the resolution requesting local legislation to allow the City to conduct Municipal Court outside of City of limits and support from the Hancock County Board of Supervisors for use of the Hancock County Justice Court for Waveland City Court. **(EXHIBIT B)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey and Kidd

Voting Nay: None

Absent: Lafontaine

RSVP

Re: Claims

Alderman Kidd moved, seconded by Alderman Stahler to approve the RSVP Claims as submitted. **(EXHIBIT C)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey and Kidd

Voting Nay: None

Absent: Lafontaine

DOCKET OF CLAIMS

Re: Claims Nos.

Alderman Stahler moved, seconded by Alderman Kidd to approve the Docket of Claims dated March 5, 2013 as submitted by the City Clerk. **(EXHIBIT D)**

001 Fund – 465-516
100 Fund –
101 Fund –
102 Fund –
103 Fund –
124 Fund –
125 Fund –
127 Fund –
400 Fund –

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey and Kidd

Voting Nay: None

Absent: Lafontaine

COURT DEPARTMENT

Re: Court Clerk Rhonda Cummings updated the Board on the Fines and Fees

Court Clerk Rhonda Cummings said that Court collections are improving. Ms. Cummings said she felt the increase in collection was due to people getting income tax refunds and having the money to pay their fines. Alderman Kidd asked about the Delta court software getting purchased and installed. Ms. Cummings said the representative from Delta is currently out of the office and would set up a meeting next week. **(EXHIBIT E)**

**REDISTRICTING/BENCHMARK PLAN/SLAUGHTER AND ASSOCIATES/
ELECTIONS**

Re: City Attorney Gary Yarborough discussed the Benchmark Plan for Redistricting submitted by Slaughter and Associates

City Attorney Gary Yarborough to discuss the Benchmark Plan as submitted by Slaughter and Associates with regard to upcoming Redistricting requirements in advance of the 2014 election. This plan is based on the 2010 Census data with current boundaries. The benchmark plan shows the need to redistrict, i.e. 1 man, 1 vote principal. **(EXHIBIT F)**

Mr. Yarborough said, “What we have here is a benchmark with 1609 (per Ward) which is the ideal population. In 2008, the redistricting was based on the house count; this is placing the current boundaries into the 2010 Census data. The ideal population is 4 wards, 1609 people per ward; Ward 1 varies 15.1% from that ideal population. Ward 4 deviates 16%, so the total of those is 31.1%. The maximum allowed by the Department of Justice is typically 10%. The one we had (redistricting plan) from last time was a 2%, or so, variation. In short, the City will have to re-district and we’ll just proceed from there; basically because of the variance between Wards 1 and 4.” Alderman Kidd said his concern is that he has fewer citizens but double the land mass; ward 4 will grow in size, with fewer citizens. Mr. Yarborough said there would have to be an addition of roughly 257 people to Ward 4. He said there will be additional proposals submitted by Slaughter and Associates which the Board can review and modify.

PERSONNEL/FIRE DEPARTMENT

Re: Hire 2 new Auxiliary Fire Fighters

Alderman Geoffrey moved, seconded by Alderman Kidd to hire the following as Auxiliary Fire Fighters, at a rate of \$9.00 per hour pending passage of drug test, as recommended by Fire Chief Mike Smith and listed. (Items a-b)

- a) Charles Baughman

b) Brandon Lafontaine

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey and Kidd

Voting Nay: None

Absent: Lafontaine

Note: For the record, Chief Mike Smith noted that Brandon Lafontaine is not related to Alderman Lafontaine in any way.

**TRAVEL/FIRE DEPARTMENT/CITY HALL/PURCHASING/POLICE DEPARTMENT
Re: Travel: Mayor Garcia and Fire Chief Mike Smith- Association of Floodplain
Managers of Mississippi (AFMM) 2013 Spring Conference in Natchez, Mississippi/Karen
Cerami to the Mississippi Municipal Service Company 2013 Educational Program “Basic
Understanding of Workers’ Compensation/Chief Kenny Hurt, Investigator David Allen
and Lieutenant Mac Cowand to Jackson, Mississippi for the Mississippi Office of
Homeland Security first Mobile Field Force Conference**

Alderman Geoffrey moved, seconded by Alderman Stahler to approve travel for the following as listed: (Items a-c) **(EXHIBIT G)**

- a) Mayor David A. Garcia and Fire Chief Mike Smith to the Association of Floodplain Managers of Mississippi (AFMM) 2013 Spring Conference in Natchez, Mississippi, April 29th- May 2nd, 2013. Cost to the City will be 3 nights lodging each at a cost of \$116.95 per night, 3 days per diem for each, and a registration fee of \$100.00 each. A City vehicle will provide transportation.
- b) Purchasing Clerk Karen Cerami to the Mississippi Municipal Service Company 2013 Educational Program “Basic Understanding of Workers’ Compensation and Municipal Liability”, Thursday March 21, 2013 in Madison, Mississippi. Cost to the City will be lodging for 1 night, 1 day per diem and use of a City vehicle.
- c) Chief Kenny Hurt, Investigator David Allen and Lieutenant Mac Cowand to Jackson, Mississippi for the Mississippi Office of Homeland Security first Mobile Field Force Conference to be held March 5th through 7th, 2013. Cost to the City would be the use of a City vehicle. Lodging & meals are provided by the MS. Office of Homeland Security.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey and Kidd

Voting Nay: None

Absent: Lafontaine

**RESOLUTION/DIAMONDHEAD/HANCOCK COUNTY SOLID WASTE
Re: Approve a Resolution in Support of Adding Diamondhead to the Hancock County
Solid Waste Authority**

Alderman Geoffrey moved, seconded by Alderman Stahler to approve a Resolution in support of adding the Municipality of Diamondhead, Mississippi to the Hancock County Solid Waste Authority. **(EXHIBIT H)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey and Kidd

Voting Nay: None

Absent: Lafontaine

**ORDINANCE/BUILDING DEPARTMENT/PERMITS DEPARTMENT/
INTERNATIONAL BUILDING CODES**

Alderman Stahler moved, seconded by Alderman Kidd to approve Ordinance No. 360, an Ordinance for the Adoption of the Family of International Building Codes for the City of Waveland, including the following, as listed, and all penalties and related issues thereto; (Items a-k) **(EXHIBIT I)**

- a) International Building code, 2012 Edition
- b) International Residential Code, 2012 Edition
- c) International Mechanical Code, 2012 Edition
- d) International Plumbing Code, 2012 Edition
- e) International Fuel Gas Code, 2012 Edition
- f) International Private Sewer Disposal Code, 2012 Edition
- g) International Swimming Pool Code, 2012 Edition
- h) International Existing Building Code, 2012 Edition
- i) International Property Maintenance Code, 2012 Edition
- j) NFPA 70 National Electric code, 2011 Edition
- k) International Fire Code, 2012 Edition

Mayor Garcia asked about the Amusement Code. Mr. Carrigee said there is no longer an Amusement Code. He said carnival rides are now regulated under the National Electrical Code. Mr. Bill Carrigee said with the current CRS and Fire rating, it is important the City keep compliant with Building codes and FEMA. The City must maintain a certain level of compliance with the Code; he said we're not allowed to fall more than 1 code cycle behind. He said were in the 2006, we skipped the 2009 so now we have to adopt either the 2009 or 2012; there's no sense in adopting the 2009, it's old so we're adopting the 2012 Code. That puts the City in compliance with all of the FEMA regulations; we can adopt 2015 if we like and adopt 2018 when 2018 comes out. Codes are written every 3 years. Mr. Carrigee said that he will be holding a class, as a service to the citizens, open to everyone in the City of Waveland to bring them up to date with what the differences are from the 2006 to the 2012, give them a spiral bound handout that they can have to put with their other documents; this way they will not have to go out and buy the 2012 Codes.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey and Kidd

Voting Nay: None

Absent: Lafontaine

**REQUEST FOR CASH REIMBURSEMENTS/CENTRAL FIRE DEPARTMENT
TRAINING FACILITY AND DRAFTING PIT/PERSONNEL**

Spread on the minutes the following items as listed: (a-d) **(EXHIBIT J)**

- a) Request for Cash Reimbursement #R-118-379-01-HCCR in the amount of \$570.00 – Central Fire Department Training Facility and Drafting Pit.
- b) Resignation of Walter Johnson as the dedicated Meter Reader, effective February 19, 2013.
- c) Resignation of Animal Control Officer Alex Paulk effective March 2, 2013.
- d) City Clerk Lisa Planchard cancelled registration for CMCC training in Oxford because of work conflicts and instead attended the Hattiesburg CMCC training session February 27 through March 1, 2013. There was no change in cost to the City.

**DECLARATION OF LOCAL EMERGENCY/UTILITY DEPARTMENT/PUBLIC
WORKS**

Re: Declare a State of Emergency to Supply Utilities to Island Utilities Water Certificated Area of Waveland

Alderman Stahler moved, seconded by Alderman Geoffrey to ratify the Declaration of a Local Emergency declared by Mayor David A. Garcia concerning the provision of utilities to the Island Utilities area of Waveland's water certificated area. **(EXHIBIT K)**

Mr. Yarborough said that on or around February 22, 2013 there became a resource shortage in an area that's by Island Utilities, within the 1 mile westward of the City limits that's in the City's certificated area. The citizens there were without water for roughly 3 days by the time of the declaration of emergency. There is one basically sole source of water supply out there. Mr. Yarborough continued by saying what happened was, it was being supplied by a shallow well; the well went dry and became malfunctioning. Estimates to repair the well were roughly \$200,000.00; in lieu of that there was one source available. Hancock County Utility Authority could not run water there, so the source was from Bayou Utility out in Bayou Caddy. On February 25, 2013, the Mayor, pursuant 33-15-5 and 17, and 33-7-13 declared an emergency and purchased commodities and entered a contract with Bayou Caddy Utilities for the purpose of resolving the resource shortage to that area of the certificated area. This was the declaration. He said we are asking that the Board ratify that and it is Mr. Yarborough's understanding from Mrs. Cerami (Purchasing Agent) that the invoices have not been received for the commodities that were purchased to facilitate that. There was pipe purchased, meters were installed at each of the 11 or so homes that are out there; there's also a meter connecting the Beach Boulevard line to the 4" extension line that the City ran roughly a half a mile to the utilities area. Those items will be of a nature that were purchased, likewise the City did enter into an agreement; there is a writing (email) that is also provided in the minutes for the purchase of water at the rate of .90 cents per thousand gallons with a minimum price of \$230.00 for roughly 255,000 gallons, and any subsequent water purchase will be at .90 cents per thousand gallons as a 2 month contract to cure the emergency. He said we ask that those be ratified and that the invoices when submitted to the City will be certified by the declaring designee herein, the Mayor. Alderman Kidd asked why this agreement is only for 2 months. Mr. Yarborough said the City did not want to expand it any larger than needed to cure the emergency and the intent is that they will be on the agenda for Executive Session tonight to discuss something more long term. Mr. Yarborough said his feeling was that would have been outside the scope of what the emergency was, and didn't want to expand upon the contract. The City can only go outside the public bid laws if there is an emergency is in place. So we did it and limited the scope to cure the emergency and now the City is looking to discuss the issue with their Attorney Donald Rafferty, legal representative for the Utility out there; he will be sending Mr. Yarborough a draft by Thursday. Mr. Yarborough said he would meet with Mr. Rafferty next week about something more permanent. Mayor Garcia thanked Mr. Yarborough for giving up his Saturday to meet with the Mayor during the bad weather to put together an emergency agreement acceptable to both parties in order to provide water to the households in need.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey and Kidd

Voting Nay: None

Absent: Lafontaine

CONTRACTS/AGREEMENTS/EXPENDITURES/DECLARATION OF LOCAL EMERGENCY/PUBLIC WORKS/UTILITIES

Re: Ratify Contracts, Agreements and Expenditures incurred During the Recent Declaration of Emergency for Repair of Utilites/Water in Island Utilities Area

Alderman Kidd moved, seconded by Alderman Stahler to ratify contracts, agreements and expenditures incurred and services performed related to the Declaration of a Local Emergency by Mayor David A. Garcia.

Mr. Yarborough advised Board members that this is to approve that contract and the invoices will be certified once they have been received.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey and Kidd

Voting Nay: None

Absent: Lafontaine

AMEC EARTH AND INFRASTRUCTURE/HMGP/RESIDENTIAL ACQUISITION PROJECT

Re: Accept AMEC Environment and Infrastructure as Program Managers for HMGP Residential Acquisition Project

Alderman Geoffrey moved, seconded by Alderman Kidd to accept and approve AMEC Environment and Infrastructure as Program Manager for the HMGP Residential Acquisition Project, as recommended by the selection committee. **(EXHIBIT L)**

During discussion, Mr. Patrick Moore (AMEC) told Board members that once the City acquires the property it will belong to the City. He said the homeowner has to vacate the house, just like a residential home sale, on the day of the closing. The homeowner will not be permitted to reenter the house once the closing has taken place because of liability to the City.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey and Kidd

Voting Nay: None

Absent: Lafontaine

INVOICES/DRAINAGE INFRASTRUCTURE/TRAINING FACILITY AND DRAFTING PIT/FIRE DEPARTMENT

Re: Invoices Submitted by Various Contractors

Alderman Stahler moved, seconded by Alderman Geoffrey to approve the following invoices submitted by various contractors and vendors and recommended to be placed in line for payment consideration contingent upon receiving funding from grant source, as listed (Items a & b): **(EXHIBIT M)**

- a) Invoice No. 0072384 from Pickering Engineering in the amount of \$33,594.00 – Drainage Infrastructure Project.
- b) Invoice 212-024-7 from Compton Engineering in the amount of \$570.00 – Fire Department Training Facility and Drafting Pit.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey and Kidd

Voting Nay: None

Absent: Lafontaine

INVOICES/JEFF DAVIS – GULFSIDE PROJECT/ West Jeff Davis Sewer System Improvements Project/ East Jeff Davis Sewer System Improvements Project/ Jeff Davis Connector & Paving Project/ Gulfside Street Sewer Improvements Project

Re: Correct Allocations on Digital Engineering Invoices to Match Allocations Provided under the Contract(s) with Digital Engineering

Alderman Kidd moved, seconded by Alderman Geoffrey to approve action to correct the allocation of Digital Engineering invoices paid under the original overall Jeff Davis/Gulfside contract to match the allocations provided for under the 12/4/2012 Digital Engineering Jeff Davis/Gulfside Agreements/Contracts and Purchase Orders 1135, 1136, 1137 and 1138 as listed: (a-d)

- a) Approve allocation Correction of Invoices 702-36-01, \$10,160.00, and 702-36-02, \$4,080.00 to match allocation of Purchase Order 1135 for the West Jeff Davis Sewer System Improvements Project. These invoices were paid with check numbers 52768 (6/18/2010) and 52977 (8/04/2010).
- b) Approve allocation Correction of Invoices 702-37-01, \$8,255.00, and 702-37-02, \$3,315.00 to match the allocation of Purchase Order 1136 for the East Jeff Davis Sewer System Improvements Project. These invoices were paid with check numbers 52768 (6/18/2010) and 52977 (8/04/2010).
- c) Approve allocation Correction of Invoices 702-38-01, \$3,990.00, and 702-38-02, \$5,355.00, to match allocation of Purchase Order 1137 for the Jeff Davis Connector & Paving Project. These invoices were paid with check numbers 52768 (6/18/2010) and 52977 (8/04/2010).
- d) Approve allocation Correction of Invoices 702-39-01, \$3,990.00, to match allocation of Purchase Order 1138 for the Gulfside Street Sewer Improvements Project. This invoice was paid with check number 52768 (6/18/2010).

Note: Contract was initially approved in total- allocation differences arose when broken out into separate contracts per sub-project. This action ratifies the allocation correction to match the purchase orders issued on the contracts approved 12/5/2012.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey and Kidd

Voting Nay: None

Absent: Lafontaine

CONTRACTS/AMENDMENTS/WEST JEFF DAVIS SEWER IMPROVEMENTS PROJECT/EAST JEFF DAVIS SEWER IMPROVEMENTS PROJECT/JEFF DAVIS CONNECTOR SEWER AND PAVING PROJECT/GULFSIDE STREET SEWER IMPROVEMENTS PROJECT

Re: Amendments to Engineering Agreements with Digital Engineering; East Jeff Davis Sewer Improvements, West Jeff Davis Sewer Improvements, Jeff Davis Connector Sewer & Paving, and Gulfside Street Sewer Improvements

Alderman Geoffrey moved, seconded by Alderman Kidd Waveland and Digital Engineering related to the Jeff Davis/Gulfside Projects, pending review by City Attorney as listed, (Items a-d): **(EXHIBIT N)**

- a) Amendment to Engineering Agreement for the West Jeff Davis Sewer Improvements Project No. 702-36-JDGS at a cost of \$92,943.00.
- b) Amendment to Engineering Agreement for the East Jeff Davis Sewer Improvements Project No. 702-37-JDGS at a cost of \$74,705.00.
- c) Amendment to Engineering Agreement for the Jeff Davis Connector Sewer and Paving Project No. 702-38-JDGS at a cost of \$110,316.00.
- d) Amendment to Engineering Agreement for the Gulfside Street Sewer Improvements Project No. 702-39-JDGS at a cost of \$77,391.00.

Mr. Yarborough said he had reviewed the amendments and these are only implementing the amount changes of the prior agenda item; he approves the language in these amendments.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey and Kidd

Voting Nay: None

Absent: Lafontaine

RESOLUTIONS/GRANT ANTICIPATION NOTE/REVOLVING LINE OF CREDIT/LOANS/FINANCING

Re: Approve a Resolution for Declaration of Intent to Approve a Revolving Line of Credit for the Purpose of Providing Interim Financing to defray the cost of the Sewer Improvement and Paving Projects (Jeff Davis/Gulfside)

Alderman Kidd moved, seconded by Alderman Geoffrey to approve a Resolution (1) Declaring the Intention of the Mayor and Board of Aldermen of the City of Waveland, MS. to approve a Revolving Line of Credit secured by a Grant Anticipation Note, Series 2013 (the "2013 NOTE") of the City in the maximum principal amount of not to exceed Two Million Eight Hundred Twenty Thousand Dollars (\$2,820,000) to raise money for the purpose of providing Interim Financing to defray the cost of (I) Sewer Improvement and paving projects in the City; and (2) Approving a Revolving Line of Credit secured by the 2013 Note of the City, to be dated the date of delivery thereof, in the principal amount of not to exceed Two Million Eight Hundred Twenty Thousand Dollars (\$2,820,000); and other related matters. **(EXHIBIT O)**

During discussion, Ms. Elizabeth Thomas of Butler, Snow, O'Mara et al Attorneys at Law, told Board members that under the statute for grant anticipation notes, you don't have to bid the whole process and go through that expense. She said what we did was provide very small ads to a few local banks; "This is what we have; please submit your proposal...." Hancock Bank came back with paying 1.19% interest rate on the money that you draw down. She said the good thing about this is that you can only draw down whatever amount is currently needed to manage your cash flow. This loan is for 1 year, but if for whatever reason the project takes longer, they can extend it for another year at the same interest rate.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey and Kidd

Voting Nay: None

Absent: Lafontaine

POLICE DEPARTMENT/SURPLUS/INTERGOVERNMENTAL TRANSFER/ TRANSFER OF ASSETS

Re: Declare one 2005 Crown Victoria as Surplus, VIN# 2FAFP71W55X169799 (Ruleville, MS.)

Alderman Stahler moved, seconded by Alderman Geoffrey to declare one 2005 Crown Victoria Police car, VIN# 2FAFP71W55X169799, with mileage of 30,957 as surplus property.

Mr. Yarborough asked Chief Hurt if he came to the Board declaring that this vehicle is no longer needed for municipal purposes, that it could be declared surplus property and take it off the inventory roll. The Chief said, "Yes." Mr. Yarborough asked to let the record reflect that the Chief agrees with those factual statements. Mr. Yarborough told Board members that by voting yea, they are adopting those factual findings. Mr. Yarborough explained the process of voting yea to declare the item surplus property; that the Board would be adopting a factual finding that the item is no longer needed for municipal purposes and it can be declared surplus and taken off the inventory rolls.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey and Kidd

Voting Nay: None

Absent: Lafontaine

RESOLUTION/POLICE DEPARTMENT/TRANSFER OF ASSETS/SURPLUS/ INTERGOVERNMENTAL TRANSFER

Re: Approve the Intergovernmental Transfer of Police Vehicle VIN# 2FAFP71W55X169799 to Ruleville, MS.

Alderman Geoffrey moved, seconded by Alderman Kidd to approve an Intergovernmental Transfer of Assets (Police vehicle/Crown Victoria, VIN# 2FAFP71W55X169799, mileage 30,957) to the City of Ruleville, MS. Police Department and authorize City Attorney to draft the Agreement and Joint Resolution of Intergovernmental Transfer for same to be sold at the negotiated amount of \$50.00; all City personnel to finalize regarding such agreement and joint resolution as needed. **(EXHIBIT P)**

Mr. Yarborough told the Board they need to make a factual finding, if they vote yea, that the transfer of this asset for less than fair market value and with that appraisal would be beneficial to the citizens of the State of Mississippi.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey and Kidd

Voting Nay: None

Absent: Lafontaine

ADJOURN

Re: Adjourn meeting 8:08 p.m.

Alderman Geoffrey moved, seconded by Alderman Stahler to adjourn the meeting at 8:08 p.m.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey and Kidd

Voting Nay: None

Absent: Lafontaine

The foregoing minutes were presented to Mayor Garcia on April 5, 2013.

Lisa Planchard
City Clerk

The Minutes of March 5, 2013 have been read and approved by me on this day the 5th day of April, 2013.

David A. Garcia
Mayor

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INTENTIONALLY**