

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met at City Hall, 815 North Beech Street, in said City, Tuesday, April 6, 2010, at 5:00 p.m. in regular session with the following officials present: Mayor Ed Pinero, Council Members Larry Watkins, Lynn Bumpers, Larry Breland and Wayne Gouguet, City Manager Harvey Miller and City Clerk Priscilla Daniel. Council Member Todd Lane was absent.

It Being Determined a quorum was present, the following proceedings were held.

Opening prayer was given by Bro Bill Claybough, followed by the Pledge of Allegiance led by Mayor Ed Pinero.

SPECIAL RECOGNITION OF POSTAL EMPLOYEE SHERRI GREEN WHO EXHIBITED UNWAVERING CARE AND COMPASSION BY STOPPING TO ASSIST A WOUNDED ELDERLY CITIZEN

KATHLEEN SHAUGHNESSY FROM AT & T GAVE OVERVIEW OF NEW U-VERSE SERVICES COMING SOON TO COMPETE WITH SATELLITE & CABLE COMPANIES

ORDER TO APPROVE MINUTES

Motion was made by Council Member Breland, seconded by Council Member Bumpers to approve the Minutes for the City of Picayune dated March 16, 2010 and the Special Recessed Meeting held March 17, 2010.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Lane

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE DOCKET

Motion was made by Council Member Watkins, seconded by Council Member Breland to approve the docket for April 6, 2010 in the amount of \$691,271.91.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Lane

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE ANNUAL TOOTSIE ROLL DRIVE

Motion was made by Council Member Watkins, seconded by Council Member Gouguet to approve request by the Knights of Columbus to hold their Annual Tootsie Roll Drive on Friday, May 7, and Saturday, May 8, 2010 from 9am to 4pm at the intersections of Hwy 43 and Hwy 11 North and South, East and West Canal Street and at Wal-Mart.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Lane

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE "BATTLE OF THE BANDS" AT JACK READ PARK

Motion was made by Council Member Watkins, seconded by Council Member Bumpers to approve request from Greater Picayune Arts Council to conduct a "Battle of the Bands" at Jack Read Park on April 17th, 2010 from 1pm until 6pm with the westbound section of Goodyear Blvd in front of park closed.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Lane

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE TUNG BLOSSOM 5K RUN AND FUN WALK

Motion was made by Council Member Breland, seconded by Council Member Watkins to approve request to conduct the 5th Annual Tung Blossom 5K Run and Fun walk at the Street Fair April 10, 2010 with the route starting and finishing on the East Side of Jack Read Park on Quince Street.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Lane

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE PROGRESS PAYMENT NO. 3 TO PLAAS, INC

Motion was made by Council Member Watkins, seconded by Council Member Gouguet to approve progress payment No. 3 to Plaas, Inc in the amount of \$39,933.77 for work done on South Beech Force Main Project.

Job No. 09-07-7002
Project No. XP-0747405-1

Invoice No. 20009 Plaas, Inc Invoice Number
Invoice Date

Page One of Two

APPLICATION AND CERTIFICATE FOR PAYMENT

PROJECT: South Beech Force Main
Wastewater Infrastructure Improvements
US EPA Region 4 Project 807-0747405-1

APPLICATION NO.: 09-07-7002-003
PERIOD TO: 3/29/2010
PROJECT NO.: XP-0747405-1

DISTRIBUTION TO:
OWNER
ENGINEER
CONTRACTOR

FROM CONTRACTOR:
Plaas, Inc
2814 J. Avenue
Rockville, MS 39470
CONTRACT FOR: \$224,850.00

VA ENGINEER:
M.A. Engineering, Inc.
106 Street A
Piquette, MS 39468

CONTRACT DATE:
December 31, 2009

The undersigned Contractor certifies that to the best of the Contractor's knowledge, info, and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, and that the amount of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

CONTRACTOR:
Plaas Incorporated
By: *Frederick Reed* Date: March 29, 2010

State of: Mississippi
County of: Stone County
Subscribed and sworn to before me this 21 day of March, 2010.
Notary Public: *Brian S Fleming*

ENGINEER'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on my observations and the data accompanying this application, the Engineer certifies that the Work has been completed in accordance with the Contract Documents, and that the amount of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED: \$ 39,933.77
(Attach explanation if amount certified differs from the amount applied for. Enter all figures on this application and on the Continuation Sheet that are changed to conform to the amount certified.)

ENGINEER: *Robert A. Munnif* Date: 3/29/2010
By: *Robert A. Munnif*

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein, and the Engineer's acceptance of payment is without prejudice to any rights of the Owner or Contractor under this Contract.

0328-0002

0328-0002

VA DOCUMENT FOR APPLICATION AND CERTIFICATE FOR PAYMENT 888 BDR00
THE AMERICAN INSTITUTE OF ARCHITECTS, 1945 NEW YORK AVENUE, N.W., WASHINGTON, D.C. 20006-5202

CONTRACTOR'S APPLICATION FOR PAYMENT
Application is made for payment, as shown below, in connection with the Contract Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM	\$ 224,850.00
2. Net change by Change Orders	\$ 0.00
3. CONTRACT SUM TO DATE (Line 1 + 2)	\$ 224,850.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$ 215,790.00
5. RETAINAGE:	
a. 10.0% of Completed Work (Columns D + E on G703)	\$ 21,579.00
b. of Stored Material (Column F on G703)	\$
Total Retainage (Line 5a + 5b or Total in Column I of G703)	\$ 21,579.00
6. TOTAL EARNED LESS RETAINAGE	\$ 194,276.00
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate)	\$ 154,342.24
8. CURRENT PAYMENT DUE (Line 6 less Line 7)	\$ 39,933.77
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$ 30,675.00

CHARGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$0.00	\$0.00
Costs approved this month	\$0.00	\$0.00
TOTALS	\$0.00	\$0.00
NET CHANGES by Charge Order	\$0.00	\$0.00

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Lane

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE CHECKING ACCOUNT FOR THE SPECIAL POLICE DRUG FUND

Motion was made by Council Member Watkins, seconded by Council Member Breland to approve request to open a checking account for the Special Police Drug Fund.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Lane

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

**AUTHORIZE MAYOR AND CITY CLERK TO EXECUTE THE RESOLUTION
DECLARING THE INTENTION OF THE MAYOR AND CITY COUNCIL OF THE CITY
OF PICAYUNE TO ISSUE GENERAL OBLIGATION STREET BONDS SERIES 2010**

Motion was made by Council Member Breland, seconded by Council Member Watkins to authorize Mayor and City Clerk to execute the Resolution Declaring the Intention of the Mayor and City Council of the City of Picayune to issue General Obligation Street Bonds, Series 2010.

RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PICAYUNE, MISSISSIPPI, TO ISSUE GENERAL OBLIGATION STREET BONDS, SERIES 2010, OF THE CITY OF PICAYUNE, MISSISSIPPI, OR TO ISSUE A GENERAL OBLIGATION STREET BOND, SERIES 2010, OF THE CITY OF PICAYUNE, MISSISSIPPI FOR PURCHASE BY THE MISSISSIPPI DEVELOPMENT BANK, ALL IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED NINE MILLION DOLLARS (\$9,000,000) TO RAISE MONEY FOR THE PURPOSE OF FINANCING CERTAIN CAPITAL PROJECTS AND IMPROVEMENTS WHICH SHALL CONSIST OF CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS OR PUBLIC PARKING FACILITIES, AND PURCHASING LAND THEREFOR; AND FOR OTHER AUTHORIZED PURPOSES UNDER SECTIONS. 31-25-1 ET SEQ., MISSISSIPPI CODE OF 1972, AS AMENDED, AND SECTIONS 21-33-301 ET SEQ., MISSISSIPPI CODE OF 1972, AS AMENDED, INCLUDING PAYING FOR THE COST OF SUCH BORROWING; AND DIRECTING PUBLICATION OF NOTICE OF SUCH INTENTION.

WHEREAS, the Mayor and City Council of the City of Picayune, Mississippi (the "Governing Body"), acting for and on behalf of the City of Picayune, Mississippi (the "City"), hereby finds, determines, adjudicates and declares as follows:

1. The City is authorized by Sections 21-33-301 et seq., Mississippi Code of 1972, as amended (the "Act") to issue general obligation street bonds and is authorized by Sections 31-25-1 et seq., Mississippi Code of 1972, as amended (the "Bank Act") and the Act to issue a general obligation street bond to be purchased by the Mississippi Development Bank, both being hereinafter proposed to be issued for the purposes and amounts set forth in paragraph 2 of this preamble.

2. It is necessary and in the public interest to issue General Obligation Street Bonds, Series 2010 (the "G.O. Street Bonds") of the City or to issue a General Obligation Street Bond, Series 2010 (the "G.O. Qualified Obligation") of the City to be purchased by the Mississippi Development Bank, all in the principal amount not to exceed Nine Million Dollars (\$9,000,000) to raise money for the purpose of financing certain capital projects and improvements which shall consist of constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, and purchasing land therefor; and for other authorized purposes under Sections. 31-25-1 et seq., Mississippi Code of 1972, as amended, and Sections 21-33-301 et seq., Mississippi code of 1972, as amended, including paying for the cost of such borrowing (the "Project").

3. The assessed value of all taxable property within the City, according to the last completed assessment for taxation, is _____ Dollars (\$ _____); the City has outstanding bonded indebtedness subject to the fifteen percent (15%) debt limit prescribed by Section 21-33-303, Mississippi Code of 1972, as amended, in the amount of _____ Dollars (\$ _____), and outstanding bonded and

floating indebtedness subject to the twenty percent (20%) debt limit prescribed by Section 21-33-303, Mississippi Code of 1972, as amended (which amount includes the sum set forth above subject to the fifteen percent (15%) debt limit), in the amount of _____ Dollars (\$_____); the issuance of the G.O. Street Bonds hereinafter proposed to be issued pursuant to the Act or the G.O. Qualified Obligation hereinafter proposed to be issued pursuant to the Act and the Bank Act, when added to the outstanding bonded indebtedness of the City, will not result in bonded indebtedness, exclusive of indebtedness not subject to the aforesaid fifteen percent (15%) debt limit, of more than fifteen percent (15%) of the assessed value of taxable property within the City, and will not result in indebtedness, both bonded and floating, exclusive of indebtedness not subject to the aforesaid twenty percent (20%) debt limit, in excess of twenty percent (20%) of the assessed value of taxable property within the City, and will not exceed any constitutional or statutory limitation upon indebtedness which may be incurred by the City.

4. It is necessary for the health and well-being of the citizens of the City and it is necessary, proper and economically feasible that the City issue the G.O. Street Bonds pursuant to the Act or the G.O. Qualified Obligation to be purchased by the Mississippi Development Bank pursuant to the Act and the Bank Act, both for the purposes herein stated and under the procedures hereinafter set forth as provided by law.

5. The City reasonably expects that it will incur expenditures prior to the issuance of the G.O. Street Bonds or the G.O. Qualified Obligation to be purchased by the Mississippi Development Bank, which it intends to reimburse with the proceeds of the G.O. Street Bonds or the G.O. Qualified Obligation, respectively, upon the issuance thereof. This declaration of official intent to reimburse expenditures made prior to the issuance of the G.O. Street Bonds or the G.O. Qualified Obligation in anticipation of the issuance of the G.O. Street Bonds or the G.O. Qualified Obligation is made pursuant to Department of Treasury regulations Section 1.150-2 (the Reimbursement Regulations). The Project for which such expenditures are made is the same as described hereinabove. The maximum principal amount of debt expected to be issued for the Project is the amount hereinabove set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY, ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:

SECTION 1. The Governing Body hereby declares its intention to issue the G.O. Street Bonds pursuant to the Act or the G.O. Qualified Obligation to be purchased by the Mississippi Development Bank pursuant to the Act and the Bank Act, all in the principal amount not to exceed Nine Million Dollars (\$9,000,000) to raise money for the purpose of providing funds for the Project. The G.O. Street Bonds or the G.O. Qualified Obligation may be issued in one or more series and will be general obligations of the City payable as to principal and interest out of and secured by an irrevocable pledge of the avails of a direct and continuing tax to be levied annually without limitation as to time, rate, or amount upon all taxable property within the geographical limits of the City.

SECTION 2. The Governing Body proposes to direct the issuance of the G.O. Street Bonds or the G.O. Qualified Obligation to be purchased by the Mississippi Development Bank in

the amounts, for the purposes and secured as aforesaid at the Governing Body's regular meeting place in the City Hall of the City, at the hour of __:__ o'clock __.m. on _____, 2010.

SECTION 3. If or on before __:__ o'clock __.m. on _____, 2010, ten percent (10%) of the qualified electors of the City or fifteen hundred (1500) whichever is less, shall file a written protest with the City Clerk against the issuance of the G.O. Street Bonds pursuant to the Act, or the issuance of the G.O. Qualified Obligation pursuant to the Act and Bank Act, then the issuance of the G.O. Street Bonds or the G.O. Qualified Obligation for such purpose or purposes shall not be authorized unless authorized at an election on the question of the issuance of such G.O. Street Bonds or G.O. Qualified Obligation to be called and held as provided by law. If no protest be filed on or before __:__ o'clock __.m. on _____, 2010, against the issuance of the G.O. Street Bonds or the G.O. Qualified Obligation, then the G.O. Street Bonds or the G.O. Qualified Obligation may be issued without an election on the question of the issuance or the authorization thereof at any time within a period of two (2) years after the date specified in Section 2 hereof.

SECTION 4. This resolution shall be published one (1) time per week for at least three (3) consecutive weeks in the *Picayune Item*, a newspaper published in the City and having general circulation therein and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended. The first publication of this resolution shall be made not less than twenty-one (21) days prior to the date fixed herein for the issuance of the G.O. Street Bonds or the G.O. Qualified Obligation and the last publication shall not be made not more than seven (7) days prior to such date.

SECTION 5. The City Clerk shall be and is hereby directed to procure from the publisher of the aforesaid newspaper the customary proof of the publication of this resolution and have the same before the Governing Body on the date and hour specified in Section 2 hereof.

SECTION 6. The City reasonably expects that it will incur expenditures prior to the issuance of the G.O. Street Bonds or the G.O. Qualified Obligation to be purchased by the Mississippi Development Bank, which it intends to reimburse with the proceeds of the G.O. Street Bonds or the G.O. Qualified Obligation, respectively, upon the issuance thereof. This declaration of official intent to reimburse expenditures made prior to the issuance of the G.O. Street Bonds or the G.O. Qualified Obligation in anticipation of the issuance of the G.O. Street Bonds or the G.O. Qualified Obligation is made pursuant to the Department of Treasury regulations Section 1.150-2 (the Reimbursement Regulations). The Project for which such expenditures are made is the same as described hereinabove. The maximum principal amount of debt expected to be issued or borrowed for the Project is the amount hereinabove set forth.

SECTION 7. If any one or more of the provisions of this resolution shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any of the other provisions of this resolution, but this resolution shall be construed and enforced as if such illegal or invalid provision or provisions had not been contained herein.

The above and foregoing resolution having been first reduced to writing was considered section by section and then as a whole, having been introduced by Councilperson

_____, was duly seconded for adoption by Councilperson _____ and upon a vote being called, received the following vote:

Mayor Ed Pinero	Voted: _____
Council Member Larry Watkins	Voted: _____
Council Member Lynn Bogan Bumpers	Voted: _____
Council Member Jason Todd Lane	Voted: _____
Council Member Larry Breland	Voted: _____
Council Member Wayne Gouguet	Voted: _____

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the resolution adopted this the 16th of March, 2010.

MAYOR
CITY OF PICAYUNE, MISSISSIPPI

ATTEST:

CITY CLERK
CITY OF PICAYUNE, MISSISSIPPI

(SEAL)

PUBLISH: _____, 2010

Jackson

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Lane

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE THE MAYOR AND CITY CLERK TO EXECUTE THE RESOLUTION APPROVING THE EMPLOYMENT OF PROFESSIONALS IN CONNECTION WITH THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES 2010

Motion was made by Council Member Watkins, seconded by Council Member Breland to authorize the Mayor and City Clerk to execute the Resolution Approving the Employment of Professionals in connection with the issuance of General Obligation Bonds, Series 2010.

RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PICAYUNE, MISSISSIPPI (THE "CITY"), APPROVING THE EMPLOYMENT OF PROFESSIONALS IN CONNECTION WITH THE ISSUANCE OF GENERAL OBLIGATION STREET BONDS, SERIES 2010, OF THE CITY OR THE ISSUANCE OF A GENERAL OBLIGATION STREET BOND, SERIES 2010, OF THE CITY FOR PURCHASE BY THE MISSISSIPPI DEVELOPMENT BANK, ALL IN A TOTAL PRINCIPAL AMOUNT OF NOT TO EXCEED NINE MILLION DOLLARS (\$9,000,000) FOR THE PURPOSE OF RAISING MONEY FOR FINANCING CERTAIN CAPITAL PROJECTS AND IMPROVEMENTS WHICH SHALL CONSIST OF CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS OR PUBLIC PARKING FACILITIES, AND PURCHASING LAND THEREFOR; AND FOR OTHER AUTHORIZED PURPOSES UNDER SECTIONS 31-25-1 ET SEQ., MISSISSIPPI CODE OF 1972, AS AMENDED, AND SECTIONS 21-33-301 ET SEQ., MISSISSIPPI CODE OF 1972, AS AMENDED, INCLUDING PAYING FOR THE COST OF SUCH BORROWING.

WHEREAS, the Mayor and City Council of the City of Picayune, Mississippi (the "Governing Body"), acting for and on behalf of the City of Picayune, Mississippi (the "City"), hereby find, determine, adjudicate and declare as follows:

1. The Governing Body has determined to raise money for the purpose of financing certain capital projects and improvements which shall consist of constructing, improving or paving streets, sidewalks, driveways, parkways, walkways or public parking facilities, and purchasing land therefor; and for other authorized purposes under Sections. 31-25-1 et seq., Mississippi Code of 1972, as amended, and Sections 21-33-301 et seq., Mississippi Code of 1972, as amended, including paying for the cost of such borrowing (the "Project").

2. It is necessary and in the public interest for the City to issue General Obligation Street Bonds, Series 2010 (the "G.O. Street Bonds") or issue a General Obligation Street Bond, Series 2010 (the "G.O. Qualified Obligation") to be purchased by the Mississippi Development Bank (the "Bank"), all in the principal amount of not to exceed Nine Million Dollars (\$9,000,000), to finance the cost of the Project.

3. That in order to prepare the necessary resolutions and documents for the sale and issuance of the G. O. Street Bonds or a G. O Qualified Obligation to be purchased by the Bank it is in the best interest of the City to authorize the law firm of Butler, Snow, O'Mara, Stevens & Cannada, PLLC, Ridgeland, Mississippi, as Bond Counsel, Government Consultants, Inc., Jackson, Mississippi, as Financial Advisor, and Nathan S. Farmer, P.A., Picayune, Mississippi as Counsel to the City, to prepare and distribute such resolutions and documents necessary in order to facilitate the sale and issuance of such G. O. Street Bonds of the City or a G.O. Qualified Obligation of the City to be purchased by the Bank at a subsequent date subject to the approval of the Governing Body of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY, ACTING FOR AND ON BEHALF OF THE CITY, AS FOLLOWS:

SECTION 1. The Governing Body hereby declares its intention to issue G. O. Street Bonds or a G.O. Qualified Obligation to be purchased by the Bank, to provide funds for the Project.

SECTION 2. The Governing Body herein employs the law firm of Butler, Snow, O'Mara, Stevens & Cannada, PLLC, Ridgeland, Mississippi, as Bond Counsel, Government Consultants, Inc., Jackson, Mississippi, as Financial Advisor, and Nathan Farmer, P.A., Picayune, Mississippi, as Counsel to the City, in connection with the sale and issuance of the G. O. Street Bonds or a G.O. Qualified Obligation to be purchased by the Bank, and authorizes them to prepare the necessary resolutions and offering documents for the subsequent sale and issuance of the G. O. Street Bonds or a G.O. Qualified Obligation to be purchased by the Bank, subject to the approval of the Governing Body of the City. No fee will be due to Butler, Snow, O'Mara, Stevens & Cannada, PLLC and Government Consultants, Inc., unless the Governing Body approves the sale and issuance of said G. O. Street Bonds or a G.O. Qualified Obligation be purchased by the Bank.

The above and foregoing resolution having been first reduced to writing was considered section by section and then as a whole, having been introduced by Councilperson _____, was duly seconded for adoption by Councilperson _____ and upon a vote being called, received the following vote:

Mayor Ed Pinero	Voted: _____
Council Member Larry Watkins	Voted: _____
Council Member Lynn Bogan Bumpers	Voted: _____
Council Member Jason Todd Lane	Voted: _____
Council Member Larry Breland	Voted: _____
Council Member Wayne Gouguet	Voted: _____

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the resolution adopted, on this the 6th day of April, 2010.

MAYOR _____

ATTEST:

CITY CLERK

(SEAL)

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Lane

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AUTHORIZE MAYOR TO EXECUTE A LETTER CONCERNING AN EASEMENT ON PROPERTY ADJACENT TO THE CROSBY ARBORETUM

Motion was made by Council Member Watkins, seconded by Council Member Gouguet to authorize Mayor to execute a letter stating that the City of Picayune will grant a 20' wide conservation easement across the City owned property adjacent to the Crosby Arboretum to allow environmental review to take place for a prerequisite for the Ridge Road project approval.



City of Picayune

815 N. Beech Street
Picayune, Mississippi 39466
(601) 798-9770 Fax (601) 798-0564
Email: picstaffasst@bellsouth.net

MAYOR
Ed Pinero, Jr.

CITY MANAGER
Harvey Miller

COUNCIL
Larry E. Breland, Sr.
Lynn Bumpers
Wayne Gouguet
Todd Lane
Larry Watkins

April 1, 2010

Crosby Arboretum Board Members
P O Box 1639
Picayune, MS 39466

Re: Project No. MS139-055(1)B
Ridge Road
Pearl River County, MS

Dear Board Members:

The City of Picayune thanks you for your support of the above referenced project. We feel that this project is much needed to provide an access from Highway 43 to Highway 607, as well as, provide an access to the airport and future tech park. We hope that this project will benefit the Crosby Arboretum by providing a direct access from the south and an access from the north that eliminates the need to travel the congestion of Wal-Mart Road.

If Alternate B or a combination of Alternate B and Alternate F is chosen as the build alternate, then we will provide a permanent green spaces easement along the west property line of the City of Picayune's parcel of land located on the east side of the existing Ridge Road. The green space easement will begin on the City's west property line and extend twenty (20) feet eastward and shall be used as a vegetative buffer between the City's property and the Crosby Arboretum. This permanent easement will be established during the right-of-way phase of the project.

Sincerely,

Edward Pinero
Mayor

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Lane

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AT THIS TIME COUNCIL MEMBER TODD LANE ENTERED THE MEETING

AUTHORIZE PROPOSAL TO BE SUBMITTED FOR THE 2010-2011 VIOLENCE AGAINST WOMEN & CHILDREN GRANT

Motion was made by Council Member Watkins, seconded by Council Member Lane to approve the request to submit a proposal for the 2010-2011 Violence Against

Women & Children Grant in the amount of \$51,321.71 with a 75/25% match with the City's part being \$12,830.43.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Breland, Lane and Gouquet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

**AUTHORIZE PUBLICATION OF CAP LOAN PROGRAM RESOLUTION AND
AUTHORIZE MAYOR'S SIGNATURE**

Motion was made by Council Member Bumpers, seconded by Council Member Watkins to authorize publication of CAP Loan Program Resolution and authorize Mayor's signature on said resolution.

**CAP LOAN PROGRAM
CITY OF PICAYUNE
RESOLUTION**

Public Notice

The Picayune City Council, acting for and on behalf of the City of Picayune, Mississippi (the "City") took up for consideration the matter of authorizing and approving a loan on behalf of the City from the Mississippi Development Authority (the "Department") for the purpose of completing capital improvements identified as:

Water System Improvements

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY, AS FOLLOWS:

Section 1. The Governing Body of the City does hereby declare its intention to enter into a loan agreement with MDA in the principal amount not to exceed six hundred thousand dollars (\$600,000.00) for the purpose of completing the capital improvements identified above.

Section 2. The Loan will be secured by a Note executed and delivered by the City to the Department. Failure of the City to meet its repayment obligations shall result in the forfeiture of sales tax allocation or homestead exemption reimbursement in an amount sufficient to repay obligations due until such time as the indebtedness has been discharged or arrangements to discharge such indebtedness satisfactory to the Department have been made.

Section 3. The Governing Body proposes to authorize and approve the Loan from the Department in the amount and for the aforesaid purposes at a meeting of the Governing Body to be held at its regular meeting place at City Hall in Picayune, Mississippi at 5:00 o'clock p.m. on the 4th day of May, 2010, or at some meeting held subsequent thereto. This date assigned to authorize and approve the aforementioned loan documents has been set to meet program requirements which mandate that four public notices be issued prior to loan closing. This will allow sufficient time for public comments.

The motion having received the foregoing vote of the Governing Body, the Mayor declared the motion carried and the Resolution adopted, on this the 6th day of April, 2010.

/s/ _____
MAYOR
CITY OF PICAYUNE, MISSISSIPPI

(SEAL)

/s/ _____
CITY CLERK

Published on April 7, 2010
April 14, 2010
April 21, 2010
and April 28, 2010
in *The Picayune Item*

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Breland, Lane and Gouguet

VOTING NAY: None

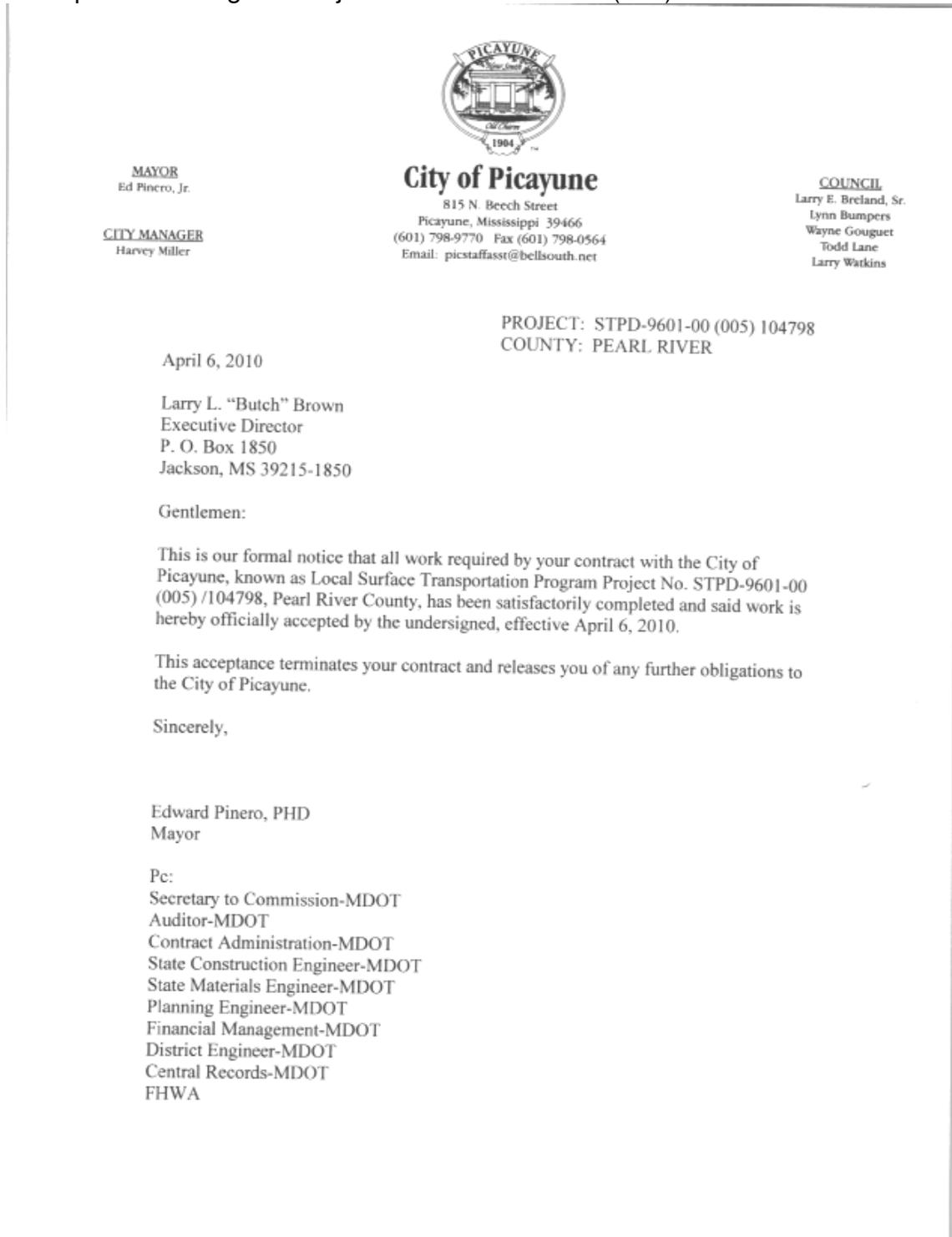
ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AUTHORIZE MAYOR'S SIGNATURE ON LETTER TO MDOT CONCERNING LOCAL SURFACE TRANSPORTATION PROGRAM PROJECT

Motion was made by Council Member Watkins, seconded by Council Member Lane to authorize Mayor's signature on letter to MDOT concerning Local Surface Transportation Program Project No. STPD-9601-00(005)104798.



The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Breland, Lane and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE REQUEST FROM PICAYUNE RETIREMENT & DEVELOPMENT TO RUN AD IN PICAYUNE ITEM

Motion was made by Council Member Breland, seconded by Council Member Lane to approve request from Picayune Retirement & Development to run an ad in the pull out section of the Picayune Item Spring Street Fair Addition at a cost of \$27.38.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Breland, Lane and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

WAIVE FEES FOR THE CONSTRUCTION OF SOUTH SIDE SCHOOL CAFETORIUM

Motion was made by Council Member Breland, seconded by Council Member Watkins to waive the building permit fees and to waive the amount for the city labor costs but to charge the Picayune School District for all materials used for taps and installation of water and gas meters made by the city and for any cost charged to the city by sub contractors in the performance of the job.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Breland, Lane and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AUTHORIZE PAYMENT TO MDOT FOR NON-PARTICIPATING ITEMS IN PALESTINE ROAD PROJECT

Motion was made by Council Member Watkins, seconded by Council Member Lane to authorize payment of up to \$23,000 to MDOT, with HSI through a Supplemental Agreement as non-participating items on the ARRA/Palestine Road Project, to replace the box culvert on Palestine Road that has buckled under the road and to pay up to \$19,000 for extension of the paving of Palestine Road from Neal Road to the City limits.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Breland, Lane and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ACCEPT AND AWARD UNIFORM BIDS

Motion was made by Council Member Watkins, seconded by Council Member Gouguet to accept bids for uniforms for Public Works and award the lowest and best bid to Cintas for a five year term.

DESCRIPTION	QUANTITY	PRESENT PRICING	CINTAS 3 YEAR		CINTAS 5 YEAR		ARAMARK	
			WEEKLY COST	PRICING	WEEKLY COST	PRICING	WEEKLY COST	PRICING
SHIRT & PANT	36	\$ 4.20	\$ 151.20	\$ 3.89	\$ 140.04	\$ 5.20	\$ 187.20	
SHIRT	3	\$ 3.00	\$ 9.00	\$ 2.75	\$ 8.25	\$ 2.70	\$ 8.10	
			\$ 160.20		\$ 148.29		\$ 195.30	

DESCRIPTION	QUANTITY	PRESENT PRICING	PRESENT WEEKLY COST
SHIRT & PANT	36	\$ 6.33	\$ 227.88
SHIRT	3	\$ 5.02	\$ 15.06
			\$ 242.94

ESTIMATED YEARLY SAVINGS TO CITY AND EMPLOYEES

CINTAS 3 YR 242,94 - 160,20 = 82,74 X 52 = \$4302,48

CINTAS 5 YR 242,94 - 148,29 = 94,65 X 52 = \$4921,80

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Breland, Lane and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO TABLE REQUEST FOR \$10.00 SURCHARGE ON ALL TITLE 63 TRAFFIC VIOLATIONS

Motion was made by Council Member Lane, seconded by Council Member Breland to table the request to approve a \$10.00 surcharge to all Title 63 traffic violations as allowed by MS Code.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Breland, Lane and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE POLICE DEPARTMENT SURPLUS LIST OF VEHICLES, MOTORCYCLES AND TRAILER

Motion was made by Council Member Lane, seconded by Council Member Gouguet to approve Police Department surplus list of vehicles, motorcycles and trailer to be sold at auction or salvage.



Major Richard Frierson,
Director of Finance/Logistics

PICAYUNE POLICE DEPT.

328 South Main St. Picayune, Ms 39466

Phone: (601) 798-7411

FAX: (601) 798-7412

CELL: (601) 273-1660

To: Deputy Chief Ervin
Cc: Chief Jim Luke
Ref: Weapons ready for auction

March 22, 2010

Below is a list of weapons, and weapon accessories that are available for auction.
I will await your decision on the next step to follow.

01. Ruger mini-14 .223 caliber rifle Serial # 187-05462
02. Norinco Mak 90 7.62 caliber rifle Serial # 9478675
03. Smith & Wesson .32 caliber pistol, Model 310, blued finish, Pachmayr grips, Serial # 765010
04. Interarms .38 cal. Pistol, Model M88-2, Stainless finish, Serial # 101744
05. Smith & Wesson .38 cal. Pistol, Model 10-7, Nickel finish, Serial # F1015228/8D01565
06. Smith & Wesson .357 cal. Pistol, Model 66-2, Stainless finish, Pachmayr grips, Serial # AAT9637
07. Smith & Wesson .357 cal. Pistol, Model 66-3, Stainless finish, Serial # BKV0273
08. Bryco Arms .380 cal. semi-auto pistol, Stainless finish, 1-mag., Serial # 1234022
09. Beretta .25 cal. Semi-auto pistol, blued finish, 1-mag., Serial # BT00249V
10. Smith & Wesson 9MM semi-auto pistol, blue finish, 1-mag., Serial # TYU9918
11. Browning 9MM semi-auto pistol, blued finish, 1-mag., Serial # N945NV03134
12. Smith & Wesson 9MM semi-auto pistol, Stainless finish, 2-mag., Serial # VYA2575
13. Smith & Wesson .38 cal. Pistol, Model 60-7, Stainless finish, Serial # BKY5932
14. Smith & Wesson .38 cal. Pistol, Model 15-3, Blued finish, Pachmayr grips, Serial # K923801
15. TASC0 4 x 32 Scope #663A
16. TASC0 4 x 32 Scope Golden Antler
17. Llama .38 cal. Semi-auto pistol, Model 38/super, 1-mag, 1-holster, Serial # 861096
18. HiPoint .380 cal. Semi-auto pistol, 1-mag., Serial # P771046
19. Bryco Arms .25 cal. Semi-auto pistol, 1-mag., Serial # unknown
20. Clerke .32 cal. Pistol, model/32, Serial #133576
21. Davis Ind. .380 cal. semi-auto Pistol, Model P-380, Serial # AP311984
22. Lorcin .380 cal. Semi-auto pistol, Model L380, 1-mag., Serial # 440827
23. Titan .38 cal. Pistol, Model tiger, Serial # 0067078
24. AMT .38 cal. 9MM Semi-auto pistol, 1-mag., Serial # RQ1453
25. Lorcin .380 cal. Semi-auto pistol, Model L380, Serial # 427340
26. Bryco .380 cal. Semi-auto pistol, Model 38, 1-mag., 1-holster, Serial 3 1203819
27. Lorcin .380 cal. Semi-auto pistol, Model L380, 1-mag., Serial # 408414
28. Taurus .357 cal. Pistol, Mode 357, Serial # LA570396
29. Lorcin .380 cal. Semi-auto pistol, Model L380, 1-mag. Serial # 342371
30. Rhoner Sport WaffenFrabik, Model SM11, 1-mag., Serial #156263
31. Taurus 9MM semi-auto pistol, 3-mag., Serial #TLJ80866D
32. Sterling .22 cal. Semi-auto pistol, Model 22lr, 1-mag., 1-holster, Serial # A73129
33. Jennings .380 cal. semi-auto pistol, Model T380, 1-mag., Serial # 1424445
34. Lorcin .380 cal. Semi-auto pistol, Model L380, Serial # 405195

(Page 1 of 2)



Major Richard Frierson,
Director of Finance/ Logistics

PICAYUNE POLICE DEPT.

328 South Main St. Picayune, Ms 39466

Phone: (601) 798-7411

FAX: (601) 798-7412

CELL: (601) 273-1660

(Page 2 of 2)

35. Davis Ind. .380 cal. Semi-auto pistol, Model P380, Serial # P285174
36. Jimenez Arms .380 cal. Semi-auto pistol, Model 380, 1-mag., Serial # 019310
37. Browning .40 cal. Semi-auto pistol, Model PRO-40, 1-mag., Serial # 51CMV01481
38. Lorcin 9MM semi-auto pistol, Model L9mm, 1-mag., Serial #L131829
39. Bryco 9MM semi-auto pistol, 1-mag., Serial #969268
40. Bryco Arms semi-auto pistol, Model Jennings nine, 1-mag., Serial # 1331887
41. Smith & Wesson .38 cal. Pistol, Model 38 spl., Serial # 601210
42. Made in Germany, .22 cal. Pistol, Serial #964015
43. Ruger 9MM, Model P-95, 1-mag., Serial #31393181
44. Walther .32 cal. semi-auto pistol, Model 32, 1-mag., Serial 3 345828P
45. Marlin rifle w/scope, Model 101, Serial # unknown
46. Marlin rifle w/scope, .22LR cal., Model 60w, Serial # 08299072
47. Stevens rifle, .22 cal., Model 87A, Serial # 2223093
48. Ruger rifle, .22 cal., Model 10/22 LR, Serial # 122-62691
49. Marlin rifle, .22 cal., Model 60-60, Serial # OK000532
50. H&R 20 gauge shotgun, Model SS, Serial # BB502512
51. Sears J.C. Higgins .22 cal. Rifle, Model 41, Serial # unknown
52. Glenfield .22 cal. Rifle, Model 6022, Serial # 24575673
53. HiPoint 9MM rifle, Model 995, Serial # A04931
54. Rohm .22 cal. Pistol, Serial # 649085
55. Lorcin .22 cal. Semi-auto pistol, Model L-25, 1-mag., Serial # 289912
56. Taurus 9MM semi-auto pistol, Model mill pro, Serial # TYG11353
57. Smith & Wesson 9MM semi-auto pistol, Model SW9VE, 1-mag, Serial # PBZ8197
58. Smith & Wesson .357 cal. Pistol, Model 66-2, 1-holster, Serial # AES6172
59. H&R .32 cal. Pistol, Model 733, 1-holster, Serial # AX084394
60. Colt .38 cal. Pistol, Model 38, Serial # 855423
61. Ruger Model P-95, Serial # 315-80128

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Breland, Lane and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AUTHORIZE MAYOR'S SIGNATURE ON EQUITABLE SHARING AGREEMENT AND CERTIFICATION FOR FISCAL YEAR ENDING 2009

Summary of Shared Monies Spent		Justice Funds	Treasury Funds
a	Total spent on salaries for new, temporary, not-to-exceed one year employees (See Guide to Equitable Sharing)	\$0.00	\$0.00
b	Total spent on overtime	\$0.00	\$0.00
c	Total spent on informant and "buy money"	\$0.00	\$0.00
d	Total spent on travel and training	\$0.00	\$0.00
e	Total spent on communications and computers	\$0.00	\$0.00
f	Total spent on firearms and weapons	\$0.00	\$0.00
g	Total spent on body armor and protective gear	\$0.00	\$0.00
h	Total spent on electronic surveillance equipment	\$0.00	\$0.00
i	Total spent on building and improvements	\$0.00	\$0.00
j	Total spent on other law enforcement expenses (complete Table C, page 3)		
k	Total transfers to other state and local law enforcement agencies (complete Table D, page 3)		
l	Total 15% Expenditures in Support of Community-based Programs (complete Table E, page 3)		
m	Total 25% Windfall Transfers to Other Government Agencies (complete Table F, page 3)		
n	Total spent on matching grants (complete Table G, page 3)		
Total		\$0.00	\$0.00

Miscellaneous Data			
o	Agency's budget for current fiscal year		\$3,250,000.00
p	Jurisdiction's budget for current fiscal year		\$18,170,300.00
q	Appraised Value of Other Assets Received	\$0.00	\$0.00

Table A: Members of Task Force

Agency Name	Address
<input type="text"/>	<input type="text"/>

Table B: Equitable Sharing Funds Received from other Agencies

Transferring Agency Name, City, and State		Justice Funds	Treasury Funds
Date	Agency Name <input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	NCIC/ORI/Tracking Number <input type="text"/>		

Table C: Other Law Enforcement Expenses

Description of Expense	Justice Funds	Treasury Funds

Table D: Equitable Sharing Funds Transferred to Other Agencies

Receiving Agency Name, City, and State		Justice Funds	Treasury Funds
Date	Agency Name		
	NCIC/ORI/Tracking Number		

Table E: 15% Expenditures in Support of Community-based Programs

Recipient	Justice Funds

Table F: 25% Windfall Transfers to Other Government Agencies

Recipient	Justice Funds	Treasury Funds

Table G: Matching Grants

Matching Grant Name	Justice Funds	Treasury Funds

Table H: Civil Rights Cases

Name of Case	Type of Discrimination Alleged				Status
	<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin	<input type="checkbox"/> Gender	
<input type="checkbox"/> Disability	<input type="checkbox"/> Age	<input type="checkbox"/> Other		<input type="radio"/> Pending	

Paperwork Reduction Act Notice

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create accurate and easily understood forms that impose the least possible burden on you to complete. The estimated average time to complete this form is 30 minutes. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, please write to the Asset Forfeiture and Money Laundering Section, Program Management and Strategic Planning Unit, 1400 New York Avenue, N.W., Second Floor, Washington, DC 20005.

Equitable Sharing Agreement

This Federal Equitable Sharing Agreement, entered into among (1) the Federal Government, (2) the above-stated law enforcement agency ("Agency"), and (3) the governing body, sets forth the requirements for participation in the federal equitable sharing program and the restrictions upon the use of federally forfeited cash, property, proceeds, and any interest earned thereon, which are equitably shared with participating law enforcement agencies. By its signatures, the Agency agrees that it will be bound by the statutes and guidelines that regulate shared assets and the following requirements for participation in the federal equitable sharing program. Receipt of the signed Equitable Sharing Agreement and Certification (this "Document") is a prerequisite to receiving any equitably shared cash, property, or proceeds.

1. Submission. This Document must be submitted to aca.submit@usdoj.gov within 60 days of the end of the Agency's fiscal year. This Document must be submitted electronically with the Affidavit/Signature page (page 5) submitted by fax. This will constitute submission to the Department of Justice and the Department of Treasury.

2. Signatories. This agreement must be signed by the head of the Agency and the head of the governing body. Examples of Agency heads include police chief, sheriff, director, commissioner, superintendent, administrator, chairperson, secretary, city attorney, county attorney, district attorney, prosecuting attorney, state attorney, commonwealth attorney, and attorney general. The governing body's head is the person who allocates funds or approves the budget for the Agency. Examples of governing body heads include city manager, mayor, city council chairperson, county executive, county council chairperson, director, secretary, administrator, commissioner, and governor.

3. Uses. Any shared asset shall be used for law enforcement purposes in accordance with the statutes and guidelines that govern the federal equitable sharing program as set forth in the current edition of the Department of Justice's *Guide to Equitable Sharing (Justice Guide)*, and the Department of the Treasury's *Guide to Equitable Sharing for Foreign Countries and Federal, State, and Local Law Enforcement Agencies (Treasury Guide)*.

4. Transfers. Before the Agency transfers cash, property, or proceeds to other state or local law enforcement agencies, it must first verify with the Department of Justice or the Department of Treasury, depending on the source of the funds, that the receiving agency is a federal equitable sharing program participant and has a current Equitable Sharing Agreement and Certification on file.

5. Internal Controls. The Agency agrees to account separately for federal equitable sharing funds received from the Department of Justice and the Department of the Treasury. Funds from state and local forfeitures and other sources must not be commingled with federal equitable sharing funds. The Agency shall establish a separate revenue account or accounting code for state, local, Department of Justice, and Department of the Treasury forfeiture funds. Interest income generated must be accounted for in the appropriate federal forfeiture fund account.

The Agency agrees that such accounting will be subject to the standard accounting requirements and practices employed for other public monies as supplemented by requirements set forth in the current edition of the *Justice Guide* and the *Treasury Guide*.

The misuse or misapplication of shared resources or the supplantation of existing resources with shared assets is prohibited. Failure to comply with any provision of this agreement shall subject the recipient agency to the sanctions stipulated in the current edition of the *Justice or Treasury Guides*, depending on the source of the funds/property.

6. Audit Report. Audits will be conducted as provided by the Single Audit Act Amendments of 1996 and OMB Circular A-133. The Department of Justice and Department of the Treasury reserve the right to conduct periodic random audits.

Affidavit

Under penalty of perjury, the undersigned officials certify that **they have read and understand their obligations under the Equitable Sharing Agreement** and that the information submitted in conjunction with this Document is an accurate accounting of funds received and spent by the Agency under the *Justice and/or Treasury Guides* during the reporting period and that the recipient Agency is in compliance with the National Code of Professional Conduct for Asset Forfeiture.

The undersigned certify that the recipient agency is in compliance with the nondiscrimination requirements of the following laws and their Department of Justice implementing regulations: Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), and the Age Discrimination Act of 1975 (42 U.S.C. § 6101 et seq.), which prohibit discrimination on the basis of race, color, national origin, disability, or age in any federally assisted program or activity, or on the basis of sex in any federally assisted education program or activity.

During the past fiscal year, has the Agency been part of any proceedings alleging discrimination by the Agency? Yes No

If you answered yes, complete Table H. Please disclose (1) all proceedings pending before any court or administrative agency, (2) any nondiscrimination laws the Agency has been found in violation of, and (3) any settlement agreements the Agency has entered into during the last fiscal year.

Agency Head

Governing Body Head

Signature: 
 Name: CHIEF JIM LUKE
 Title: CHIEF OF POLICE
 Date: 03/30/2010

Signature: _____
 Name: MAYOR ED PINERO
 Title: MAYOR/CITY OF PICAYUNE
 Date: 04/06/2010

Final Instructions:

- Step 1: Click button to save in PDF format for your records**
- Step 2: Click button to save in XML format**
- Step 3: E-mail the XML file as attachment to aca.submit@usdoj.gov**
- Step 4: Fax a signed copy of THIS PAGE ONLY to (202) 616-1344**

Note: The Agency will not be in compliance until the e-mail and the fax of this page are received.

FOR AGENCY USE ONLY Entered by _____	
Entered on _____	
FY End: 09/30/2009	
NCIC: MS0550100 Agency: PICAYUNE POLICE DEPARTMENT	Phone: 601-798-7411 EXT. 103
State: MS Contact: RICKY FRIERSON	E-mail: ricky103@bellsouth.net

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Breland, Lane and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE REQUEST TO RETIRE TO MULTI PURPOSE CANINES

Motion was made by Council Member Breland, seconded by Council Member Watkins to approve request to retire the Police Department's two multi purpose canines due to their age and illness.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Breland, Lane and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AUTHORIZE CHIEF BROWN TO SUBMIT APPLICATION FOR GRANT FUNDING TO WAL-MART

Motion was made by Council Member Lane, seconded by Council Member Breland to authorize Chief Keith Brown to submit grant application to Wal-Mart to use to purchase fire safety materials for children and authorize his signature on said application.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Breland, Lane and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE T-HANGAR LEASE BETWEEN CITY OF PICAYUNE AND SCOTT PENTON

Motion was made by Council Member Watkins, seconded by Council Member Breland to approve T-Hangar lease by and between the City of Picayune and Scott Penton.

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER

T-HANGAR LEASE AGREEMENT

This T-Hangar Lease Agreement made and entered into this, the **6th day of April 2010** by and between the City of Picayune, hereinafter referred to as "Lessor" and **Mr. Scott Penton** hereinafter referred to as the "Lessee",

WITNESSETH:

For and in consideration of the rents, covenants and agreements hereinafter-contained Lessor does hereby rent and lease unto Lessee the following:

1. PREMISES

Lessor does hereby lease and let to Lessee **T-Hangar No. J-2** located at the Picayune Municipal Airport, Picayune, Mississippi, together with reasonably necessary rights of access across Lessor's adjoining areas. Lessee has inspected the T-Hangar and accepts the T-Hangar in its present condition.

2. TERMS

~~—~~ The term of this Agreement shall be yearly, with the term to begin on the **6th day of April, 2010** and continue thereafter yearly until either party gives notice of termination or default by Lessee. Either party may terminate this Agreement by giving thirty (30) days written notice to the other party of its intent to terminate this Agreement, regardless of breach or compliance of either party.

3. RENT

Lessee shall pay, as rent for the use of the described Hangar, the amount of **\$275.00** per month in advance on the first day of each month plus a **\$275.00** hangar deposit fee is due at the inception of this contract. Said rent shall be payable by mail to the Picayune Municipal Airport, 815 North Beech Street,

Picayune, Mississippi 39466, or by personal delivery to the Picayune Municipal Airport office at 148 Runway Road, Picayune, Mississippi. Lessor may change the rent from time-to-time by giving the Lessee a thirty-days written notice.

4. **REPAIRS AND MAINTENANCE**

Lessor shall be responsible for timely repairs, replacements and maintenance of the building structure, foundation, exterior walls, and roof. Lessee shall be responsible and liable for any damage to the hangar caused by Lessee's use of the hangar, including but not limited to, bent or broken interior walls, damage to floors due to fuel and oil spillage, door damage due to the Lessee's improper or negligent operation. Lessee shall make no alterations, modifications or additions to the hangar without the prior written permission of Lessor.

5. **USE OF PREMISES**

The hangar whereby leased shall be used only for the storage of aircraft owned or leased by Lessee. No maintenance of the stored aircraft shall be conducted in the Hangar except such minor maintenance as would normally be performed by an aircraft owner without the benefit of an aircraft mechanic. Lessee further agrees that no commercial aviation activities shall be conducted at the Picayune Municipal Airport without the express written permission of the Lessor. Commercial Aviation activities include, but are not limited to aircraft rental, charter, aircraft leasing, flight instruction, aerial survey and aerial photography, etc. The storage of fuel or other flammable materials in the Hangar is strictly prohibited. The Lessee shall not engage in any illegal activity and shall abide by all Federal, State, and FAA regulations and the City of Picayune Airport Minimum Standards and Rules and Regulations.

6. **INDEMNIFICATION**

Lessee shall keep, protect and save harmless, Lessor from any loss, cost, claim, judgment or expense of any sort or nature, and from any liability to any person, on account of any injury, damage or death to any person, or property arising out of any use of the leased premises by Lessee, its agents, or any other party or person acting under the direction or control of Lessee.

7. **INSPECTION**

The Lessor may enter the leased Hangar at reasonable times to inspect the premises.

8. **SECURITY**

Lessee agrees to abide by and cooperate with Lessor in the enforcement and implementation of all airport security regulations. Security of the Hangar shall be the responsibility of Lessee. Lessee agrees to provide Lessor with a key to any lock or locking device used to secure the Hangar. Lessor agrees that the key will be used only in case of emergency or for inspection of the premises.

9. **UTILITIES**

Lessor shall pay electrical utility. Lessee shall use light fixtures for its intended purpose only and shall not alter the existing electrical facilities. Lessee shall not operate any air conditioners, refrigerators, large heaters, or other similar appliances. Outlets, when available, may be used only for operation of droplights, small hand tools, etc. No permitted electrical appliances or other electrical devices shall be connected into the outlet when the Lessee is not present. Lessee will provide basic water and sewer services to the hangar.

10. **HAZARDOUS SUBSTANCES**

Lessee shall not cause or permit any hazardous substances to be brought upon, kept or used in, on or about the hangar by Lessee, its agents or invitees, and Lessee, by execution of this Lease, covenants, warrants and represents to Lessor that it will keep the lease premises free from any and all unlawful contamination with hazardous substances and that it will hold Lessor harmless from any loss or damage with respect thereto and that Lessee will be solely responsible for any and all costs and expenses incurred for remediation in the event the same is required. Violation of this provision shall mean immediate termination of this Lease, which said termination, shall not relieve the Lessee from its liability hereunder.

11. **SUBLEASE/ASSIGNMENT**

Lessee shall not have the right to sublet the T-Hangar leased under this agreement, nor shall the Lessee have the right to assign this Lease without the express written consent of the Lessor. Storage of aircraft not belonging to or leased by the Lessee shall be construed as a sublease, and unless approved by the Lessor, shall be grounds for termination of this Lease.

12. **DEFAULT**

In the event Lessee shall default in the payment of any installment of rent or other sum herein specified and such default shall continue for ten (10) days after written notice thereof, or if Lessee shall default in the observance or performance of any other of the Lessee's covenants, agreements, or obligations hereunder and such default shall not be corrected within thirty (30) days after written notice thereof, then the Lessor shall have the right to take complete possession of the leased premises, to declare the term of this Lease ended, and remove any of the Lessee's personal effects, without prejudice to any remedies

which might be otherwise used for arrears of rent or other default.

13. FORCE MAJEURE

In the event of a natural disaster or other unforeseen event including, but not limited to, flooding, major wind or storm damage or fire, Lessor may, at its option and with or without notice, terminate this Lease.

14. INSURANCE

Lessee agrees to be responsible for maintaining liability insurance in an amount not less than \$100,000.00 during the term of this Lease. Lessee shall deliver to Lessor an annual certificate demonstrating that insurance is paid and copies of the insurance policy issued by the insurance company. Lessor will be named an insured and loss payee under the policy.

Lessee is solely responsible for maintaining insurance coverage on the contents of the T-Hangar.

15. SURRENDER OF PREMISES

Upon expiration of this Agreement for any reason, Lessee shall peacefully surrender and deliver possession of the leased premises to Lessor in as good condition and repair as at the inception of this Agreement, normal wear and tear accepted.

16. NOTICES

Should any notices be required to be given to the respective parties, the notice shall be given in writing by registered or certified mail at the following addresses or at such other addresses as may be substituted by subsequent notices to-wit:

As to Lessor: City Manager
815 North Beech Street
Picayune, MS 39466

At to Lessee: Scott Penton
Performance Aircraft of Mississippi
12030 Road 240
Carriere, MS 39426
601-799-0293
601-273-2166

WITNESS the signatures of the parties hereto, this the ____ day of February, 2010.

LESSOR: CITY OF PICAYUNE

BY: _____
Ed Pinero, Mayor

ATTEST:

City Clerk

LESSEE: _____

WITNESS:

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Breland, Lane and Gouquet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AT THIS TIME A REPRESENTATIVE FROM THE CENSUS BUREAU GAVE AN UPDATE ON COUNTY/CITY PARTICIPATION IN THE 2010 CENSUS. MR. JAMES STATED THAT THE CITIZEN'S OF PICAYUNE HAVE RESPONDED AT A RATE OF 60% WHICH IS 2% BEHIND THE NATIONAL AVERAGE AT THIS TIME.

ORDER TO ENTER CLOSED SESSION TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION

Motion was made by Council Member Watkins, seconded by Council Member Breland to enter closed session to determine the need for an executive session.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Gouguet, seconded by Council Member Watkins to return to regular session.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO RE-ENTER EXECUTIVE SESSION

Motion was made by Council Member Watkins, seconded by Council Member Breland to enter executive session to discuss the following:

Economic Development
Personnel Matter

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Gouguet, seconded by Council Member Watkins to return to regular session.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AUTHORIZE MAYOR TO SIGN CONTRACT WITH BUTLER SNOW PROFESSIONAL SERVICES

Motion was made by Council Member Lane, seconded by Council Member Bumpers to authorize Mayor to sign contract with Butler Snow for Professional Services.

BUTLER | SNOW

April 6, 2010

CONFIDENTIAL, ATTORNEY-CLIENT PRIVILEGE

Mayor Ed Pinero
City of Picayune
815 N. Beech Street
Picayune, Mississippi 39466

Re: City of Picayune Annexation

Dear Mayor Pinero:

On behalf of the firm, I want to thank the City of Picayune ("City") for choosing Butler Snow to represent it in connection with the City of Picayune Annexation.

I would like to take this opportunity to confirm the terms of our representation. Specifically, the scope of Butler Snow's engagement extends to providing legal representation for the City's annexation of adjacent territory.

We will bill the City for our services on an hourly rate basis. Our fee will be based on the amount of time that we spend on this matter. Our hourly rates will be charged at the billing rates in effect for each attorney, legal assistant or other provider of services at the time such service is rendered. Our hourly billing rates are subject to adjustment from time to time by the firm, usually each January 1.

Although I will be primary contact for the City, Leslie Scott and Meta Cooper will be primarily responsible for representing the City in this matter. Other attorneys in the firm may assist with this matter if their participation is needed to render the most effective and cost-efficient representation. We also may use legal assistants and other non-lawyer personnel to minimize expenses. Currently, our hourly rates for each lawyer which may represent the City in this matter are as follows: Michael Caples, Vic Franckiewicz and Tommie Cardin (\$265); Leslie Scott and Meta Cooper (\$215). Our legal assistant rates range between \$105 and \$150 per hour. Time is billed in increments of one-tenth (.10) of an hour.

We will bill you for our services rendered and expenses incurred on a monthly basis. Bills are payable upon receipt, but in no event later than the last day of each month in which the statement is rendered. These monthly statements will describe the services we rendered during the applicable period. In addition to our fees for services rendered, our bills will include expenses and costs normally associated with representations of this kind. We do not bill for expenses generally considered routine. For example, routine expenses include calls and faxes within the United States, copying and scanning (100 or fewer pages per day), postage (\$25 or

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1020 Highland Colony Parkway
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BUTLER, SNOW, O'MARA, STEVENS & CANNADA, PLLC

Mayor Ed Pinero
City of Picayune
April 6, 2010
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less a day), and computerized legal research using databases such as Westlaw and Lexis Nexis. We also will not charge for local deliveries (within 10 miles one way). Larger disbursements which you authorize, such as expert witness fees or investigative services, either will be requested in advance or will be forwarded directly to you for payment. For your convenience, we enclose a summary of our standard billing terms and charges for expenses. If there are ever any questions or comments regarding our monthly statements, please call me, and I will be glad to discuss them.

In the course of our representation we may send you various items of correspondence and other documents relating to this matter. If you need or wish to have a permanent file on this matter, you should keep the documents that we send you. Our firm will retain its file for a period of time after this matter is concluded, but it will not do so indefinitely, and that file will eventually be destroyed as a matter of course, without further notice to you.

You have the right to discharge us, and we have the right to withdraw, for any reason at any time upon reasonable notice. If we elect to withdraw, you will take all steps necessary to free us of any obligation to perform further, including the execution of any documents necessary to complete our withdrawal.

In the event of our withdrawal or discharge, we will be entitled to retain any fees for services provided before the date of our withdrawal or discharge, as well as to compensation for the reasonable value of our services actually rendered. We also will be entitled to reimbursement of any costs and expenses paid or incurred on your behalf up to the effective date of withdrawal or discharge.

In the event any dispute arising out of or relating to this agreement cannot be resolved amicably between the parties, the parties shall endeavor first to resolve any such disputes by mediation under the Mediation Procedure of the CPR Institute for Dispute Resolution. Unless the parties agree otherwise, the mediator will be selected from the CPR Panels of Distinguished Neutrals. Any controversy or claim arising out of or relating to this contract or the breach, termination or validity thereof, which remains unresolved 45 days after appointment of a mediator, shall be finally resolved by arbitration by a sole arbitrator in accordance with the CPR Rules for Non-Administered Arbitration, and judgment upon the award rendered by the arbitrator may be entered by any court having jurisdiction thereof.

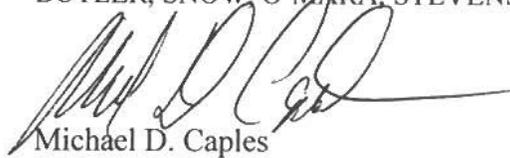
I believe this letter accurately reflects our understanding of the terms and conditions of our representation. In that regard, I will appreciate your signing below indicating your agreement with these terms and conditions and returning an executed copy of this letter to me.

Mayor Ed Pinero
City of Picayune
April 6, 2010
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On behalf of the firm, I want to thank the City of Picayune again for selecting us to represent it in this matter.

Very truly yours,

BUTLER, SNOW, O'MARA, STEVENS & CANNADA, PLLC



Michael D. Caples

MDC:cmh
Enclosure

AGREED & APPROVED:



Edward Pinero

Jackson 5020407v1

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Breland, Lane and Gouquet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO RECESS

Motion was made by Council Member Gouquet, seconded by Council Member Lane to recess until Tuesday, April 20, 2010 at 5:00 pm.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouquet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Ed Pinero, Mayor

ATTEST:

Priscilla Daniel, City Clerk