

**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, May 4, 2010, at 5:00 p.m. in regular session with the following officials present: Mayor Ed Pinero, Council Members Larry Watkins, Lynn Bumpers, Todd Lane, Larry Breland and Wayne Gouguet, City Manager Harvey Miller and Deputy City Clerk Amber Hinton.

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

Opening prayer was given by Cecil Watkins, followed by the Pledge of Allegiance led by Mayor Ed Pinero.

**ORDER TO APPROVE MINUTES**

Motion was made by Council Member Watkins, seconded by Council Member Breland to approve the Minutes for the City of Picayune dated April 20, 2010.

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.

**ACKNOWLEDGE RECEIPT OF PLANNING COMMISSION MINUTES**

Motion was made by Council Member Watkins, seconded by Council Member Breland to acknowledge Planning Commission Minutes dated April 13, 2010 as presented.

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 APPROVE DOCKET**

Motion was made by Council Member Watkins, seconded by Council Member Breland to approve the docket for May 4, 2010 in the amount of \$398,994.49.

The following roll call was made:

**VOTING YEA:** Council Members Watkins, Bumpers, Lane, Breland and Gouguet

**VOTING NAY:** None

**ABSENT AND NOT VOTING:** None

**ABSTAINING AND NOT VOTING:** Mayor Ed Pinero

The motion was declared carried.

**ORDER TO PROCLAIM MAY 2, THRU MAY 8, 2010 AS “NATIONAL GOODWILL WEEK”**

Motion was made by Council Member Watkins, seconded by Council Member Gouguet to Proclaim May 2, thru May 8, 2010 as “National Goodwill Week”.

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 PROCLAIM APRIL 24, 2010 AS GFWC DAY**

Motion was made by Council Member Gouguet, seconded by Council Member Watkins to Proclaim April 24, 2010 as General Federation of Women’s Clubs/Picayune Civic Woman’s Club Day.

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.

**APPROVE GWRRA CHAPTER “O” CAN SHAKE**

Motion was made by Council Member Lane, seconded by Council Member Gouguet to approve the request from the Gold Wing Road Riders Association Chapter ‘O’ to hold a “can shake” on Saturday May 29, 2010 from 9am to 11 am at the intersection of Hwy 43 N and Hwy 11 for Motorcycle Awareness Day with all proceeds going to Christian Care Ministries.

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.

**APPROVE REQUEST TO WAIVE GAZEBO RENTAL FEES**

Motion was made by Council Member Lane, seconded by Council Member Gouguet to approve request from Rebecca Peters to waive Friendship Park Gazebo Rental Fees (\$45 for 4 hours) for a *Cuts for a Cause* fundraiser to aide her cousin Marissa Jones who is in a coma after a horseback riding injury.

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.

**MOTION TO ADD ITEM OF DISCUSSION TO AGENDA**

Motion was made by Council Member Breland, seconded by Council Member Lane to add an item of discussion to agenda.

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.

AT THIS TIME, SANDRA BARKER EXPRESSED CONCERNS ON BEHALF OF TRINITY METHODIST CHURCH REGARDING THE PAVING OF THE STREET IN FRONT OF THEIR BUILDING.

MAYOR PINERO ANNOUNCED CITYWIDE PAVING PROJECT WOULD INCLUDE THIS AREA AND MENTIONED THINGS THEY CAN DO IN THE SHORT TERM.

**APPROVE PAYMENT NO. 1 FOR THE MDOT ARRA PROJECT**

Motion was made by Council Member Watkins, seconded by Council Member Lane to approve Payment No. 1 for the MDOT ARRA Project to Huey Stockstill in the amount of \$101,825.05.

CAD001 Contractor's Estimate - Recap Sheet  
 CADD001 v 1.0  
 Revised Apr. 02, 2009

MISSISSIPPI DEPARTMENT OF TRANSPORTATION  
 Contractor's Estimate - Recap Sheet

ARRA STP-0400-00(023)105672701  
 Printed: 04/02/2010 08:53 am

Page: 1

Vendor Number	V 000008248 0	Completion Date	04/22/2010	
Contract ID	LSTP040000023	Time Units / Days to be Allowed	53.00	
In Account With	City of Piquette 815 N Beech St, Piquette, MS, 39466			
FMS Contract Number	05-00000525			
Estimate Number	0001 PROGRESS			
Project County: PEARL RIVER (55)		Period	03/01/2010 Thru 03/31/2010	
Project Number: 105672701000 [STP-0400-00(023)105672701]		Current Period		Total Allowed to Date
Total Cost (Participating)		\$101,825.05	\$0.00	\$101,825.05
Total Cost		\$101,825.05	\$0.00	\$101,825.05
Project Total		\$101,825.05	\$0.00	\$101,825.05
Total Contract Net Work Due		\$101,825.05	\$0.00	\$101,825.05
Time Units / Days Used		31.00	0.00	31.00
Contract % Complete (Dollars)		26.38 %	0.00 %	26.38 %
Contract % Elapsed Time		58.49 %	0.00 %	58.49 %

Quantities Checked  
Original Signed \_\_\_\_\_ Project Engineer

Paggard, Gabe D (16-15) \_\_\_\_\_

LPA Official: \_\_\_\_\_

Approved: \_\_\_\_\_  
Chief Engineer by \_\_\_\_\_  
Original Signed \_\_\_\_\_ Contract Administration Engineer  
B.B.House, P.E.

% Matching Funds Deduction for LPA 20.000000 %

Total Net Amount Owed to LPA

	0	(\$0.00)	0
	101,825.05	\$0.00	101,825.05
	\$4,460.04	\$8,460.04	\$8,460.04

ORIGINAL SIGNED  
B.B. HOUSE, P.E.  
Contract Administration Engineer

**ORIGINAL**

The following roll call was made:

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

**VOTING NAY:** None

**ABSENT AND NOT VOTING:** None

**ABSTAINING AND NOT VOTING:** None

The motion was declared carried.

**AUTHORIZE EXECUTION OF LETTER TO MDOT TO AUTHORIZE FULL AND FINAL PAYMENT TO HUEY STOCKSTILL ON THE MEMORIAL BLVD PROJECT**



Motion was made by Council Member Breland, seconded by Council Member Gouguet to authorize execution of letter to MDOT to authorize full and final payment to Neel Schaffer, Inc. for the Memorial Blvd. Project in the amount of \$33,114.01.

<p>Melinda L. McGrath Deputy Executive Director/ Chief Engineer</p> <p>Brenda Znachko Deputy Executive Director/ Administration</p>	 <p>Larry L. "Butch" Brown Executive Director</p>	<p>Steven K. Edwards Director Office of Intermodal Planning</p> <p>Willie Huff Director Office of Enforcement</p>									
<p>P. O. Box 1850 / Jackson, Mississippi 39215-1850 / Telephone (601) 359-7001 / FAX (601) 359-7110 / GoMDOT.com</p>											
<p>April 22, 2010</p> <p><b>HONORABLE ED PINERO, JR.</b> CITY OF PICAYUNE 815 N. BEACH STREET PICAYUNE, MS 39466</p> <p>Dear Mayor Pinero:</p> <p>Based on the attached final estimate, we are prepared to issue final payment in the amount of <b>\$33,114.01</b>.</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 33%;">STPD-9601-00(005)LPA 104798 ENG</td> <td style="width: 33%; text-align: center;">Pearl River</td> <td style="width: 33%; text-align: right;">\$33,114.01</td> </tr> </table> <p>If you agree that this is the correct amount for Full and Final Settlement of all amounts due or claims under or arising out of the contract, please have an officer of your local public agency authorized with us to sign contracts to provide their signature and one witness signature below.</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border-bottom: 1px solid black; text-align: center; font-size: x-small;">Signature of Authorized Officer</td> <td style="width: 50%; border-bottom: 1px solid black; text-align: center; font-size: x-small;">Signature of Witness</td> </tr> <tr> <td style="border-bottom: 1px solid black; text-align: center; font-size: x-small;">LPA Name</td> <td style="border-bottom: 1px solid black; text-align: center; font-size: x-small;">Date</td> </tr> </table> <p>Please return this completed document for further processing to one of the addresses below:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>B.B. House, P.E. P.O. Box 1850 Jackson, MS 39215-1850</p> </td> <td style="width: 50%; vertical-align: top;"> <p>B.B. House, P.E. 401 North West Street MDOT Building, Room 1013 Jackson, MS 39201</p> </td> </tr> </table> <p>Once received, we will process the final estimate to our Financial Management Division for payment in the amount of <b>\$33,114.01</b>.</p> <p>If you have any questions, please contact me at 601-359-7730.</p> <p>Sincerely,        B.B. House, P.E.      Contract Administration Engineer</p> <p>BBH:jal Attachment</p> <div style="text-align: right; margin-top: 20px;">  </div>			STPD-9601-00(005)LPA 104798 ENG	Pearl River	\$33,114.01	Signature of Authorized Officer	Signature of Witness	LPA Name	Date	<p>B.B. House, P.E. P.O. Box 1850 Jackson, MS 39215-1850</p>	<p>B.B. House, P.E. 401 North West Street MDOT Building, Room 1013 Jackson, MS 39201</p>
STPD-9601-00(005)LPA 104798 ENG	Pearl River	\$33,114.01									
Signature of Authorized Officer	Signature of Witness										
LPA Name	Date										
<p>B.B. House, P.E. P.O. Box 1850 Jackson, MS 39215-1850</p>	<p>B.B. House, P.E. 401 North West Street MDOT Building, Room 1013 Jackson, MS 39201</p>										

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.

**APPROVE CHANGE ORDER NO. 3 FOR SANITARY SEWER PROJECT**

Motion was made by Council Member Watkins, seconded by Council Member Lane to approve Change Order No. 3 for EPA Project No. XP-97477403-1 for the Sanitary Sewer Evaluation Survey in the amount of \$14,810.00.

Change Order No.  3

Name of Project: Wastewater Infrastructure Improvements, Sanitary Sewer Evaluation Survey

Contractor:  Necaise Brothers Construction Incorporated

\_\_\_\_\_  
Contractor's Signature

RECOMMENDED BY: Hartman Engineering, Inc.

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

APPROVED BY:

BY: \_\_\_\_\_

Mayor Ed Pinero

DATE: \_\_\_\_\_

STATEMENT OF CONTRACT AMOUNT:

ORIGINAL CONTRACT AMOUNT	\$212,240.69
PREVIOUS ADDITION(S)	\$0.00
TOTAL	\$212,240.69
PREVIOUS DEDUCTION(S)	\$0.00
NET PRIOR TO CHANGE	\$212,240.69
AMOUNT OF CHANGE (ADD)	\$14,810.00
CONTRACT AMOUNT TO DATE	\$227,050.69

ORIGINAL CONTRACT TIME	150 DAYS
PREVIOUS ADDITION(S)	61
TOTAL	211 DAYS
PREVIOUS DEDUCTION(S)	0
NET PRIOR TO CHANGE	211 DAYS
AMOUNT OF CHANGE (ADD)	0
CONTRACT TIME TO DATE	211 DAYS

The following roll call was made:

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

**VOTING NAY:** None

**ABSENT AND NOT VOTING:** None

**ABSTAINING AND NOT VOTING:** None

The motion was declared carried.

**APPROVE REQUEST FOR PROGRESS PAYMENT NO. 8 INCLUDING CHANGE ORDER NO. 3 FROM NECAISE BROTHERS CONSTRUCTION CO.**

Motion was made by Council Member Watkins, seconded by Council Member Lane to approve request for Progress Payment No. 8 (final) including that for change order No. 3 from Necaise Brothers Construction Co on the EPA Project No. XP-97477493-01 in the amount of \$ 40,291.85.

**CITY OF PICAYUNE, MISSISSIPPI**  
 Project: SANITARY SEWER EVALUATION SURVEY  
EPA REGION 4 WASTEWATER PROJECT NO. XP-97477403-1 Notice to Proceed: Feb. 2, 2009 Estimate No. 8  
 Engineer: Hartman Engineering, Inc. Contract Time: 150 Calendar Days + 61 Extension=211 Days Invoice Date: January 27, 2010  
 Contractor: Necaise Brothers Construction Company Inc. Estimate Period: 10/14/09 1/26/10  
 (From) (To)

**Change Order No. 03**

Item No.	Description	Est. Qty.	Unit	Unit Price	Extension
1	Uncover & expose manholes under asphalt streets	0	EA	\$ 250.00	\$ -
2	Raise and adjust sewer manhole top elevations	0	EA	\$ 250.00	\$ -
3	Patch asphalt streets at sewer manholes	0	EA	\$ 250.00	\$ -
4	Emergency point repair on Ausborn Rd. sewer	0	LS	\$ 6,560.00	\$ -

Previous Qty.	Chg Order Qty.	Total Quantity	Earned Amount	Earned To Date
-	13	13	\$ 3,250.00	\$ 3,250.00
-	9	9	\$ 2,250.00	\$ 2,250.00
-	11	11	\$ 2,750.00	\$ 2,750.00
-	1	1	\$ 6,560.00	\$ 6,560.00
Change Order No. 03 Total:			\$ 14,810.00	

Total Earned with Change Order #03: \$ 207,134.84

Less 10% Retainage: \$ 20,713.48  
 Sub-total: \$ 186,421.36

Less Previous Payments: \$ 146,129.51

Amount Due This Application: \$ 40,291.85

The undersigned Contractor certifies to the best of the Contractor's knowledge, information and belief the Work covered by this payment request has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous payments were issued and payments received from the Owner, and that current payment shown herein is now due.

Michael Desporte, General Manager - Necaise Brothers Construction Company Inc.

Signature:  Date: 4/27/10 405-675-758.01

*Smiler*

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.

**APPROVE CHANGE ORDER NO. 1 FOR THE SOUTH BEECH FORCE MAIN UPGRADE PROJECT**

Motion was made by Council Member Lane, seconded by Council Member Watkins to approve Change Order No. 1 for the South Beech Force Main Upgrade Project on EPA Project No. XP-97477403-1 in the amount of \$9,200.00.

Change Order No.   1  

Name of Project: South Beech Force Main Upgrade

Contractor: Plaas Incorporated

\_\_\_\_\_  
Contractor's Signature

RECOMMENDED BY: Hartman Engineering, Inc.

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

APPROVED BY:

BY: \_\_\_\_\_  
Mayor Ed Pinero

DATE: \_\_\_\_\_

STATEMENT OF CONTRACT AMOUNT:

ORIGINAL CONTRACT AMOUNT	\$224,850.00	ORIGINAL CONTRACT TIME	150 DAYS
PREVIOUS ADDITION(S)	\$0.00	PREVIOUS ADDITION(S)	0
TOTAL	\$224,850.00	TOTAL	150 DAYS
PREVIOUS DEDUCTION(S)	\$0.00	PREVIOUS DEDUCTION(S)	0
NET PRIOR TO CHANGE	\$224,850.00	NET PRIOR TO CHANGE	150 DAYS
AMOUNT OF CHANGE (ADD)	\$9,200.00	AMOUNT OF CHANGE (ADD)	0
CONTRACT AMOUNT TO DATE	\$234,050.00	CONTRACT TIME TO DATE	140 DAYS

The following roll call was made:

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

**VOTING NAY:** None

**ABSENT AND NOT VOTING:** None

**ABSTAINING AND NOT VOTING:** None

The motion was declared carried.

**APPROVE REQUEST FOR PAYMENT NO. 4 FROM PLAAS, INC FOR THE SOUTH BEECH FORCE MAIN**

Motion was made by Council Member Watkins, seconded by Council Member Lane to approve Contractor request for Payment No. 4 (final) from Plaas, Inc. for the South Beech Force Main Upgrade (EPA Project XP-97477403-1) in the amount of \$16,470.00.

Job No. 09-07-7982  
 Project No. XP-9747403-1  
 APPLICATION AND CERTIFICATE FOR PAYMENT

TO OWNER:  
 City of Piquette  
 815 South Beach Street  
 Piquette, MS 39466

FROM CONTRACTOR:  
 Pias Incorporated  
 28 JV Jordan Road  
 Popperville, MS 39470  
 CONTRACTOR: 3224 850 00

PROJECT:  
 South Beach Force Main  
 Wastewater Infrastructure Improvements  
 US EPA Region 4 Project #XP-9747403-1

VIA ENGINEER:  
 Hartman Engineering, Inc.  
 103 Street A  
 Piquette, MS 39466

CONTRACT DATE  
 December 3, 2009

Invoice No. 30151 Pias Inc Invoice Number  
 Invoice Date 4/23/2010

Page One of Two

APPLICATION NO. 4  
 PERIOD TO 4/23/2010  
 PROJECT NO. XP-9747403-1

Distribution to:  
 OWNER  
 ENGINEER  
 CONTRACTOR

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

1. ORIGINAL CONTRACT SUM \$ 224,850.00  
 2. Net change by Change Orders \$ 9,200.00  
 3. CONTRACT SUM TO DATE (Line 1 + 2) \$ 234,050.00  
 4. TOTAL COMPLETED & STORED TO DATE \$ 234,050.00  
 (Column G on G703)

5. RETAINAGE:  
 a. 10.0% of Completed Work \$ 23,405.00  
 (Column D - E on G703)  
 b. of Stored Material \$ \_\_\_\_\_  
 (Column F on G703)  
 Total Retainage (Line 5a + 5b or  
 Total in Column I of G703) \$ 23,405.00

6. TOTAL EARNED LESS RETAINAGE \$ 210,645.00  
 7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 from prior Certificate) \$ 184,173.00  
 8. CURRENT PAYMENT DUE \$ 26,472.00  
 9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 8) \$ 23,405.00

**CHANGE ORDER SUMMARY**

CHANGES	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$0.00	\$0.00
Total approved this Month	\$9,200.00	\$0.00
TOTALS	\$9,200.00	\$0.00
NET CHANGES by Change Order	\$9,200.00	\$0.00

AMOUNT CERTIFIED: \$ \_\_\_\_\_

(Amount 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.)

By: *Dolores B. Cervi* Date: 4/23/10  
 State of Mississippi  
 County of Stone County  
 Subscribed and sworn to before me this 23<sup>rd</sup> day of April 2010  
 Notary Public: *Dolores B. Cervi*

**ENGINEER'S CERTIFICATE FOR PAYMENT**

In accordance with the Contract Documents, based on an-site observation and the data comprising the application, the Engineer certifies to the Owner that on the basis of the Engineer's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 ENGINEER

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

0770-1982

The following roll call was made:

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

**VOTING NAY:** None

**ABSENT AND NOT VOTING:** None

**ABSTAINING AND NOT VOTING:** None

The motion was declared carried.

AT THIS TIME MAYOR PINERO STATED THAT THE INTENT FOR THE CITY TO FILE FOR CAP LOAN WAS PUBLISHED IN THE LOCAL NEWSPAPER & ASKED IF ANY OF THE PUBLIC HAD ANY QUESTIONS FOR CONCERNS. THERE WERE NO QUESTIONS OR CONCERNS CONCERNING THE CAP LOAN.

**MOTION TO AMEND THE AGENDA TO INCLUDE POSSIBLE INTENT TO FILE FOR CAP LOAN**

Motion was made by Council Member Gouguet, seconded by Council Member Lane to amend the Agenda to include possible intent to file for CAP Loan.

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.

**MOTION TO MOVE FORWARD WITH FILING OF CAP LOAN APPLICATION**

Motion was made by Council Member Gouguet, seconded by Council Member Lane to move forward with filing of CAP Loan Application.

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.

**MOTION TO AMEND THE AGENDA TO INCLUDE REQUEST TO AUTHORIZE MAYOR TO EXECUTE THE MATCH RESOLUTION STATING THE CITY WILL MATCH THE FY2010 CDBG PROGRAM**

Motion was made by Council Member Watkins, seconded by Council Member Lane to amend the agenda to include request to authorize the Mayor to execute the Match Resolution stating the City will match the FY2010 CDBG Program.

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 EXECUTE MATCH RESOLUTION STATING THE CITY WILL MATCH THE FY2010 CDBG PROGRAM**

Motion was made by Council Member Watkins, seconded by Council Member Lane to authorize Mayor to execute Match Resolution stating the City will match the FY2010 CDBG Program with \$600,000 which will be funded by CAP Loan.

STATE OF MISSISSIPPI  
CITY OF PICAYUNE

WHEREAS THE CITY OF PICAYUNE is eligible to submit a Community Development Block Grant application to the Mississippi Development Authority, for Fiscal Year 2010 funding; and

WHEREAS THE CITY OF PICAYUNE is in desperate need of making water system improvements in a designated area within the city; and

THEREFORE BE IT RESOLVED that Edward Pinero, in his official capacity, be authorized and empowered to execute the City's Community Development Block Grant application for a Public Facilities grant and that in the event Picayune receives funding for this purpose, through this means, he be authorized and empowered to execute any and all documents relating to this grant; and

BE IT FURTHER RESOLVED that the City of Picayune pledges toward the completion of this project a match as follows:

\*\* \$600,000 - (CAP Loan) \*\*

ORDERED AND ADJUDGED ON THIS 4<sup>th</sup> DAY OF May, 2010.

PICAYUNE, MISSISSIPPI

Attest:

  
CITY CLERK

  
MAYOR

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.

**APPROVE REQUEST TO ADOPT THE RESOLUTION AUTHORIZING THE CITY TO FILE AN APPLICATION TO THE STATE OF MS FOR A GRANT UNDER ITS FY2010 CDBG PROGRAM**

Motion was made by Council Member Breland, seconded by Council Member Gouguet to adopt the Resolution authorizing the City of Picayune to file and Application to the State of MS for a Grant under its FY2010 CDBG Program and Execution of Grant Agreement with the State of MS should the Application be funded.

**RESOLUTION AUTHORIZING  
THE CITY OF PICAYUNE TO FILE  
AN APPLICATION TO THE STATE OF MISSISSIPPI FOR  
A GRANT UNDER ITS FISCAL YEAR 2010 CDBG PROGRAM AND  
EXECUTION OF A GRANT AGREEMENT WITH THE STATE OF  
MISSISSIPPI SHOULD THE APPLICATION BE FUNDED**

**WHEREAS**, the State of Mississippi has funds available for cities, towns, and counties under its FY 2010 CDBG Program to correct public facilities, economic development, and emergency problems; and

**WHEREAS**, the City of Picayune has identified a Public Facilities need which can be corrected or eliminated by using grant funds under the FY 2010 CDBG Program.

**NOW, THEREFORE BE IT RESOLVED** that the City of Picayune has the authority to submit an application to the Mississippi Development Authority for FY 2010 CDBG funds and that the Mayor hereby is given the authority to enter into a Grant Agreement with the State of Mississippi should the CDBG Application be funded.

Motion made by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Councilmen voting aye: \_\_\_\_\_

Councilmen voting nay: \_\_\_\_\_

**ADOPTED** this the \_\_\_\_ day of \_\_\_\_\_, 2010.

**PICAYUNE, MISSISSIPPI**

ATTEST:

\_\_\_\_\_  
CITY CLERK

BY: \_\_\_\_\_  
MAYOR

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.

**AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT FOR THE  
APPLICATION PREPARATION FY 2010 CDBG PUBLIC FACILITIES**

Motion was made by Council Member Watkins, seconded by Council Member Lane to authorize the Mayor to Execute the Agreement for the Application Preparation FY 2010 CDBG Public Facilities between the City of Picayune and Sample and Associates, Inc.

**AGREEMENT FOR  
APPLICATION PREPARATION  
FY 2010 CDBG PUBLIC FACILITIES**

**THIS AGREEMENT** is entered into this the \_\_\_\_ day of \_\_\_\_\_, 2010, by and between SAMPLE AND ASSOCIATES, INC., herein called the "Consultant", and the CITY OF PICAYUNE, herein called the "City".

**WITNESSETH THAT:**

**WHEREAS**, the State of Mississippi has grant funds under the Community Development Block Grant Program available for communities and counties to address community development problems; and

**WHEREAS**, the City needs assistance in preparing this Community Development Block Grant Application; and

**WHEREAS**, the City desires to engage the Consultant to render professional services described below in the "Scope of Services" in connection with the preparation of the Community Development Block Grant Application, and the Consultant desires to provide said services.

**NOW, THEREFORE**, the parties hereto mutually agree as follows:

1. EMPLOYMENT OF CONSULTANT

The City hereby agrees to employ the Consultant, and the Consultant hereby agrees to perform services as set forth hereinafter in the "Scope of Services" outlined below.

2. SCOPE OF SERVICES

The Consultant shall do, perform, and carry out in a satisfactory and proper manner such work as the City determines is necessary during the preparation of the CDBG application.

3. COMPENSATION

As consideration for the performance of the Contract, the City agrees to pay the Consultant a lump sum amount of \$5,000.00, payment to be made subject to approval of the Community Development Block Grant Application.

4. EQUAL OPPORTUNITY

The Consultant will not discriminate against any employee or applicant for employment because of race, religion, sex, color, or national origin. The Consultant will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, religion, sex, color, or national origin.

5. TERMINATION FOR CONVENIENCE OF CITY

The City may terminate this Contract at any time by giving written notice to the Consultant of such termination and specifying the effective date thereof. Such written notice shall be furnished the Consultant at least thirty (30) days before the effective date of termination. In the event all finished or unfinished documents and other materials as described above shall, at the option of the City, become its property. If the Contract is terminated by the City as provided herein, the Consultant shall be paid for all work completed up to the termination date.

6. TERMINATION FOR CONVENIENCE OF CONSULTANT

The Consultant may terminate this Contract at any time by giving written notice to the City of such termination and specifying the effective date thereof. Such written notice shall be furnished by the City at least thirty (30) days before the effective date of termination. In the event of termination, all materials as described above shall become the property of the City. The Consultant shall be paid for all work completed up to the termination date.

7. AUDITS AND INSPECTIONS

At any time during normal business hours and as often as a duly authorized official of the Mississippi Development Authority, Division of Community Services, the City, HUD, and/or the Comptroller General of the United States may deem necessary, there shall be made available to the authorized official of the Mississippi Development Authority, Division of Community Services, the City, HUD, and/or representatives of the Comptroller General for examination of all its records with respect to all matters covered by this Contract and will permit the officials of the Mississippi Development Authority, the City, HUD, and/or representatives of the Comptroller General to audit, examine and make excerpts or transcripts from such records, and to make audits of all contracts, invoices, materials, payrolls, records of personnel, conditions of employment, and other data relating to all matters covered by this Contract.

The Consultant shall keep and maintain books, records and other documents relating directly to the receipt and disbursement of such grant funds; and any duly authorized representative of the Mississippi Development Authority, Division of Community Services, the City, HUD, and/or the Comptroller General of the United States shall, at all reasonable times, have access to and the right to inspect, copy, audit and examine all such books, records and other documents of such Participating Party until the completion of all close-out procedures respecting this grant and the final settlement and conclusion of all issues arising out of this grant. Records shall be retained for three (3) years after project closeout.

The Consultant agrees that any duly authorized representative of Mississippi Development Authority, Division of Community Services, the City, HUD, and/or the Comptroller General of the United States shall, at all reasonable times have access to any portion of the Project in which such Participating Party is involved until the completion of all closeout procedures respecting this Grant.

**IN WITNESS WHEREOF**, the City and the Consultant have executed this Agreement this the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

**SAMPLE AND ASSOCIATES, INC.**

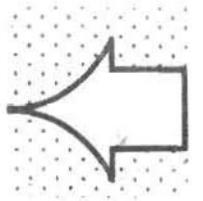
WITNESS:

\_\_\_\_\_ BY: \_\_\_\_\_  
JOHN WOOD SAMPLE, PRESIDENT

**PICAYUNE, MISSISSIPPI**

WITNESS:

\_\_\_\_\_ BY: \_\_\_\_\_  
CITY CLERK MAYOR



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.

**AUTHORIZE MAYOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING BETWEEN CITY OF PICAYUNE AND THE MS TRANSPORTATION COMMISSION FOR THE URBAN YOUTH CORPS TRANSPORTATION ENHANCEMENT PROJECT**

Motion was made by Council Member Watkins, seconded by Council Member Gouguet to authorize Mayor to execute the Memorandum of Understanding between City of Picayune and the MS Transportation Commission for the Urban Youth Corps Transportation Enhancement Project as approved for funding.

MEMORANDUM OF UNDERSTANDING

MISSISSIPPI DEPARTMENT OF TRANSPORTATION  
UNDER THE AUTHORITY OF  
THE MISSISSIPPI TRANSPORTATION COMMISSION

AND

CITY OF PICAYUNE

This AGREEMENT made by and between the MISSISSIPPI TRANSPORTATION COMMISSION, by and through the duly authorized Executive Director of the Mississippi Department of Transportation (MDOT) and the City of Picayune, Pearl River County, Mississippi, (hereinafter, the APPLICANT) for the purpose of establishing the agreed conditions under which the APPLICANT may utilize special Federal Surface Transportation Program-Transportation Enhancement Funds (STP-TE) provided by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and subsequent acts to complete the proposed project as described below:

PROJECT DESCRIPTION: Litter clean up and other landscape maintenance, (hereinafter referred to as the PROJECT).

WHEREAS, the APPLICANT has been selected by the Mississippi Transportation Commission for an URBAN YOUTH CORPS TRANSPORTATION ENHANCEMENT PROJECT and allocated a maximum of \$28,927.00 in (STP-TE) federal funds for the project; and

WHEREAS, the APPLICANT desires assistance from the MDOT in the development and implementation of a Summer Youth Employment Program (Urban Youth Corps Program) to provide meaningful transportation enhancement related work experience to youths; and

WHEREAS, the APPLICANT has submitted a project proposal to the MDOT describing the project scope and budget which is herein incorporated and made a part of this AGREEMENT as ATTACHMENT A; and

WHEREAS, the MDOT is an agency of the State of Mississippi with the authority to enter into contracts necessary for the proper discharge of its functions and duties; and

WHEREAS, the APPLICANT is a body public with all the rights and privileges of such including the power to contract as a necessary and incidental power to carry out the APPLICANT's functions covered under this Agreement; and

WHEREAS, the APPLICANT certifies that they know of no legal impediments to the completion of the project; and

ERROR: undefined  
OFFENDING COMMAND: '~

STACK: