

January 4, 2005

**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 in the Courtroom of the Criminal Justice Center in said City, Tuesday, January 6, 2005 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members, Donald Parker, Leavern Guy, Sr., Kathy Watts, and Lucian Roberson, City Manager Reggie Frierson, and Fire Chief Keith Brown, Police Chief Jim Luke and City Attorney Nathan Farmer.

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

Opening Prayer was given by Council Member Donald Parker, followed by the Pledge of Allegiance, led by: City Manager Reggie Frierson

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve the minutes of the Mayor and City Council dated December 16, 2004. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, Guy, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve the issuance of the following manual checks:

City of Picayune General Fund	Utility	NTE	\$52,000.00
MS State Tax Commission	Utility	NTE	\$ 4,000.00
Kelly Wilton	General		\$ 150.00
BankPlus	Walmart		\$ 9,137.50

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Roberson, Guy and Watts

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

CONSIDER REQUEST FOR MAYOR' AND COUNCIL TO TRAVEL TO MML CONFERENCE

REGULAR MEETING DATED JANUARY 4, 2005

Motion was made by Council Member Guy, seconded by Council Member Parker, to authorize Mayor and City Council to travel to MML Mid-Winter Conference in Jackson, Ms January 25, 2005 through January 27, 2005. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, Guy, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

ORDER TO APPROVE DOCKET

Council Member Roberson, seconded by Council Member Guy made motion, to approve the docket for the month of December, 2004 with a correction of page 41 of check for \$388,153.49 to Huey Stockstill, Inc. to be removed, said Docket correct amount is \$601,999.84. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Roberson and Watts

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

PRESENTATION OF KEY TO CITY

At this time Mayor Greg Mitchell presented Mable Bogan a Key to the City for 38 years of service at Picayune Head Start Complex.

CONSIDER REQUEST TO PURCHASE TWO NEW VEHICLES

Motion was made by Council Member Guy, seconded by Council Member Watts, to authorize Purchasing Agent to purchase two new vehicles as per budget from Dub Herring Ford who is matching the State Contract Price of \$20,175.00 each. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, Roberson and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

CONSIDER MOTION TO AMEND AGENDA

Motion was made by Council Member Roberson, seconded by Council Member Guy, to amend the agenda to include a request from Public Works for Sherry Pullens to request property to be connected to water service. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, Roberson and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

CONSIDER REQUEST TO CONNECT TO CITY UTILITIES

REGULAR MEETING DATED JANUARY 4, 2005

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve request from Sherry Taylor Pullens to connect to City Water for property located on Richardson Road with Mrs. Pullens to pay for all material and labor for 6-inch pipe. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, Roberson and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

CONSIDER REQUEST TO ACCEPT LOCAL LAW ENFORCEMENT BLOCK GRANT

Motion was made by Council Member Guy, seconded by Council Member Watts, to accept Local Law Enforcement Block Grant of \$2,133.00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

CONSIDER MOTION TO AMEND AGENDA

Motion was made by Council Member Watts, seconded by Council Member Guy, to amend the agenda to include a request from Picayune Fire Department to conduct Boot Drive. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, Roberson and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

CONSIDER REQUEST TO CONDUCT BOOT DRIVE

Motion was made by Council Member Roberson, seconded by Council Member Watts, to approve request from Picayune Fire Department to conduct a Boot Drive for victims of Tsunami flood. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Roberson and Watts

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

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

REGULAR MEETING DATED JANUARY 4, 2005

Motion was made by Council Member Guy seconded by Council Member Roberson, to enter closed session to determine the need for an executive session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Roberson, Guy and Watts

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Roberson, to enter executive session to discuss Personnel Matter, Contractual matter with Centraplex, and possible Contractual matter with Picayune School District/Summer Camp Program. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Roberson, Guy and Watts

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

The Mayor reopened the meeting to publicly announce that the Council would enter executive session to discuss possible Personnel Matter, Contractual matter with Centraplex, and possible Contractual matter with Picayune School District/Summer Camp Program.

RETURN TO REGULAR SESSION

At the conclusion of executive session, upon motion of Council Member Roberson, seconded by Council Member Guy, and unanimously carried, the Mayor reopened the meeting. The Mayor stated that in executive session the following votes were taken:

No action was taken with Personnel Matter, Contractual matter with Centraplex, and possible Contractual matter with Picayune School District/Summer Camp Program.

ORDER TO RECESS

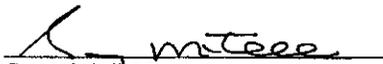
Motion was made by Council Member Roberson, and seconded by Council Member Guy, to recess until January 6, 2005 @ 5:30 p.m. to discuss Personnel Matter in Executive Session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members, Parker, Guy, Roberson and Watts

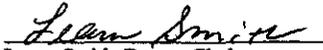
VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.


Greg Mitchell, Mayor

ATTEST:


Leann Smith, Deputy Clerk

VOTING YEA: Council Members, Parker, Guy, Roberson, Bounds, and Watts

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Greg Mitchell

The motion was declared carried.

Motion was made by Council Member Bounds, and seconded by Council Member Parker to set salary for the new City Clerk at \$43,513.60. The following roll call vote was taken:

VOTING YEA: Council Members, Parker, Guy, Roberson, Bounds, and Watts

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Greg Mitchell

The motion was declared carried.

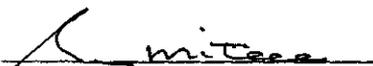
ORDER TO RECESS

Motion was made by Council Member Roberson, and seconded by Council Member Watts, to recess until January 18, 2005 @ 6:00 p.m. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members, Parker, Guy, Roberson, Bounds, and Watts

VOTING NAY: None

The motion was declared carried.



Greg Mitchell, Mayor

ATTEST:



Leann Smith, Deputy Clerk

**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 in the Courtroom of the Criminal Justice Center in said City, Tuesday, January 18, 2005 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members, Donald Parker, Lucian Roberson, Jerry Bounds, Kathy Watts, Leavern Guy, Jr., City Manager Reggie Frierson, City Clerk Cindy Cole, City Attorney Nathan Farmer, Police Chief Jim Luke, and Fire Chief Keith Brown.

It being determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Doctor Keith Warden; Pastor of First Baptist Church, followed by the Pledge of Allegiance led by Council Member Guy.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve the minutes of the Mayor and City Council dated January 4, 2005 and January 6, 2005. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts and, Roberson

VOTING NAY: None

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve the issuance of the following manual checks:

GulfSouth Pipeline Co	Utility	\$ 32,327.85
UMC	Utility	\$ 1,355.40
Hancock Bank	Tourism	\$ 2,288.22
Hampton Inn	Gen	\$ 79.00
Trustmark Natl Bank	Utility	\$ 20,500.53
Trustmark Natl Bank	Utility	\$ 19,494.39
Huey Stockstill, Inc.	MsDev	
	Friendship Park	\$219,119.71

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY BUDGET REPORTS

Motion was made by Council Member Guy, seconded by Council Member Parker, to acknowledge receipt of the Monthly Budget Reports for the month of December 2004. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson, and Guy

VOTING NAY: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY PUBLIC RECORD REQUESTS REPORT

Motion was made by Council Member Guy, seconded by Council Member Parker, to acknowledge receipt of the Monthly Public Record Requests Report for the month of December 2004. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson, and Guy

VOTING NAY: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF PRIVILEGE LICENSE REPORTS

Motion was made by Council Member Guy, seconded by Council Member Parker, to acknowledge receipt of the Privilege License Reports for the month of December 2004. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson, and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO VOID 2004 TAX SALE

Motion was made by Council Member Guy, seconded by Council Member Parker to void 2004 tax sale on parcel 418-814-000-00-005-00 in the name of Steven Stair, which were paid and should not have been sold and refund purchaser the amount of \$4.33. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson, and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO VOID 2002 TAX SALE

Motion was made by Council Member Guy seconded by Council Member Parker, to void 2002 tax sale on parcel 617-614-004-05-017-00 in the name of First Real Estate due to error per Pearl River County and refund purchaser the amount of \$943.90. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR MAYOR TO SIGN QUITCLAIM DEED

Motion was made by Council Member Guy, seconded by Council Member Parker, to authorize Mayor's signature on Quitclaim Deed for 2001 taxes in the name of Samuel Bell parcel 617-204-000-00-052-06. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson, and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER ACCEPTANCE OF THE PLANNING COMMISSION MINUTES

Motion was made by Council Member Guy, seconded by Council Parker, to accept the minutes of the Planning Commission dated December 14, 2004. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson, and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER ACKNOWLEDGING RECEIPT OF PLANNING COMMISSION MINUTES

Motion was made by Council Member Guy, seconded by Council Member Parker, to acknowledge receipt of the Planning Commission minutes dated January 11, 2005. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson, and Guy

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO ADVERTISE RESOURCES FOR THE CITY

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to advertise resources for the City in the amount of \$300.00 with the Picayune Memorial High School NJROTC for the Coca-Cola Indoor National Drill Meet to be held February 4, 2005. The following roll call was taken.

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson, and Guy

VOTING NAY: None

The motion was declared carried

CONSIDER REQUEST TO FOR SENIOR PROJECT

Motion was made by Council Member Bounds, seconded by Council Member Watts, to approve request from Nolan Smith to design and build a park at the corner of Highway 43 North

and Daniels Street as part of his Senior Project with no cost to the City. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO FOR SENIOR PROJECT

Motion was made by Council Member Guy, seconded by Council Member Parker, to authorize Nolan Smith to look at park located on East Canal Street and possibly design and build a park at the corner of Highway 43 North and Daniels Street as part of his Senior Project with no cost to the City. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO CONDUCT MARDI GRAS PARADE

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve the request from Picayune Head Start Center to conduct annual Mardi Gras Parade and have street closure February 4, 2005 at 9:00 am leaving Center onto Rosa through South Side Elementary and exit onto Beech Street back to Center. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO CONDUCT PRAYER MARCH

Motion was made by Council Member Robertson, seconded by Council Member Bounds, to approve the request to conduct annual Prayer March Friday, March 25, 2005 at 10:00 am until 12:00 noon from Jack Read Park to South Juniper Street and return back to Park on opposite side of Goodyear Blvd with Police escorts. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

At this time Council Member Guy exited meeting.

CONSIDER REQUEST TO ADVERTISE RESOURCES FOR THE CITY

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to approve the request from Pearl River Junior College for City to advertise resources for the City by purchasing an ad in the 2005 Extravaganza Cookbook in the amount of \$250.00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, and Roberson

ABSENT AND NOT VOTING: Council Member Guy

VOTING NAY: None

The motion was declared carried.

At this time Council Member Guy re-entered meeting.

CONSIDER REQUEST TO AMEND AGENDA

Motion was made by Council Member Parker, seconded by Council Member Bounds, to amend the agenda to include a motion to include Mrs. Ruby Whitehead in Executive Session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FROM MRS. RUBY WHITEHEAD

Motion was made by Council Member Parker, seconded by Council Member Watts, to approve the request from Mrs. Ruby Whitehead to be added to the agenda for Executive Session instead of in open session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO ADOPT ORDINANCE TO REVISE ELECTION PRECINCTS

Motion was made by Council Member Bounds, seconded by Council Member Guy, to adopt Ordinance to Revise the Election Precincts to conform to Changes in Ward Boundaries; to Revise Ward Boundaries to conform to Population Changes shown by 2000 Census. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried

CONSIDER REQUEST TO ALLOW NEW CITY CLERK TO SIGN CHECKS

Motion was made by Council Member Bounds, seconded by Council Member Robertson, to authorize new City Clerk, Cindy Cole to sign checks for all depositories for the City of Picayune. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

RECESSED MEETING, JANUARY 18, 2005

The motion was declared carried..

CONSIDER BUDGET AMENDMENT #3 FOR YEAR ENDING 09-30-05

Motion was made by Council Member Bounds, seconded by Council Member Guy, to adopt Budget Amendment #3 for Fiscal Year Ending 09-30-05. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER AMENDMENT TO BUDGET AMENDMENT #3 FOR YEAR ENDING 09-30-05

Motion was made by Council Member Parker, seconded by Council Member Guy, to amend Budget Amendment #3 for Fiscal Year Ending 09-30-05 to include an additional \$15,000.00 for police equipment making a total of \$30,000.00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER CHANGE ORDER NO. 3, FRIENDSHIP PARK PHASE I

Motion was made by Council Member Bounds, seconded by Council Member Guy, to approve Change Order No. 3, Friendship Park Phase I which extends the Contract time 68 days to March 15, 2005. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO CONNECT TO CITY WATER

Motion was made by Council Member Guy, seconded by Council Member Watts, to approve request from Quincy Norris to connect to City water and sewer for property located 39 Stafford Road with Mr. Norris to pay all cost of material and labor. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR SUBDIVISION APPROVAL

Motion was made by Council Member Parker, seconded by Council Member Guy, to approve subdivision for Elwin and Jared Lee for property located on the east corner of North

CITY OF PICAYUNE - UTILITY FUND

BUDGET AMEND #3
FOR THE YEAR ENDING 9/30/2005

FUND 405

	FY 2005 ORIGINAL BUDGET	BUDGET AMEND #1	BUDGET AMEND #3
REVENUES:			
INTERGOVERNMENTAL REVENUES			
CHARGES FOR UTILITY SERVICES	\$ 3,698,826	3,698,826	3,698,826
NON-REVENUE RECEIPTS	6,000	6,000	6,000
INTEREST EARNINGS	25,000	25,000	25,000
LOAN PROCEEDS	1,250,000	1,250,000	1,250,000
GRANT REVENUE	809,000	809,000	809,000
TOTAL REVENUES	5,788,826	5,788,826	5,788,826
BEGINNING CASH	294,855	294,855	1,065,854
TOTAL FROM ALL SOURCES	\$ 6,083,681	6,083,681	6,854,680
EXPENSES:			
UTILITY ADMINISTRATION			
PERSONNEL	\$ 144,100	144,100	144,100
SUPPLIES	8,200	8,200	8,200
OTHER SERVICES & CHARGES	106,500	106,500	106,500
CAPITAL OUTLAY	4,000	44,000	44,000
TOTALS	262,800	302,800	302,800
TREATMENT PLANT & UTILITY CONSTRUCTION			
PERSONNEL	1,337,000	1,337,000	1,372,000
SUPPLIES	1,721,470	1,721,470	1,698,470
OTHER SERVICES & CHARGES	449,825	449,825	443,825
CAPITAL OUTLAY	941,425	941,425	935,425
TOTALS	4,449,720	4,449,720	4,449,720
COST OF LIVING RAISES	0	0	0
TRANSFERS OUT	350,000	350,000	350,000
DEBT PAYMENTS	107,710	107,710	107,710
SUBTOTAL	457,710	457,710	457,710
TOTAL EXPENSES	5,170,230	5,210,230	5,210,230
ENDING CASH BALANCE-RESERVE FOR CAPITAL PROJECTS	913,451	873,451	1,644,450
TOTAL EXPENSES & ENDING CASH BALANCE	\$ 6,083,681	6,083,681	6,854,680

prepared by michelle berdux

**CITY OF PICAYUNE - GENERAL FUND
BUDGET AMENDMENT #3
FOR THE YEAR ENDING 9/30/2005**

	FUND 001			
	ORIGINAL BUDGET	BUDGET AMEND.#1	BUDGET AMEND.#2	BUDGET AMEND.#3
RECEIPTS:				
LICENSE & PERMITS	428,000	428,000	428,000	428,000
INTERGOVERNMENTAL REVENUES	3,763,206	3,765,105	3,765,105	3,767,607
CHARGES FOR SERVICES	655,672	655,672	655,672	655,672
FINES & FORFEITS	301,500	301,500	301,500	301,500
MISCELLANEOUS	28,000	28,750	30,675	40,675
TRANSFERS	350,000	350,000	350,000	350,000
INTEREST EARNINGS	37,000	37,018	37,018	37,018
PROCEEDS FROM LOANS	921,000	921,000	921,000	921,000
TOTAL FROM ALL SOURCES, OTHER THAN TAXES	6,484,378	6,487,045	6,488,970	6,531,472
AMOUNT TO BE RAISED BY AD VALOREM TAX	1,652,000	1,652,000	1,652,000	1,652,000
TOTAL REVENUES	8,136,378	8,139,045	8,140,970	8,183,472
BEGINNING CASH	2,638,888	2,638,888	2,638,888	3,223,499
TOTAL FROM ALL SOURCES	10,775,266	10,777,933	10,779,858	11,406,971
EXPENDITURES:				
GENERAL GOVERNMENT				
PERSONNEL	1,065,895	1,065,895	1,065,895	1,065,895
SUPPLIES	47,470	47,470	47,470	47,470
OTHER SERVICES & CHARGES	459,750	462,017	462,017	462,017
CAPITAL OUTLAY	98,900	98,900	108,900	108,900
TOTALS	1,672,015	1,674,282	1,684,282	1,684,282
PUBLIC SAFETY - POLICE				
PERSONNEL	2,297,385	2,297,385	2,308,245	2,343,838
SUPPLIES	228,650	228,567	228,567	230,417
OTHER SERVICES & CHARGES	254,067	254,884	256,809	261,724
CAPITAL OUTLAY	151,206	151,350	151,350	162,330
TOTALS	2,929,337	2,932,186	2,944,971	3,018,307
PUBLIC SAFETY - FIRE				
PERSONNEL	1,691,600	1,691,600	1,691,600	1,691,600
SUPPLIES	63,350	64,100	64,100	64,100
OTHER SERVICES & CHARGES	73,450	73,450	73,450	73,450
CAPITAL OUTLAY	594,000	594,000	595,937	595,937
TOTALS	2,422,400	2,423,150	2,425,087	2,425,087
PUBLIC WORKS				
PERSONNEL	797,349	797,349	797,349	802,349
SUPPLIES	174,500	174,500	174,500	174,500
OTHER SERVICES & CHARGES	771,800	771,800	771,800	771,800
CAPITAL OUTLAY	745,886	745,886	745,886	745,886
TOTALS	2,489,535	2,489,535	2,489,535	2,494,535
CULTURE & RECREATION 3008301				
PERSONNEL	0	0	0	0
SUPPLIES	17,500	17,500	17,500	17,500
OTHER SERVICES & CHARGES	22,500	22,500	22,500	22,500
CAPITAL OUTLAY	3,100	3,100	3,100	3,100
TOTALS	43,100	43,100	43,100	53,100
COST OF LIVING RAISES FY 04-05				
AID TO OTHER GOVERNMENTS	28,000	28,000	32,000	32,000
TRANSFERS TO OTHER FUNDS	999,991	999,991	999,991	999,991
	1,025,991	1,025,991	1,031,991	1,031,991
TOTAL EXPENDITURES	10,582,378	10,588,244	10,618,966	10,707,302
ENDING CASH BALANCE	192,688	189,689	160,892	699,668
TOTAL EXPENDITURES & ENDING CASH BALANCE	10,775,266	10,777,933	10,779,858	11,406,971

Monroe Avenue and East Canal Street, zoned C-2, downtown Commercial District for the building of single family dwellings. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR CONDITIONAL USE

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve request for Conditional Use from Ms. Rose Bridges Wilkerson, 903 3rd Street to replace mobile home that is not livable with a mobile home in good condition. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: Council Members Roberson and Watts

The motion was declared carried.

CONSIDER AMENDMENT ORDER NO 1 FOR SEWER IMPROVEMENT PROJECT

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve Amendment No 1 to the Consulting Engineering Contract for the Sewer Improvement Project funded in part by the Corp of Engineers. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO APPLY BULLETPROOF VEST GRANT

Motion was made by Council Member Bounds, seconded by Council Member Guy, to authorize Picyune Police Department to apply for a Bulletproof Vest Grant in the amount of \$12,000.00 with a \$6,000.00 match from the City and authorize Mayor to sign said Grant application. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO HIRE DOUG STEWART TO COMPLETE PLANS FOR EVIDENCE STORAGE BUILDING

Motion was made by Council Member Bounds, seconded by Council Member Parker, to approve the request from the Picyune Police Department to hire Doug Stewart to complete plans for an Evidence Storage Building at a cost of \$8,470.00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

MOTION TO ENTER CLOSED SESSION TO DETERMINE NEED FOR EXECUTIVE SESSION

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

Contractual matter Centraplex
Ruby Whitehead

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Roberson, Guy, Watts, and Bounds

VOTING NAY: None

The motion was declared carried.

The Mayor reopened the meeting to publicly announce that the Council would enter executive session to discuss the following:

Contractual matter Centraplex
Ruby Whitehead

RETURN TO REGULAR SESSION

At the conclusion of executive session, upon motion of Council Member Roberson and seconded by Council Member Bounds and unanimously carried, the Mayor reopened the meeting. The Mayor stated that in executive session no action was taken with the Contractual matter with the Centraplex and Ruby Whitehead.

ORDER TO ADJOURN

Motion was made by Council Member Roberson and seconded by Council Member Bounds to adjourn. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Bounds, Parker, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

ATTEST:

Cindy Cole
Cindy Cole, City Clerk

Greg Mitchell
Greg Mitchell, Mayor

ORDINANCE NO. 792

AN ORDINANCE TO REVISE THE ELECTION PRECINCTS TO CONFORM TO CHANGES IN WARD BOUNDARIES; TO REVISE THE WARD BOUNDARIES TO CONFORM TO POPULATION CHANGES SHOWN BY THE 2000 CENSUS; AND FOR RELATED PURPOSES.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PICAYUNE, MISSISSIPPI:

SECTION 1. That upon and after this Ordinance takes effect, that all applicable Ordinances of the Code of Ordinances of the City of Picayune, Mississippi, are amended as follows, to-wit:

- a. The election precincts for Wards, 1,2,3, 4, and 5 shall consist of the entire ward in each case as reflected in that certain Redistricting Proposed Map as incorporated herein and attached hereto as Exhibit "1".

SECTION 2. That upon and after the date when this Ordinance takes effect, that all applicable Ordinances of the Code of Ordinances of the City of Picayune, Mississippi shall be as follows, to-wit:

- a. The Mayor shall be elected at large by the voters of the entire city.
- b. The city shall be divided into five (5) wards and one councilman shall be elected by the voters of each of said wards to represent said ward.
- c. The five (5) wards of the city are described by that certain Redistricting Map as attached hereto and incorporated herein as Exhibit "1".

SECTION 3. In addition to the redistricting plan approved by the Council on the 19th day of October, 2004, the City Attorney is hereby directed to submit this ordinance to the Attorney General of the United States in accordance with the provisions of the Voting Rights Act of 1965, as amended and extended.

SECTION 4. Upon this ordinance becoming finally effective, the City Clerk is directed to conform the voting rolls so as to place each voter in the proper ward and election precinct and to mail notice to all registered voters whose ward or election precinct is changed by this ordinance.

SECTION 5. This ordinance shall become effective upon its approval by the Attorney General of the United States.

The foregoing Ordinance having been reduced to writing and considered, section by section, was introduced by Council Member _____, seconded by Council Member _____, and adopted by the following roll call vote, to-wit:

VOTING YEA:

VOTING NAY:

The motion was declared carried.

The Ordinance was there upon declared carried and adopted this _____ day of _____, 2005.

Greg Mitchell, Mayor

ATTEST:

LeAnn Smith, Deputy City Clerk

February 1, 2005

**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 in the Courtroom of the Criminal Justice Center in said City, Tuesday, February 1, 2005 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members, Kathy Watts, Donald Parker, Leavern Guy, Sr., and Jerry Bounds, City Manager Reggie Frierson, City Clerk Cindy Cole, and Fire Chief Keith Brown, Police Chief Jim Luke and City Attorney Nathan Farmer.

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

Opening Prayer was given by Reverend David Lowery of First United Methodist Church followed by the Pledge of Allegiance, led by: David Stockstill, Picayune's Citizen of the Year.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Guy, seconded by Council Member Bounds, to approve the minutes of the Mayor and City Council dated January 18, 2005. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Watts

ABSENT AND NOT VOTING: Council Member Roberson

VOTING NAY: None

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Guy, seconded by Council Member Bounds, to approve the issuance of the following manual checks:

City of Picayune General Fund	Utility	NTE	\$ 52,000.00
MS State Tax Commission	Utility	NTE	\$ 6,000.00
Kelly Wilton	General		\$ 492.22
Holly Krantz	General		\$ 650.70
E.G. Woods	ECO Dev		\$ 3,360.00
	Sale of Lots		
Trustmark Bank	General		\$126,237.50
Kathy Watts	General		\$ 464.63
Kelly Riesch	General		\$ 203.51

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts, and Bounds

ABSENT AND NOT VOTING: Council Member Roberson

VOTING NAY: None

The motion was declared carried.

REGULAR MEETING DATED FEBRUARY 1, 2005CONSIDER REQUEST FOR MAYOR AND COUNCIL TO TRAVEL TO WASHINGTON DC

Motion was made by Council Member Guy, seconded by Council Member Bounds; to approve request for Mayor and City Council to travel to Washington DC February 5, 2005 through February 10, 2005 for meetings with Legislators. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Watts

ABSENT AND NOT VOTING: Council Member Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO PAINT "TIDE" LOGO ON STREET BY HIGH SCHOOL BASEBALL FIELDS

Motion was made by Council Member Bounds, seconded by Council Member Guy, to approve request to paint "Tide" logo on Union School Road and Central Avenue which lead into the Maroon Tide Baseball and Girl's Softball Field. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Watts

ABSENT AND NOT VOTING: Council Member Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO PROCLAIM ARBOR DAY

Motion was made by Council Member Bounds, seconded by Council Member Parker, to proclaim February 11, 2005 as "Arbor Day" and authorize Mayor to sign Proclamation. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Watts

ABSENT AND NOT VOTING: Council Member Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO CONNECT TO CITY WATER

Motion was made by Council Member Bounds, seconded by Council Member Guy, to approve request from Cindy Rayborn to connect to city water for property located at 2198 Hilber Stewart Road with owner of property paying all cost including material and labor. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Watts

ABSENT AND NOT VOTING: Council Member Roberson

VOTING NAY: None

The motion was declared carried.

ORDER TO APPROVE DOCKET

REGULAR MEETING DATED FEBRUARY 1, 2005

Motion was made by Council Member Bounds, seconded by Council Member Guy, to approve the docket for the month of January, 2005 in the amount of \$591,576.72. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts, and Bounds

ABSENT AND NOT VOTING: Council Member Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR BUDGET AMENDMENT

Motion was made by Council Member Guy, seconded by Council Member Bounds, to adopt Budget Amendment #4 for Year Ending 09/30/05 as follows: The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

CONSIDER REQUEST TO ACCEPT BIDS FOR TWO-YEAR DEPOSITORIES

Motion was made by Council Member Watts, seconded by Council Member Parker, to accept bids for two-year depositories as follows: Hancock Bank, Bankplus, and First National Bank. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Watts

ABSENT AND NOT VOTING: Council Member Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER AUTHORIZATION TO PURCHASE SOLE SOURCE MOBILE VISION CAR VIDEO SYSTEMS

Motion was made by Council Member Bounds, seconded by Council Member Guy, to approve purchase sole source twelve (12) mobile vision car video systems from Mobile Vision. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

Council Member Watts exited meeting at this time.

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

**CITY OF PICAYUNE - GENERAL FUND
BUDGET AMENDMENT #4
FOR THE YEAR ENDING 9/30/2005**

FUND 001

2005

ORIGINAL BUDGET BUDGET AMEND.#1 BUDGET AMEND.#2 BUDGET AMEND.#3 BUDGET AMEND.#4

RECEIPTS:

LICENSE & PERMITS	428,000	428,000	428,000	428,000	428,000
INTERGOVERNMENTAL REVENUES	3,793,208	3,765,105	3,765,105	3,797,607	3,797,607
CHARGES FOR SERVICES	655,672	655,672	655,672	655,672	655,672
FINES & FORFEITS	301,500	301,500	301,500	301,500	301,500
MISCELLANEOUS	28,000	28,750	30,675	40,675	40,675
TRANSFERS	350,000	350,000	350,000	350,000	350,000
INTEREST EARNINGS	37,000	37,018	37,018	37,018	37,018
PROCEEDS FROM LOANS	921,000	921,000	921,000	921,000	921,000
TOTAL FROM ALL SOURCES, OTHER THAN TAXES	6,484,378	6,487,045	6,488,970	6,531,472	6,531,472
AMOUNT TO BE RAISED BY AD VALOREM TAX	1,652,000	1,652,000	1,652,000	1,652,000	1,652,000
TOTAL REVENUES	8,136,378	8,139,045	8,140,970	8,183,472	8,183,472
BEGINNING CASH	2,638,888	2,638,888	2,638,888	3,223,499	3,223,499
TOTAL FROM ALL SOURCES	10,775,266	10,777,933	10,779,858	11,406,971	11,406,971

EXPENDITURES:

GENERAL GOVERNMENT

PERSONNEL	1,065,895	1,065,895	1,065,895	1,065,895	1,065,895
SUPPLIES	47,470	47,470	47,470	47,470	47,470
OTHER SERVICES & CHARGES	459,750	462,017	462,017	462,017	462,017
CAPITAL OUTLAY	98,900	98,900	108,900	108,900	108,900
TOTALS	1,672,015	1,674,282	1,684,282	1,684,282	1,684,282

PUBLIC SAFETY - POLICE

PERSONNEL	2,297,385	2,297,395	2,308,245	2,343,836	2,343,836
SUPPLIES	226,650	228,567	228,567	230,417	230,417
OTHER SERVICES & CHARGES	254,097	254,884	256,809	261,724	261,724
CAPITAL OUTLAY	151,205	151,350	151,350	182,330	182,330
TOTALS	2,929,337	2,932,186	2,944,971	3,018,307	3,018,307

PUBLIC SAFETY - FIRE

PERSONNEL	1,691,600	1,691,600	1,691,600	1,691,600	1,691,600
SUPPLIES	63,350	64,100	64,100	64,100	64,100
OTHER SERVICES & CHARGES	73,450	73,450	73,450	73,450	73,450
CAPITAL OUTLAY	594,000	594,000	595,937	595,937	595,937
TOTALS	2,422,400	2,423,150	2,425,087	2,425,087	2,425,087

PUBLIC WORKS

PERSONNEL	797,349	797,349	797,349	802,349	802,349
SUPPLIES	174,500	174,500	174,500	174,500	174,500
OTHER SERVICES & CHARGES	771,800	771,800	771,800	771,800	771,800
CAPITAL OUTLAY	745,886	745,886	745,886	745,886	745,886
TOTALS	2,489,535	2,489,535	2,489,535	2,494,535	2,494,535

CULTURE & RECREATION 2004301

PERSONNEL	0	0	0	0	0
SUPPLIES	17,500	17,500	17,500	17,500	17,500
OTHER SERVICES & CHARGES	22,500	22,500	22,500	32,500	32,500
CAPITAL OUTLAY	3,100	3,100	3,100	3,100	3,100
TOTALS	43,100	43,100	43,100	53,100	53,100

COST OF LIVING RAISES FY 04-05

AID TO OTHER GOVERNMENTS	0	0	0	0	0
TRANSFERS TO OTHER FUNDS	26,000	26,000	32,000	32,000	32,000
	999,991	999,991	999,991	999,991	1,034,991
	1,025,991	1,025,991	1,031,991	1,031,991	1,066,991

TOTAL EXPENDITURES	10,582,378	10,588,244	10,616,966	10,707,302	10,742,302
ENDING CASH BALANCE	192,888	189,688	160,892	699,669	654,669
TOTAL EXPENDITURES & ENDING CASH BALANCE	10,775,266	10,777,933	10,779,858	11,406,971	11,406,971

**CITY OF PICAYUNE
BUDGET AMEND #4
FOR THE YEAR ENDING 9/30/2005**

FUND 406

CEMETERY FUND

RECEIPTS:

	FY 2005 BUDGET	BUDGET AMEND #3	BUDGET AMEND #4
RECORDING FEES	100	100	100
SALE OF LOTS	25,000	25,000	25,000
INTEREST INCOME	3,000	3,000	3,000
UNIFORM REVENUE	300	300	300
MISCELLANEOUS INCOME	0	50	50
TRANSFERS IN - CITY	57,000	57,000	92,000
 BEGINNING CASH & INVESTMENTS	 44,002	 12,742	 12,742
 TOTAL REVENUE AND BEGINNING CASH	 129,452	 98,192	 133,192

DISBURSEMENTS:

PERSONNEL SERVICES	114,500	114,500	114,500
SUPPLIES	10,100	10,100	10,100
OTHER SERVICES & CHARGES	4,520	4,520	4,520
CAPITAL OUTLAY	0	0	0
 TOTAL	 129,120	 129,120	 129,120
 COLA	 0	 0	 0
ENDING CASH & INVESTMENTS	332	-30,928	4,072
 TOTAL DISBURSEMENTS & ENDING CASH	 129,452	 98,192	 133,192

REGULAR MEETING DATED FEBRUARY 1, 2005

Motion was made by Council Member Bounds seconded by Council Member Guy; to enter closed session to determine the need for an executive session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Bounds

ABSENT AND NOT VOTING: Council Members Roberson and Watts

VOTING NAY: None

The motion was declared carried.

Motion was made by Council Member Bounds, seconded by Council Member Parker, to enter executive session to discuss Contractual matters with Memorial Blvd, Phase II, Possible sale of Real Property and Contractual matter with Centraplex. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Bounds

ABSENT AND NOT VOTING: Council Members Roberson and Watts

VOTING NAY: None

The motion was declared carried.

The Mayor reopened the meeting to publicly announce that the Council would enter executive session to discuss: Contractual matters with Memorial Blvd, Phase II, Possible sale of Real Property and Contractual matter with Centraplex.

RETURN TO REGULAR SESSION

At the conclusion of executive session, upon motion of Council Member Bounds, seconded by Council Member Guy, and unanimously carried, the Mayor reopened the meeting. The Mayor stated that in executive session the following votes were taken:

Motion was made by Council Member Guy, seconded by Council Member Parker, to contract with Allen & Hoshall to prepare FY05 FAA Grant and authorize Mayor to sign contract with the Consulting Engineer, Allen & Hoshall. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

Motion was made by Council Member Bounds, seconded by Council Member Guy, to approve Fair Market Value Offer with William L. Beacht and wife, Susan A. Beacht for the purchase of 400 sq ft of paving for Memorial Blvd Phase II-Right-of-Way Project in the amount of \$12,925.00 and to authorize a manual check to be issued. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

REGULAR MEETING DATED FEBRUARY 1, 2005

Motion was made by Council Member Bounds, seconded by Council Member Guy, to declare a parcel of real property located on Palestine Road and Doug Lee Road surplus and authorize the acquisitions of 3 appraisals to establish fair market value. Said property to be sold to Nathan D. Farmer and wife, Carmen Y Farmer at fair market value. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

There was no action taken on Contractual matter with Centraplex.

ORDER TO RECESS

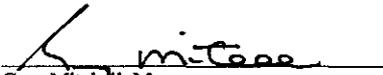
Motion was made by Council Member Parker, and seconded by Council Member Bounds, to recess until February 15, 2005 at 6 p.m. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members, Parker, Guy, and Bounds

VOTING NAY: None

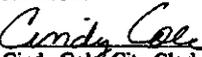
ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.



Greg Mitchell, Mayor

ATTEST:



Cindy Cole, City Clerk

February 15, 2005

**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 in the Courtroom of the Criminal Justice Center in said City, Tuesday, February 15, 2005 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members, Kathy Watts, Lucian Roberson, Leavern Guy, Sr, Donald Parker, and Jerry Bounds, City Manager Reggie Frierson, City Clerk Cindy Cole, City Attorney Nathan Farmer, Police Chief Jim Luke and Fire Chief Keith Brown.

It being determined a quorum was present, the following proceedings were held.

Opening Prayer was given by Father Roger Hartling of St. Barnabas Anglican Church, followed by the Pledge of Allegiance led by Claiborne (Buddy) McDonald

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Bounds, seconded by Council Member Parker, to approve the minutes of the Mayor and City Council dated February 1, 2005. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Members Watts and Roberson

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY BUDGET REPORTS

Motion was made by Council Member Bounds, seconded by Council Member Parker, to acknowledge receipt of the Monthly Budget Reports for the month of January 2005. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Members Watts and Roberson

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY PUBLIC RECORD REQUESTS REPORT

Motion was made by Council Member Bounds, seconded by Council Member Parker, to acknowledge receipt of the Monthly Public Record Requests Report for the month of January 2005. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Members Watts and Roberson

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Bounds, seconded by Council Member Parker, to approve the issuance of the following manual checks:

Gulfsouth Pipeline Co	Utility	\$ 18,481.33
UMC	Utility	\$ 1,082.52
Jerry Bounds	Gen	\$ 504.70
Reggie Frierson	Gen	\$ 384.65
Barbara McGrew	Gen	\$ 357.00
Louise Cockern	Gen	\$ 357.00
Trustmark	Gen	\$ 1,500.00

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Members Watts and Roberson

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF PRIVILEGE LICENSE REPORTS

Motion was made by Council Member Bounds, seconded by Council Member Guy, to acknowledge receipt of the Privilege License Reports for the month of January 2005. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Members Watts and Roberson

The motion was declared carried.

CONSIDER ACCEPTANCE OF THE PLANNING COMMISSION MINUTES

Motion was made by Council Member Bounds, seconded by Council Parker, to accept the minutes of the Planning Commission dated January 11, 2005. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Members Watts and Roberson

The motion was declared carried.

CONSIDER ACKNOWLEDGING RECEIPT OF PLANNING COMMISSION MINUTES

Motion was made by Council Member Bounds, seconded by Council Member Parker, to acknowledge receipt of the Planning Commission minutes dated February 8, 2005. The following roll call vote was taken:

RECESSED MEETING, FEBRUARY 15, 2005

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Members Watts and Roberson

The motion was declared carried.

CONSIDER SETTING DATE FOR PUBLIC HEARING FOR PROPERTY AT 612 BENNETT STREET

Motion was made by Council Member Bounds, seconded by Council Member Parker, to set a date of March 1, 2005 to hold a public hearing for property clean up at 612 Bennett Street-owner J.P. Morgan Chase Bank. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Members Watts and Roberson

The motion was declared carried.

CONSIDER REQUEST TO ADVERTISE FOR SEMI-ANNUAL BIDS

Motion was made by Council Member Bounds, seconded by Council Member Parker, to authorize Purchasing Agent to advertise for Semi-Annual Bids. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Members Watts and Roberson

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE MAYOR'S SIGNATURE ON OUTCLAIM DEED

Motion was made by Council Member Bounds, seconded by Council Member Parker, to authorize Mayor's signature on Quitclaim Deed in the name of Richard Malley for parcel no 035U-0-23-016.00. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Members Watts and Roberson

The motion was declared carried.

CONSIDER REQUEST TO ADVERTISE RESOURCES FOR THE CITY

Motion was made by Council Member Guy, seconded by Council Member Parker, to advertise resources for the City for the Barry Lyons Baseball Clinic in the amount of \$300.00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Roberson, Guy, and Watts

VOTING NAY: None

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Members Watts and Roberson

The motion was declared carried.

CONSIDER SETTING DATE FOR PUBLIC HEARING FOR PROPERTY AT 612 BENNETT STREET

Motion was made by Council Member Bounds, seconded by Council Member Parker, to set a date of March 1, 2005 to hold a public hearing for property clean up at 612 Bennett Street-owner J.P. Morgan Chase Bank. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Members Watts and Roberson

The motion was declared carried.

CONSIDER REQUEST TO ADVERTISE FOR SEMI-ANNUAL BIDS

Motion was made by Council Member Bounds, seconded by Council Member Parker, to authorize Purchasing Agent to advertise for Semi-Annual Bids. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Members Watts and Roberson

The motion was declared carried.

CONSIDER REQUEST TO AUTHORIZE MAYOR'S SIGNATURE ON QUITCLAIM DEED

Motion was made by Council Member Bounds, seconded by Council Member Parker, to authorize Mayor's signature on Quitclaim Deed in the name of Richard Malley for parcel no 035U-0-23-016.00. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Members Watts and Roberson

The motion was declared carried.

CONSIDER REQUEST TO ADVERTISE RESOURCES FOR THE CITY

Motion was made by Council Member Guy, seconded by Council Member Parker, to advertise resources for the City for the Barry Lyons Baseball Clinic in the amount of \$300.00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Roberson, Guy, and Watts

VOTING NAY: None

The motion was declared carried.

CONSIDER PROCLAMATION OF "BLACK HISTORY MONTH"

Motion was made by Council Member Guy, seconded by Council Member Roberson, to Proclaim February 2005 as "Black History Month" and authorize Mayor's signature on said Proclamation. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Roberson, Guy, and Watts

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO RE-APPOINT OR APPOINT MEMBERS OF CONTRACTORS BOARD

Motion was made by Council Member Bounds, seconded by Council Member Guy, to re-appoint or appoint the following members to a one-year term on the Contractors Board, to-wit:

Home Builder	Elgie Bennett
Plumber	Grover Nelson
Alternate Plumber	Tommy Anderson
Electrician	James Kinchen
Bus/Fin	Gary Miller
Citizen	Edward Stubbs
Citizen	Scott McClemore
Engineer	James Bouie

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Roberson, Guy, and Watts

VOTING NAY: None

The motion was declared carried.

At this time Council Member Roberson exited the meeting.

CONSIDER REQUEST FOR REPLACEMENT ON PICAYUNE SCHOOL BOARD

Motion was made by Council Member Bounds, seconded by Council Member Parker, to postpone the decision to replace Greg Walls on the Picayune School Board until the next Council Meeting.. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Roberson

The motion was declared carried.

Council Member Roberson re-entered the meeting at this time.

CONSIDER CONTRACT BY AND BETWEEN THE CITY OF PICAYUNE AND THE FOUNDATION FOR CIVIC DEVELOPMENT REGARDING THE CENTRAPLEX

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve Contract presented by and between The City of Picayune and The Foundation for Civic Development. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Bounds

VOTING NAY: Council Members Roberson and Watts

The motion was declared carried.

CONSIDER RENEWAL CONTRACT BETWEEN THE CITY OF PICAYUNE AND CRI COMPUTERS

Motion was made by Council Member Parker, seconded by Council Member Guy, to approve request to renew the contract by and between CRI Computers and The City of Picayune for the City's Website. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts, Bounds, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER RENEWAL CONTRACT BETWEEN THE CITY OF PICAYUNE AND CINTAS UNIFORMS

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve request to renew the contract by and between CINTAS and The City of Picayune for the City's Uniform Service as presented and authorize Mayor's signature on said contract. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts, Bounds, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO SUBMIT APPLICATION TO MDOT FOR URBAN YOUTH CORPS PROGRAM

Motion was made by Council Member Guy, seconded by Council Member Roberson to authorize the City to submit application for the 2005 Transportation Enhancement Urban Youth Corps Program and authorize the Mayor to sign said application. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts, Bounds, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO CONNECT TO CITY WATER

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve request for properties located at 9 Messa Road and 10 Messa Road to connect to City Sewer with Mr. Messa paying tap fees, materials and labor. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts, Bounds, and Roberson

VOTING NAY: None

CONSIDER REQUEST FOR PLAT APPROVAL

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to approve plat adjustment for J J Jarrell for property located 1618 Highway 11 as per approved by the Planning Commission. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Guy, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST TO TRANSFER FUNDS

Motion was made by Council Member Watts, seconded by Council Member Bounds, to authorize Picayune Fire Department to transfer funds collected at recent Boot Drive for Tsunami Survivors to Samaritan's Purse Mission in the amount of \$3,363.00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Guy, and Roberson

VOTING NAY: None

The motion was declared carried

CONSIDER REQUEST TO AMEND AGENDA

Motion was made by Council Member Bounds, seconded by Council Member Guy, to amend agenda to include a request for Mayor to travel to Washington DC to accept appointment with The National League of Cities and attend Committee Meeting. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Guy, and Roberson

VOTING NAY: None

The motion was declared carried.

CONSIDER REQUEST FOR TRAVEL

Motion was made by Council Member Bounds seconded by Council Member Guy, to approve request for Mayor to travel to Washington DC March 11, 2005 to accept appointment on a Committee for the National League of Cities and attend annual Conference. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Guy, and Roberson

VOTING NAY: None

The motion was declared carried.

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

Motion was made by Council Member Parker, seconded by Council Member Guy to enter closed session to determine the need for an executive session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts, Bounds and Roberson

VOTING NAY: None

The motion was declared carried.

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

1. Contractual matter with Fire Station
2. Contractual matter with Intermodal Center
3. Contractual matter with USDA
4. Contractual matter with Airport Ground Lease
5. Contractual matter with MGAM
6. Contractual matter with Memorial Blvd Phase II
7. Possible sale of real property

The following roll call vote was taken.

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts, and Roberson

VOTING NAY: None

The motion was declared carried.

The Mayor reopened the meeting to publicly announce that the Council would enter executive session to discuss the following:

1. Contractual matter with Fire Station
2. Contractual matter with Intermodal Center
3. Contractual matter with USDA
4. Contractual matter with Airport Ground Lease
5. Contractual matter with MGAM
6. Contractual matter with Memorial Blvd Phase II
7. Possible sale of real property

RETURN TO REGULAR SESSION

At the conclusion of executive session, upon motion of Council Member Parker and seconded by Council Member Guy, and unanimously carried, the Mayor reopened the meeting.

The Mayor stated that in executive session no action was taken in the matter with the following:

Contractual matter with Fire Station
 Contractual matter with Centraplex
 Contractual matter with USDA
 Contractual matter with MGAM

Motion was made by Council Member Guy, seconded by Council Member Parker to approve Ground Lease Agreement for the Picayune Municipal Airport prepared by City Attorney

Nathan Farmer with exceptions to be corrected by City Attorney. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts, Bounds and Roberson

VOTING NAY: None

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Bounds to approve payment for the Memorial Blvd Phase II owned by Bill Stegall in the amount of \$43,915.00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts, Bounds and Roberson

VOTING NAY: None

The motion was declared carried.

ORDER TO ADJOURN

Motion was made by Council Member Watts, and seconded by Council Member Parker to adjourn. The following roll call vote was taken:

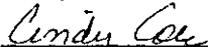
VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Guy, and Roberson

VOTING NAY: None

The motion was declared carried.


Greg Mitchell, Mayor

ATTEST:


Cindy Cole, City Clerk

February 24, 2005

**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 in the Courtroom of the Criminal Justice Center in said City, Thursday, February 24, 2005, at 6:00 p.m. in special session with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Kathy Watts, Donald Parker, Leavern Guy, and Jerry Bounds, City Manager Reggie Frierson, City Attorney Nathan Farmer, City Clerk Cindy Cole and Deputy Police Chief Milar.

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

Before meeting was started Council Member Watts brought to the Council's attention that this special meeting had not been posted in accordance with Mississippi Code 25-41-13. Mayor Mitchell asked City Attorney Nathan Farmer to research this before they proceeded with the meeting. Nathan determined that the posting requirements had not been met according to Mississippi Code 25-41-13.

March 1, 2005

**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 in the Courtroom of the Criminal Justice Center in said City, Tuesday, March 1, 2005 at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members, Kathy Watts, Donald Parker, Lucian Roberson, and Jerry Bounds, City Manager Reggie Frierson, City Clerk Cindy Cole, and Fire Chief Keith Brown, Police Chief Jim Luke and City Attorney Nathan Farmer.

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

Opening Prayer was given by A. P. Guizerix followed by the Pledge of Allegiance, led by: Council Member Watts.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to approve the minutes of the Mayor and City Council dated February 15, 2005 with a correction stating that Council Member Watts was present and voted yea to the Consent Agenda. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to approve the issuance of the following manual checks:

City of Picayune General Fund	Utility	NTE	\$ 52,000.00
MS State Tax Commission	Utility	NTE	\$ 6,000.00
Reggie Oliver	Utility		\$ 164.00
Platinum Plus for Business	Gen		\$ 12,290.11
MMSA(MS Main Street ASSOC)	Gen		\$ 200.00
Huey Stockstill, Inc.	MS Dev/ Friendship Park		\$391,217.87

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Roberson, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

REGULAR MEETING DATED MARCH 1, 2005CONSIDER REQUEST TO SIGN QUITCLAIM DEED

Motion was made by Council Member Bounds and seconded by Council Member Roberson, to authorize Mayor's signature on Quitclaim Deed for taxes in the name of Sidney Miller parcel 617-521-002-01-005-00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

CONSIDER REQUEST TO SIGN QUITCLAIM DEED

Motion was made by Council Member Bounds and seconded by Council Member Roberson, to authorize Mayor's signature on Quitclaim Deed for taxes in the name of Johnnie Jett parcel 617-516-001-03-011-00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

CONSIDER REQUEST TO SIGN QUITCLAIM DEED

Motion was made by Council Member Bounds and seconded by Council Member Roberson, to authorize Mayor's signature on Quitclaim Deed for taxes in the name of Douglas Strain parcel 617-837-000-04-006-02. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

CONSIDER REQUEST TO RE-SET PUBLIC HEARING

Motion was made by Council Member Bounds and seconded by Council Member Roberson, to re-set Public Hearing for property located at 612 Bennett Street to April 19, 2005 - Owner J.P. Morgan, Chase Bank, Christopher Cook, Etal. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

ORDER TO APPROVE DOCKET

REGULAR MEETING DATED MARCH 1, 2005

Motion was made by Council Member Parker, seconded by Council Member Bounds, to approve the docket for the month of February, 2005 in the amount of \$572,073.26. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Roberson, Watts, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

CONSIDER REQUEST FROM THE SENIOR CENTER

Motion was made by Council Member Parker, seconded by Council Member Bounds, to authorize the Senior Center to conduct an Easter Egg Hunt March 20, 2005 in Jack Read Park and have street closure on each side of the Park which would be Quince Street and Pine Street. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

CONSIDER REQUEST FROM PICAYUNE ON STAGE

Motion was made by Council Member Bounds, seconded by Council Member Watts, to advertise Resources of the City by advertising in the Ms Mississippi Senior America Pageant to be held April 30, 2005 at The Senior Center, said ad is at a cost of \$250.00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

CONSIDER REQUEST FROM PICAYUNE HIGH SCHOOL DIAMOND CLUB

Motion was made by Council Member Parker, seconded by Council Member Bounds, to advertise Resources of the City by advertising with a sign on the outfield fence at a cost of \$200.00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

CONSIDER REQUEST FROM PICAYUNE HIGH SCHOOL LADY DIAMOND BACKERS

REGULAR MEETING DATED MARCH 1, 2005

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to advertise Resources of the City by advertising with a sign on the outfield fence at a cost of \$200.00. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

CONSIDER REQUEST FROM GOLDWING RIDERS

Motion was made by Council Member Parker, seconded by Council Member Watts, to approve the request from the Goldwing Riders to close streets surrounding Jack Read Park April 2, 2005 for the display of motor bikes. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

CONSIDER REQUEST FROM MAINSTREET TO CONDUCT STREET FAIR

Motion was made by Council Member Roberson, seconded by Council Member Parker, to approve the request from the Main Street to conduct Street Fair April 2, 2005 and April 3, 2005 and having same street closure as previous fairs. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

CONSIDER REQUEST FROM MAINSTREET TO CONDUCT HELICOPTER SERVICE

Motion was made by Council Member Roberson, seconded by Council Member Watts, to table the request from Main Street to conduct a Helicopter Service during Street Fair being held April 2, 2005 and April 3, 2005. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

CONSIDER REQUEST FOR SCHOOL BOARD REPLACEMENT

REGULAR MEETING DATED MARCH 1, 2005

Motion was made by Council Member Parker, seconded by Council Member Bounds, to appoint Edward Stubbs to the Picayune School Board for a five-year term replacing Greg Walls. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

CONSIDER REQUEST FOR A TRAFFIC LIGHT TO BE INSTALLED

Motion was made by Council Member Roberson, seconded by Council Member Parker, to authorize City Manager to conduct a study to determine if a traffic light is needed at the intersection of Ridge Road and Patricia Lane. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

CONSIDER REQUEST TO SUBMIT FOR GRANT TO OBTAIN MULTI-MODAL TRANSPORTATION IMPROVEMENT PROGRAM FROM MDOT

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to authorize the submission of a Grant Application in the amount of \$260,000.00 for the construction of a T-Hanger from MDOT Aeronautics Division and authorize Mayor to sign said application. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

CONSIDER CAP LOAN APPLICATION TO MISSISSIPPI DEVELOPMENT AUTHORITY

Motion was made by Council Member Parker, seconded by Council Member Bounds, to authorize the Mayor to sign CAP Loan Application to construct T-Hangers. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

CONSIDER REQUEST TO PURCHASE 2005 FORD CROWN VICTORIA

REGULAR MEETING DATED MARCH 1, 2005

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to authorize Purchasing Agent to purchase one 2005 Crown Victoria for the Police Department using funds from Special Police Drug Fund. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

CONSIDER REQUEST FROM PYAA

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to authorize Police Department to provide PYAA background checks at no cost for all Team Coaches in the league. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

CONSIDER REQUEST TO SECURE BIDS FOR CONSTRUCTION OF NEW FIRE STATION

Motion was made by Council Member Watts, seconded by Council Member Bounds, to authorize Fire Department to secure bids for the construction of a new Fire Station. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

CONSIDER REQUEST TO AMEND AGENDA

Motion was made by Council Member Parker, seconded by Council Member Roberson to amend agenda to include Contractual matter with Centraplex to be added to Executive Session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, and Roberson

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

ORDER TO ENTER CLOSED SESSION TO DETERMINE NEED FOR EXECUTIVE SESSION

REGULAR MEETING DATED MARCH 1, 2005

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to enter closed session to determine the need for an executive session. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Roberson, Watts and Bounds

VOTING NAY: None

ABSENT NOT VOTING: Council Member Guy

The motion was declared carried.

Motion was made by Council Member Roberson, seconded by Council Member Bounds, to enter executive session to discuss contractual matters with The Winward Group, possible transfer of real property, contractual matter with new Fire Station, and contractual matter with Intermodal Center. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Roberson, Watts and Bounds

VOTING NAY: None

ABSENT NOT VOTING: Council Member Guy

The motion was declared carried.

The Mayor reopened the meeting to publicly announce that the Council would enter executive session to discuss contractual matters with The Winward Group, possible transfer of real property, contractual matter with new Fire Station, and contractual matter with Intermodal Center.

RETURN TO REGULAR SESSION

At the conclusion of executive session, upon motion of Council Member Roberson, seconded by Council Member Bounds, and unanimously carried, the Mayor reopened the meeting. The Mayor stated that in executive session the following votes were taken:

Motion was made by Council Member Bounds seconded by Council Member Roberson to approve contract with The Windward Group to scan all minute books on to computer disk and authorize Mayor's signature on said contract. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Roberson, Watts, Parker, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

There was no action taken on possible transfer of real property, contractual matter with new Fire Station and contractual matter with Centraplex.

ORDER TO RECESS

Motion was made by Council Member Parker, and seconded by Council Member Roberson to recess until March 15, 2005 at 6 p.m. The following roll call vote was taken:

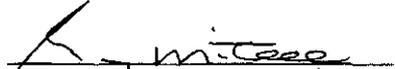
VOTING YEA: Mayor Mitchell, Council Members, Watts, Roberson, Parker, and Bounds

VOTING NAY: None

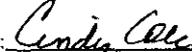
REGULAR MEETING DATED MARCH 1, 2005

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.



Greg Mitchell, Mayor

ATTEST: 

Cindy Cole, City Clerk

**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 in Chief Jim Luke's office of the Criminal Justice Center in said City, Tuesday, May 3, 2005, at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Kathy Watts, Donald Parker, Jerry Bounds, and Leavern Guy, City Manager Reggie Frierson, City Attorney Nathan Farmer, City Clerk Cindy Cole, and Fire Chief Keith Brown.

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

Opening prayer was given by Reginald Oliver, followed by the Pledge of Allegiance led by Ms. Barbara McGrew.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Guy, seconded by Council Member Bounds to approve the minutes of the Mayor and City Council dated April 19, 2005, with the following one correction:

Under "Consider Acknowledging Receipt of Planning Commission Minutes" change the following:
Voting Yea: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts and Roberson.
Absent and Not Voting: None
The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY BUDGET REPORTS

Motion was made by Council Member Guy, seconded by Council Member Bounds to acknowledge receipt of the Monthly Budget Reports for the month of May 2005. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Guy, seconded by Council Member Bounds to approve the issuance of the following manual checks:

MS State Tax Commission	Utility Fund	\$ 4,216.00
City Of Picayune, General Fund	Utility Fund	\$ 52,504.42
M. M. Kinslow, Easement	Utility Fund	\$ 4,000.00
Jimmy Stockstill, Easement	Utility Fund	\$ 10,000.00

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE DOCKET

Motion was made by Council Member Bounds, seconded by Council Member Roberson, to approve the docket for the month of May 2005 in the amount of \$429,729.63. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

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

Motion was made by Council Member Guy, seconded by Council Member Roberson to enter a closed session to determine the need for an executive session.

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Guy, seconded by Council Member Roberson to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matters with Centraplex
2. Contractual matters with Friendship Park Project

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Council Member Bounds left the meeting during executive session.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Guy, seconded by Council Member Roberson, to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

ORDER TO AUTHORIZE MAYOR AND CITY CLERK TO EXECUTE DOCUMENTS TO PURCHASE CENTRAPLEX.

Motion was made by Council Member Parker, seconded by Council Member Guy to authorize Mayor and City Clerk to execute any and all documents, including the following documents, to finalize the transfer/purchase of the Centraplex (shopping center located on Memorial Blvd.) from the Foundation for Civic Development ; the purchase price will be the assumption of debt currently held by Hancock Bank in the approximate amount of \$85,000 (this and other conditions of transfer are outlined in the Contract under II. Conditions of Transfer)

1. Contract which was approved on February 15, 2005
2. Special Warranty Deed
3. Bill of Sale
4. Assignment of Contracts
5. Resolution of Intent to issue a Taxable Negotiable Note

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, and Guy

VOTING NAY: Council Members Watts and Roberson

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion did not carry.

ORDER TO APPROVE CHANGE ORDER # 5 FOR FRIENDSHIP PARK

Motion was made by Council Member Parker, seconded by Council Member Roberson to approve Change Order #5 in the amount of \$47,866.96 for repaving Meadowgreen Blvd. and construct a 374 square foot block building to house Irrigation Pump and to renovate bathroom at Kids Kingdom with an completion date extension, which applies to these additions only, to June 30, 2005, on the contract with Huey Stockstill Contractors on the Friendship Park project. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

MOTION TO RECESS

Motion was made by Council Member Roberson, seconded by Council Member Parker to recess until May 10, 2005 at 5:00 p.m. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Cindy Cole, City Clerk

**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 in Courtroom of the Criminal Justice Center in said City, Tuesday, May 10, 2005, at 52:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, Jerry Bounds, and Leavern Guy, City Manager Reggie Frierson, City Attorney Nathan Farmer, and City Clerk Cindy Cole.

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

Opening prayer was given by Reginald Oliver, followed by the Pledge of Allegiance led by Mr. Ron Russell.

CONSIDER REQUEST TO CONNECT TO CITY WATER

Motion was made by Council Member Bounds, seconded by Council Member Guy to approve the request from Michael W. Bridges, Sr. to connect to City water for property located at 60 Stafford Road with Mr. Bridges paying for tap fee and materials.

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

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

Motion was made by Council Member Parker, seconded by Council Member Guy to enter a closed session to determine the need for an executive session.

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Parker, seconded by Bounds to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matters with Centraplex

2. Potential sale of real property.

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Guy, seconded by Council Member Bounds, to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

ORDER TO AUTHORIZE MAYOR AND CITY CLERK TO EXECUTE DOCUMENTS TO PURCHASE CENTRAPLEX.

Motion was made by Council Member Guy, seconded by Council Member Bounds to accept and to authorize Mayor and City Clerk to execute Contract of Agreement between the Foundation for Civic Development and the City for the Transfer of Certain Property in the Centraplex.

Spread Contract Here.

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds and Guy

VOTING NAY: Council Member Roberson

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Bounds to accept and authorize Mayor and City Clerk to execute a Special Warranty Deed between the Foundation for Civic Development and the City for the transfer of certain property in the Centraplex.

Spread Special Warranty Deed here

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Bounds

VOTING NAY: Council Member Roberson

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Bounds to accept by executing a Bill of Sale and Assignment between the Foundation for Civic Development and the City for the transfer of certain personal property in the Centraplex.

Spread Bill of Sale here.

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Bounds

VOTING NAY: Council Member Roberson

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Bounds to accept by executing Assignment of Contracts or Leases for parcels A and B in the Centraplex.

Spread Assignment of Contracts or Leases here.

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Bounds

VOTING NAY: Council Member Roberson

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Parker to execute any and all documents to accept assignment or transfer of lien unto Hancock Bank secured by Centraplex to the City of Picayune.

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Bounds

VOTING NAY: Council Member Roberson

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

MOTION TO RECESS

Motion was made by Council Member Roberson, seconded by Council Member Parker to recess until May 17, 2005 at 6:00 p.m. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Member Watts

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Cindy Cole, City Clerk

**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 in Courtroom of the Criminal Justice Center in said City, Tuesday, May 17, 2005, at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Donald Parker, and Leavern Guy, City Manager Reggie Frierson, City Attorney Nathan Farmer, City Clerk Cindy Cole, Police Chief Jim Luke and Chief Keith Brown.

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

Opening prayer was given by Council Member Donald Parker, followed by the Pledge of Allegiance led by Council Member Lucian Roberson.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Guy, seconded by Council Member Parker to approve the minutes of the Mayor and City Council dated May 3, 2005.

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY PRIVILEGE LICENSE REPORT

Motion was made by Council Member Guy, seconded by Council Member Parker to acknowledge receipt of monthly Privilege License report for the month of April 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY PUBLIC RECORDS REPORT

Motion was made by Council Member Guy, seconded by Council Member Parker to acknowledge receipt of monthly Public Records report for the month of April 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY BUDGET REPORTS

Motion was made by Council Member Guy, seconded by Council Member Parker to acknowledge receipt of the Monthly Budget Reports for the month of May 2005. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

ORDER TO ACCEPT PLANNING COMMISSION MINUTES

Motion was made by Council Member Guy, seconded by Council Member Parker to accept the Planning Commission Minutes dated April 12, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

ORDER TO ACCEPT PLANNING COMMISSION MINUTES

Motion was made by Council Member Guy, seconded by Council Member Parker to accept the Planning Commission Minutes dated May 10, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

ORDER TO AUTHORIZE MAYOR'S SIGNATURE ON QUITCLAIM DEED

Motion was made by Council Member Guy, seconded by Council Member Parker to authorize the Mayor to execute a quitclaim deed for 2001 taxes in the name of Robert J. Lavigne, parcel 617-614-002-05-032-00. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

PRESENTATION OF THANKS AND APPRECIATION WAS MADE BY NJROTC TO MAYOR AND CITY COUNCIL

ORDER TO APPROVE RESOLUTION OF THANKS

Motion was made by Council Member Guy, seconded by Council Member Parker to approve Resolution of Thanks for Picayune Police Department and authorize Mayor to sign. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Roberson to clarify the agenda for Hartman Engineering-Sewer Facility Study to include action requested to "Consider request to name Hartman Engineering as the Design Engineers for this project. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

ORDER TO AMEND CONTRACT WITH HARTMAN ENGINEERING – EPA SEWER FACILITY PLAN

Motion was made by Council Member Guy, seconded by Council Member Roberson to amend the EPA Sewer Facility Plan contract to name Hartman Engineering as the Design Engineers for this project. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

A PRESENTATION WAS GIVEN BY LYNN NORRIS OF HOLLEY, GRUBBS, MITCHAM & PHILLIPS AND LUCIAN BOURGEOIS, OF BUTLER, SNOW, O'MARA, STEVENS & CANNADA, PLLC CONCERNING FINANCING OPTIONS FOR THE EPA SEWER FACILITY PLAN.

ORDER TO PROCLAIM MAY 2005 AS TEEN PREGNANCY PREVENTION AWARENESS MONTH

Motion was made by Council Member Roberson, seconded by Council Member Guy to Proclaim May, 2005 Teen Pregnancy Prevention Awareness Month and authorize the Mayor's signature on the Proclamation. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

ORDER TO AUTHORIZE ANNUAL TOOTSIE ROLL DRIVE

Motion was made by Council Member Parker, seconded by Council Member Roberson to authorize the Knight's of Columbus annual Tootsie Roll Drive for May 20 and 21, 2005 at Highways 43 & 11 North and South, & East and West Canal Streets and Wal-mart. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

ORDER TO APPROVE STATEMENT OF SUPPORT FOR THE GUARD AND RESERVE

Motion was made by Council Member Roberson, seconded by Council Member Guy to approve Statement of Support for the Guard and Reserve as requested by the Office of the Secretary of Defense and authorize the Mayor to sign statement. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

ORDER TO APPROVE REQUEST TO CONDUCT CELEBRATION SUNDAY FELLOWSHIP

Motion was made by Council Member Parker, seconded by Council Member Roberson to approve request to conduct Celebration Sunday Fellowship in Jack Read Park fro 3:00 pm until 8:00 pm with permission to block both sides of Goodyear Blvd. from Oak Street to Quince Street which has been approved by Deputy Chief Tom Milar. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

ORDER TO ADVERTISE RESOURCES FOR THE CITY OF PICAYUNE

Motion was made by Council Member Roberson, seconded by Council Member Parker to approve request to advertise resources in the amount of \$250.00 for the City by issuing a manual check, for Allison Stegall, 2006 Picayune Junior Miss to participate in State Scholarship Program. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

ORDER TO ADVERTISE RESOURCES FOR THE CITY OF PICAYUNE

Motion was made by Council Member Roberson, seconded by Council Member Parker to approve request to advertise resources in the amount of \$300.00 for the City by issuing a manual check, for Melissa Cooper , 2005 Picayune Miss Hospitality to participate in State Pageant. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

ORDER TO ADVERTISE RESOURCES FOR THE CITY OF PICAYUNE

Motion was made by Council Member Roberson, seconded by Council Member Parker to approve request to advertise resources in the amount of \$300.00 for the City by issuing a manual check, for the FBLA National Contenders. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

ORDER TO AMEND AGENDA

MOTION WAS MADE BY Council Member Roberson, seconded by Council Member Parker to amend agenda to include a request from the Picayune High School Forensics Team. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

ORDER TO APPROVE REQUEST FOR CAN SHAKE

Motion was made by Council Member Roberson, seconded by Council Member Parker to approve request from Picayune High School Forensics Team to conduct a can shake Saturday, June 4, 2005 at the red-lights located at Highway 11 and Canal Street, Highway 11 and Memorial Blvd. and Highway 11 and Highway 43 North to assist with funds to attend National Competition. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

ORDER TO AUTHORIZE MAYOR TO EXECUTE RESOLUTION OF INTENT

Motion was made by Council Member Parker, seconded by Council Member Guy to authorize Mayor to executed Resolution of Intent of the City Council to issue a taxable negotiable note, Series 2005 in the maximum principal amount of \$85,000 for the purpose of providing funds for the acquisition of a municipal building (Centraplex) and directing publication of notice of Note Sale. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

RESOLUTION OF INTENT

The City Council of, Mississippi (the "City"), acting for and on the City, took up for consideration the matter of issuing a Taxable negotiable note, Series 2005, of said City. After a discussion of the subject, Council Member _____ offered and moved the adoption of the following resolution:

RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF PICAYUNE, MISSISSIPPI (THE "CITY"), TO ISSUE A TAXABLE NEGOTIABLE NOTE, SERIES 2005, IN THE MAXIMUM PRINCIPAL AMOUNT OF Eighty Five Thousand DOLLARS (\$85,000) TO RAISE MONEY FOR THE PURPOSE OF PROVIDING FUNDS FOR THE ACQUISITION OF MUNICIPAL BUILDINGS; AND DIRECTING PUBLICATION OF NOTICE OF NOTE SALE - \$ 85,000

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

1. The City is authorized by Sections 17-21-51 et seq., Mississippi Code of 1972, as amended (the “Act”), to issue a taxable note hereinafter proposed to be issued for the purposes and the amounts set forth in paragraph 2 of this preamble.

2. It is necessary and in the public interest to issue a Taxable negotiable note, Series 2005 of the City in the principal amount of not to exceed Eighty Five Thousand Dollars (\$85,000) (the “Note”), to raise money for the purpose of providing funds for the acquisition of municipal buildings (the “Project”).

3. The Note will not exceed any constitutional or statutory limitation upon indebtedness which may be incurred by the City.

4. The Governing Body desires to authorize the sale of the Note at 6:00 o’clock p.m. on June 7, 2005.

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

The Governing Body hereby declares its intention to issue a Taxable Negotiable Note, Series 2005, of the City in the principal amount not to exceed Eighty Five Thousand Dollars (\$85,000) pursuant to the Act to raise money for the purpose of providing funds for the Project. The Note will be a general obligation 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 the taxable property within the geographical limits of the City.

5. The assessed value of taxable property within the City, according to the last completed assessment for taxation, is Sixty Seven Million Two Hundred Sixty Seven Thousand One Hundred Thirty Nine Dollars (\$67,267,139); 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 One Million Four Hundred Twenty Five Thousand Dollars (\$1,425,000), 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 15% debt limit), in the amount of One Million Four Hundred Twenty Five Thousand Dollars (\$1,425,000); the issuance of the Note, 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, and together with any outstanding debt issued pursuant to the Act will not exceed one percent (1%) of the assessed valuation of the City.

- (a) The City has no outstanding indebtedness issued under the Act.

SECTION 2. The Governing Body proposes to direct the issuance of the Note of the City in the amount, for the purposes and secured as aforesaid at a meeting place of the Governing Body at its meeting place in the City Hall in the City of Picayune, Mississippi, at the hour of 6:00 o'clock p.m. on May 17, 2005.

SECTION 3. (a) The terms and conditions for the Note and the form of the Note shall be those agreed upon between the City, acting for and on behalf of the City, and the party agreeing to purchase the Note and shall be in conformance with the requirements of the Act and this Note Resolution.

(b) The Note will be subject to redemption prior to its stated date of maturity, at any time, at par, plus accrued interest to the date of redemption.

SECTION 4. As required by Section 17-21-53, Mississippi Code of 1972, as amended, the Clerk is hereby authorized and directed to give Notice by publishing an advertisement at least one (1) time in *The Picayune Item*, a newspaper published in the City of Picayune, Mississippi and of general circulation in Picayune, Mississippi, the publication thereof to be made at least ten (10) days preceding the date fixed herein for the receipt of bids. The Notice shall be in substantially the following form:

NOTICE OF TAXABLE NOTE SALE - \$85,000

BY THE CITY OF PICAYUNE, MISSISSIPPI

Sealed proposals will be received by the City Council of the City of Picayune, Mississippi (the "City"), at the office of the City Clerk of Picayune, Mississippi, in the City Hall of the City of Picayune, Mississippi, until the hour of 5:00 o'clock p.m. on June 7, 2005. Said bids will be publicly opened, read and considered at the hour of 6:00 o'clock p.m. on June 7, 2005, at the meeting of the City Council of Picayune, Mississippi, to be held in the Courtroom of the Criminal Justice Center of Picayune, Mississippi, for the issuance of a \$85,000 Taxable Negotiable Note, Series 2005 (the "Note"), to mature as to principal and interest in five approximate equal installments due annually from the date of issuance thereof, commencing on the first anniversary of the date of the issuance of the Note. The terms and conditions for the Note and the form of the Note shall be those agreed upon between the City and the successful bidder for the Note and shall be in conformance with the Act and the Note Resolution, both as hereinafter defined; however, the rate of interest shall not exceed eleven percent (11%).

The Note is subject to redemption prior to its stated date of maturity, at any time, at par, plus accrued interest to the date of redemption.

The Note is authorized in accordance with Section 17-21-51 et seq., Mississippi Code of 1972, as amended, and by a Note Resolution adopted by the City Council of the City on May 17, 2005 (the "Note Resolution") and is being issued for the purpose of providing funds for the acquisition of municipal buildings.

The Note will be a general obligation 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 the taxable property within the geographical limits of the City.

The interest on the Note is not exempt from Federal income taxes under existing laws, regulations, rulings and judicial decisions with such exceptions as shall be required by the Internal Revenue Code of 1986. Under existing law, interest on the Note is exempt from present taxes imposed by the State of Mississippi and any county, municipality or other political subdivision of the State of Mississippi, except for inheritance, estate and transfer taxes.

Proposals should be addressed to the City Council of the City of Picayune, Mississippi, c/o Cindy Cole, City Clerk of the City of Picayune, Mississippi, at her address of City Hall, 203 Goodyear Boulevard, Picayune, Mississippi 39466, and should be plainly marked "Proposals for Taxable Negotiable Note, Series 2005", and should be filed with Cindy Cole, the said City Clerk of the City of Picayune, Mississippi, at her address of City Hall Annex, 203 Goodyear Boulevard, Picayune, Mississippi 39466, on or prior to the date hereinabove fixed and set.

Each bid must be accompanied by a cashier's check, certified check, or exchange, issued or certified by a bank located in the State of Mississippi, payable to the City of Picayune, Mississippi, in the amount of _____ Dollars (\$_____) as a guaranty that the bidder will carry out its contract and purchase the Note if its bid be accepted

Information with respect to the indebtedness may be obtained from the Office of the City Clerk of the City of Picayune, Mississippi at the City Hall Annex, 203 Goodyear Boulevard, Picayune, Mississippi.

AN OFFERING DOCUMENT WILL NOT BE PREPARED IN CONNECTION WITH THE SALE AND ISSUANCE OF THE NOTE.

The principal amount of the Note is being issued in denomination of \$85,000 and is being sold to a single purchaser who will have knowledge and experience in financial and business matters making it capable of evaluating the merits and risks of the prospective investment. The Note shall be sold to a purchaser without a view for distributing said Note. The purchaser of said Note shall be required to execute a certification at closing to the effect that the Note is being purchased for the account of the purchaser without the intent to distribute. Based on the foregoing, the Note will be exempt from the continuing disclosure requirements of SEC Rule 15c2-12.

Published by order of the City Council of the City of Picayune, Mississippi, on this the _____ day of May, 2005.

CINDY
COLE, CITY CLERK
CITY OF PICAYUNE, MISSISSIPPI

PUBLISH: _____, 2005

SECTION 5. The interest on the Note is not exempt from Federal income taxes under existing laws, regulations, rulings and judicial decisions with such exceptions as shall be required by the Internal Revenue Code of 1986. Under existing law, interest on the Note is exempt from present taxes imposed by the State of Mississippi and any city, municipality or other political subdivision of the State of Mississippi, except for inheritance, estate and transfer taxes.

SECTION 6. The principal amount of the Note is being issued in denomination of \$85,000 and is being sold to a single purchaser who will have knowledge and experience in financial and business matters making it capable of evaluating the merits and risks of the prospective investment. The Note shall be sold to a purchaser without a view for distributing said Note. The purchaser of said Note shall be required to execute a certification at closing to the effect that the Note is being purchased for the account of the purchaser without the intent to distribute. Based on the foregoing, the Note will be exempt from the continuing disclosure requirements of SEC Rule 15c2-12.

SECTION 7. The Mayor, the Clerk and the other officers of the City are, and each of them acting alone is, hereby authorized and directed to take such actions and to execute such documents as may be necessary to effectuate the purposes of this resolution.

SECTION 8. 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.

Council Member _____ seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Mayor Gregory Mitchell	Voted: ____
Council Member Lucian Roberson	Voted: ____
Council Member Donald L. Parker	Voted: ____
Council Member Kathy Harris Watts	Voted: ____
Council Member Leavern Guy	Voted: ____
Council Member Jerry Bounds	Voted: ____

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and this resolution adopted this the 17th day of May, 2005.

MAYOR

ATTEST:

CITY CLERK

(SEAL)

CONSIDER REQUEST TO CONNECT TO CITY WATER

JACKSON 1037429v1

Motion was made by Council Member Guy, seconded by Council Member Parker to approve the request from Thailus A. Mitchell to connect to City water for property located at 18 Linda Lane and 18 Sawtooth Trail with Mr. Mitchell paying for tap fee and materials.

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried

ORDER TO DENY REQUEST FOR HOME OCCUPATION LICENSE

Motion was made by Council Member Roberson, seconded by Council Member Parker to deny request for Home Occupation License for Paul Elliott and Tara Anderson, 1407 8th Avenue to sell general merchandise from their home. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

ORDER TO APPROVE REQUEST FOR CONDITIONAL USE

Motion was made by Council Member Guy, seconded by Council Member Roberson to approve request for Conditional Use for property located at 406 Carroll Street for Veterinary Practice, Dr. Jason Leonard. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

ORDER TO APPROVE REQUEST FOR SINGLE FAMILY HOMES IN C-2 ZONE AND C-2 SETBACKS

Motion was made by Council Member Guy, seconded by Council Member Parker to approve request of Jarod Lee to build four single family homes in the area of NE corner of E. Canal Street and N. Monroe Avenue and also allow to use setback for C-2 zone. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

ORDER TO APPROVE HERITAGE OAKS PHASE I FINAL PLAT

Motion was made by Council Member Guy, seconded by Council Member Roberson to approve Heritage Oaks Phase I Final Plat. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

ORDER TO APPROVE AIRPORT DEVELOPMENT GRANT

Motion was made by Council Member Parker, seconded by Council Member Guy to accept Airport Development Grant Agreement by and between Mississippi Department of Transportation (MDOT) and the City of Picayune to install Security Gates and Drainage Improvements Nunc Pro Tunc effective July 6, 2004. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

ORDER TO ACCEPT DONATION FOR SENIOR PATROL

Motion was made by Council Member Parker, seconded by Council Member Roberson to accept a donation for Senior Patrol. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

ORDER TO APPROVE BOOT DRIVE FOR MS FIREFIGHTER MEMORIAL BURN CENTER

Motion was made by Council Member Guy, seconded by Council Member Roberson to approve request for Fire Department to conduct a boot drive for MS Firefighter Memorial Burn Center on May 28, 2005 from 9:00 am until 12:00 pm at Highway 11 and Canal Street. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

The motion was declared carried.

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

Motion was made by Council Member Roberson, seconded by Council Member Parker to enter a closed session to determine the need for an executive session.

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Watts and Bounds

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Parker, seconded by Guy to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Watts and Bounds

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Possible sale of real property
2. Possible purchase of real property
3. Contractual matter with SPCA
4. Contractual matters with Capital Projects
5. Potential sale of real property.

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Watts and Bounds

The motion was declared carried.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Guy, seconded by Council Member Roberson, to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Watts and Bounds

The motion was declared carried.

ORDER TO ESTABLISH FAIR MARKET VALUE

Motion was made by Council Member Roberson, seconded by Council Member Guy to establish fair market value of Lot 9, Block 8 Williams Southside Addition located on Jarrell Street off Main, 50 x 150 lot at \$4,400 based on the average of three appraisals. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Watts and Bounds

The motion was declared carried.

ORDER TO SELL LOT

Motion was made by Council Member Roberson, seconded by Council Member Guy to sell Lot 9, Block 8 Williams Southside Addition located on Jarrell Street off Main, 50 X 150 lot, for \$4,400 to Trinity Outreach Ministry. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Watts and Bounds

The motion was declared carried.

[Spread copy of deed here.](#)

ORDER TO ESTABLISH FAIR MARKET VALUE

Motion was made by Council Member Guy, seconded by Council Member Parker to increase the fair market value of an Easement from Family Furniture, (Jeffery Varnado) for the Sewer Lift Station Improvement Project from \$1,000 to \$2,000. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Watts and Bounds

The motion was declared carried.

ORDER AUTHORIZING MAYOR TO EXECUTE RESOLUTION OF INTENT TO ISSUE BONDS

Motion was made by Council Member Guy, seconded by Council Member Parker to authorize the Mayor to execute and publish Resolution of Intent to Issue General Obligation Bonds in an amount not to exceed \$1,500,000 to fund certain capital projects and to execute Resolution to employ Butler, Snow, O'Mara, Stevens & Cannada, PLLC, Jackson MS as Bond Counsel and Blackwell and White, Gulfport, MS as Co-Bond Counsel and Nathan S. Farmer, P.A. Picayune, MS as Issuer's Counsel. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Watts and Bounds

The motion was declared carried.

RESOLUTION OF INTENT

The Mayor and City Council (the "City") of the City of Picayune, Mississippi (the "City"), took up for consideration the matter of issuing General Obligation Public Improvements Bonds of said City. After a discussion of the subject, Council Member Guy offered and moved the adoption of the following resolution:

RESOLUTION OF THE CITY OF PICAYUNE, MISSISSIPPI (THE "CITY"), DECLARING THE INTENTION OF THE CITY TO ISSUE GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS IN A TOTAL AMOUNT OF NOT TO EXCEED ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) FOR THE PURPOSE OF ERECTING MUNICIPAL BUILDINGS AND REPAIRING, IMPROVING, ADORNING AND EQUIPPING THE SAME; REPAIRING, IMPROVING AND EXTENDING THE MUNICIPAL WATER AND SEWER SYSTEM; AND CONSTRUCTING, IMPROVING OR PAVING STREETS, AND PURCHASING LAND THEREFOR; 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:

6. The City is authorized by Section 21-33-301 through 21-33-329, Mississippi Code of 1972, as amended (the "Act"), to issue bonds hereinafter proposed to be issued for the purposes and the amounts set forth in paragraph 2 of this preamble.

7. It is necessary and in the public interest to issue General Obligation Public Improvement Bonds of the City in the principal amount of not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000) (the "Bonds"), to raise money for the purpose of erecting municipal buildings and repairing, improving, adorning and equipping the same; repairing, improving and extending the municipal water and sewer system; and constructing, improving or paving streets, and purchasing land therefore (the "Project").

8. The assessed value of all taxable property within the City, according to the last completed assessment for taxation, is Sixty Seven Million Two Hundred Sixty Seven Thousand One Hundred Thirty Nine Dollars (\$67,267,139); 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 One Million Four Hundred Twenty Five Thousand Dollars (\$1,425,000), 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 15% debt limit), in the amount of One Million Four Hundred Twenty Five Thousand Dollars (\$1,425,000); the issuance of the Bonds hereinafter proposed to be issued pursuant to the 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.

9. The City reasonably expects that it will incur expenditures prior to the issuance of the Bonds, which it intends to reimburse with the proceeds of the Bonds upon the issuance thereof. This declaration of official intent to reimburse expenditures made prior to the issuance of the Bonds in anticipation of the issuance of the Bonds 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 MAYOR AND THE CITY COUNCIL OF THE CITY OF PICAYUNE, MISSISSIPPI: That the Governing Body of the City of Picayune, Mississippi, does hereby declare its intention to issue General Obligation Public Improvement Bonds (the "Bonds"), of the City of Picayune, Mississippi, in a total amount of not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000) to raise money for the Project. The Bonds 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 the taxable property within the geographical limits of the City. The Governing Body proposes to direct the issuance of the Bonds in the amounts, for the purposes and secured as aforesaid at a meeting place of the Governing Body at its meeting place in the City of Picayune, Mississippi at the hour of 6:00 o'clock p.m. on June 21, 2005.

SECTION 1. If on or before 6:00 o'clock p.m. on June 21, 2005, ten percent (10%) of the qualified electors of the City or fifteen hundred (1500), whichever is less, shall file a written protest with the Clerk of the City of Picayune, Mississippi, against the issuance of the Bonds pursuant to the Act, then Bonds for such purpose or purposes shall not be issued unless authorized at an election on the question of the issuance of such Bonds to be called and held as provided by law. If no protest be filed on or before 6:00 o'clock p.m. on June 21, 2005, against the issuance of Bonds, then the Bonds may be issued without an election on the question of the issuance thereof, at any time within a period of two (2) years after the date specified in Section 2 hereof.

SECTION 2. This resolution shall be published once a week for at least three consecutive weeks in *Picayune Item*, a newspaper published in and having a general circulation in the City of Picayune, Mississippi, 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 dated fixed herein for the issuance of the Bonds, and the last publication shall be made no more than seven (7) days prior to such date.

SECTION 3. The City Clerk is hereby directed to procure from the publisher of the aforesaid newspaper the customary proof of publication of this resolution and have the same before the Governing Body on the day and hour hereinabove specified.

SECTION 4. The City reasonably expects that it will incur expenditures prior to the issuance of the Bonds, which it intends to reimburse with the proceeds of the Bonds upon the issuance thereof. This declaration of official intent to reimburse expenditures made prior to the issuance of the Bonds in anticipation of the issuance of the Bonds 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.

SECTION 5. 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.

Council Member Parker seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Mayor Greg Mitchell	Voted: <u>Yea</u>
Council Member Donald L. Parker	Voted: <u>Yea</u>
Council Member Leavern Guy	Voted: <u>Yea</u>
Council Member Lucian Roberson	Voted: <u>Yea</u>
Council Member Kathy Harris Watts	Voted: <u>Absent</u>
Council Member Jerry Bounds	Voted: <u>Absent</u>

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 17th day of May, 2005.

MAYOR

ATTEST:

CITY CLERK

(SEAL)

PUBLISH: _____

JACKSON 832052v2

ENGAGEMENT RESOLUTION

The Mayor and City Council (the "City") of the City of Picayune, Mississippi (the "City"), took up for consideration the matter of issuing General Obligation Public Improvements Bonds of said City. After a discussion of the subject, Council Member Guy offered and moved the adoption of the following resolution:

RESOLUTION OF THE CITY OF PICAYUNE, MISSISSIPPI (THE "CITY"), DECLARING THE INTENTION OF THE CITY TO ISSUE GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS IN A TOTAL AMOUNT OF NOT TO EXCEED ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) FOR THE PURPOSE OF ERECTING MUNICIPAL BUILDINGS AND REPAIRING, IMPROVING, ADORNING AND EQUIPPING THE SAME; REPAIRING, IMPROVING AND EXTENDING THE MUNICIPAL WATER AND SEWER SYSTEM; AND CONSTRUCTING, IMPROVING OR PAVING STREETS, AND

PURCHASING LAND THEREFOR; 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:

10. The Governing Body has determined the necessity to providing financial assistance to defray the cost of providing funds for erecting municipal buildings and repairing, improving, adorning and equipping the same; repairing, improving and extending the municipal water and sewer system; and constructing, improving or paving streets, and purchasing land therefore (the "Project"),

11. It is necessary and in the public interest to issue General Obligation Public Improvement Bond, Series 2005 (the "Bonds"), to finance the cost of the Project.

12. That in order to prepare the necessary resolutions and documents for the sale and issuance of the Bonds it is in the best interest of the City to authorize the law firms of Butler, Snow, O'Mara, Stevens & Cannada, PLLC, Jackson, Mississippi, as Bond Counsel, and Blackwell and White, Gulfport, Mississippi, as Co-Bond Counsel, and Nathan S. Farmer, P. A., Picayune, Mississippi, as Issuer's Counsel, to prepare and distribute such resolutions and documents necessary in order to facilitate the sale and issuance of such Bonds 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 of the City of Picayune, Mississippi, does hereby declare its intention to issue General Obligation Public Improvement Bonds, Series 2005 (the "Bonds"), of the City of Picayune, Mississippi, to raise money for the Project.

SECTION 2. The Governing Body herein employs the law firms of Butler, Snow, O'Mara, Stevens & Cannada, PLLC, Jackson, Mississippi as Bond Counsel, Blackwell and White, Gulfport, Mississippi, as Co-Bond Counsel, and Nathan S. Farmer, P.A., Picayune, Mississippi, as Issuer's Counsel, in connection with the sale and issuance of the Bonds, and authorizes them to prepare the necessary resolutions and offering documents for the subsequent sale and issuance of the Bonds subject to the approval of the Governing Body of the City. No fee will be due to Butler, Snow, O'Mara, Stevens & Cannada, PLLC or Blackwell and White unless the Governing Body approves the sale and issuance of said Bonds.

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

Mayor Greg Mitchell	Voted: <u>Yea</u>
Council Member Donald L. Parker	Voted: <u>Yea</u>
Council Member Leavern Guy	Voted: <u>Yea</u>
Council Member Lucian Roberson	Voted: <u>Yea</u>
Council Member Kathy Harris Watts	Voted: <u>Absent</u>
Council Member Jerry Bounds	Voted: <u>Absent</u>

The President of the Council then declared the resolution passed and adopted this the 17th day of May, 2005.

APPROVED BY:

PRESIDENT OF THE CITY COUNCIL

MAYOR

ATTEST:

CITY CLERK

(SEAL)

JACKSON 1032612v1

ORDER TO ADJOURN

Motion was made by Council Member Roberson, seconded by Council Member Guy to adjourn. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Watts and Bounds

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Cindy Cole, City Clerk

June 7, 2005

**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 in Chief Jim Luke's office of the Criminal Justice Center in said City, Tuesday, June 7, 2005, at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Kathy Watts, Donald Parker, Jerry Bounds, and Leavern Guy, City Manager Reggie Frierson, City Attorney Nathan Farmer, City Clerk Cindy Cole.

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

Opening prayer was given by Council Member Parker, followed by the Pledge of Allegiance led by Council Member Guy.

Motion was made by Council Member Watts to remove Items A and C from the consent agenda to be voted on separately. A second was not made. This motion died.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Guy, seconded by Council Member Parker to approve the minutes of the Mayor and City Council dated May 17, 2005. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: Council Member Watts

ABSENT AND NOT VOTING: Council Member Roberson

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Guy, seconded by Council Member Parker to approve the issuance of the following manual checks:

City of Picayune, General Fund	Utility Fund	\$ 55,613.31
MS State Tax Commission	Utility Fund	\$ 3,769.00
Theresa Milar	PD Summer	
	Youth Camp	\$ 480.00
Theresa Milar	PD Summer	
	Youth Camp	\$ 480.00
Kanduit Construction	Airport	\$37,803.10

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy.

VOTING NAY: Council Member Watts

ABSENT AND NOT VOTING: Council Member Roberson

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE MAYOR TO TRAVEL TO WASHINGTON

Motion was made by Council Member Guy, seconded by Council Member Parker to approve the Mayor to travel to Washington DC June 13, 2005, to attend a meeting with NASA Support Team. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy.

VOTING NAY: Council Member Watts

June 7, 2005

ABSENT AND NOT VOTING: Council Member Roberson

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ADOPT DBE GOALS

Motion was made by Council Member Guy, seconded by Council Member Parker to adopt and authorize the advertisement of DBE Goals for Federal Transit Administration (FTA). The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy.

VOTING NAY: Council Member Watts

ABSENT AND NOT VOTING: Council Member Roberson

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ADVERTISE FOR BIDS FOR TERMINAL BUILDING

Motion was made by Council Member Guy, seconded by Council Member Parker to authorize Community Development to advertise for bids for the construction of the Terminal Building at the Airport. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy.

VOTING NAY: Council Member Watts

ABSENT AND NOT VOTING: Council Member Roberson

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACCEPT DONATION FROM WAL-MART

Motion was made by Council Member Guy, seconded by Council Member Parker to accept one E-machine Desktop Computer to be used by Police Department from Wal-Mart. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy.

VOTING NAY: Council Member Watts

ABSENT AND NOT VOTING: Council Member Roberson

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Council Member Roberson entered the meeting at this time.

ORDER TO APPROVE DOCKET

Motion was made by Council Member Guy, seconded by Council Member Bounds, to approve the docket for the month of June 2005 in the amount of \$1,281,319.02. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO AMEND AGENDA

Motion was made by Council Member Guy, seconded by Council Member Bounds to correct agenda request Item 8. C. to read "Consider request to open bids of sale of Taxable Negotiable Note in the amount not to exceed \$85,000 and to accept the lowest and best bid. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

June 7, 2005

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO OPEN AND ACCEPT BID FOR NOTE SALE

Motion was made by Council Member Bounds, seconded by Council Member Guy to accept Trustmark's bid with the rate of 4.93 % for the Taxable Negotiable Note Sale for the purpose of assuming debt on the Centraplex Building currently owed to Hancock Bank. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, and Watts.

VOTING NAY: Council Member Roberson

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO RECESS UNTIL JUNE 9, 2005 AT 6:00 PM

Motion was made by Council Member Parker, seconded by Council Member Bounds to recess until Thursday, June 9, 2005 at 6:00 PM. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ABSENT AND NOT VOTING: Council Member Bounds

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Cindy Cole, City Clerk

**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 in Courtroom of the Criminal Justice Center in said City, Tuesday, June 9, 2005, at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Donald Parker, Jerry Bounds and Leavern Guy, City Manager Reggie Frierson, City Attorney Nathan Farmer, City Clerk Cindy Cole, Police Chief Jim Luke.

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

Opening prayer was given by Mr. Glade Woods, followed by the Pledge of Allegiance led by Nathan Farmer.

ORDER TO AUTHORIZE MAYOR AND COUNCIL TO TRAVEL TO MML ANNUAL CONFERENCE

Motion was made by Council Member Guy, seconded by Council Member Bounds to to authorize Mayor and City Council to travel to the MML Annual Conference July 10th through 14th, 2005 in Biloxi, MS. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Bounds

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

ORDER TO DENY REQUEST TO CONDUCT FUNDRAISER

Motion was made by Council Member Guy, seconded by Council Member Bounds to follow recommendation of Police Department and deny request to conduct Fundraiser event in Jack Read Park July 9, 2005 from 10:00 am til 10:00 pm as submitted by David McKean. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Bounds

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

ORDER TO PROCLAIM NATIONAL GAREDEN WEEK

Motion was made by Council Member Bounds, seconded by Council Member Parker to approve request to Proclaim June 5 through June 11th, 2005 as National Garden Week and authorize Mayor to sign said Proclamation. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Bounds

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

ORDER TO AUTHORIZE MAYOR TO SIGN WAVIER OF PROCESS

Motion was made by Council Member Guy, seconded by Council Member Bounds to authorize Mayor to sign Wavier of Process for Tax Conformation of Title for three tracts of land owned by Philip J. Kahn. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Bounds

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

[Spread waviars here.](#)

ORDER TO APPROVE DISADVANTAGED BUSINESS ENTERPRISE PLAN

Motion was made by Council Member Guy, seconded by Council Member Bounds to approve of the Disadvantaged Business Enterprise (DBE) Plan for FY 2005 Part 26 and authorize Mayor to sign Policy Statement. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Bounds

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

[Spread policy statement here.](#)

ORDER TO DENY REQUEST TO CONNECT TO CITY WATER

Motion was made by Council Member Guy, seconded by Council Member Parker to follow recommendation of Public Works Director and deny request from Nathan Archer to connect to City Water for property located at 210 Koch Road. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Bounds

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

ORDER TO DETAIL SHOP

Motion was made by Council Member Guy, seconded by Council Member Bounds to follow recommendation of Site Plan Review and approve Detail Shop at 511 E. Canal St. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Bounds

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

Police Chief Luke, Deputy Chief Ervin and Deputy Chief Milar presented a plaque to be placed at the Criminal Justice Center for the 2004 renovations.

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

Motion was made by Council Member Parker, seconded by Council Member Guy to enter a closed session to determine the need for an executive session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Bounds

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Parker, seconded by Bounds to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Bounds

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matter with Friendship Park – Neel Schaffer
2. Contractual with GEO
3. Contractual matter with Robert J. Troncoso

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Bounds

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Guy, seconded by Council Member Bounds, to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Bounds

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

ORDER TO FILE A PETITION TO INTERVENE IN PUBLIC SERVICE COMMISSION HEARING FOR GEO

Motion was made by Council Member Bounds, seconded by Council Member Guy with respect to the GEO Petroleum Energy Transmission Ltd. matter pending before the Public Service Commission to:

1. Authorize Gerald Patch to intervene into the proceedings
2. Authorize Gerald Patch to seek payment of any and all monies owed to the City of Picayune
3. Authorize Gerald Patch to seek to have Certificate of Public Convenience and Necessity currently held by GEO Petroleum Energy Transmission, Ltd. Cancelled and transferred to the City of Picayune
4. Such other actions that are necessary to collect monies owed and to protect the City of Picayune's interest in this matter, including but not limited to filing actions in Circuit or Chancery Court, obtaining Judgments against GEO and collection of said judgments.

ORDER TO CONDUCT TITLE SEARCH

Motion was made by Council Member Guy, seconded by Council Member Parker to authorize City Attorney to conduct title search for property located on South McGee Lane. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Bounds

RECESSED MEETING DATING June 9, 2005

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

ORDER TO RECESS

Motion was made by Council Member Parker, seconded by Council Member Guy to recess until June 21, 2005 at 6:00 pm. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Bounds

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Members Roberson and Watts

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Cindy Cole, City Clerk

RECESSED MEETING DATING JUNE 21, 2005

**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 in Courtroom of the Criminal Justice Center in said City, Tuesday, June 21, 2005, at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Donald Parker, Jerry Bounds, Kathy Watts, Lucian Roberson and Leavern Guy, City Manager Reggie Frierson, City Attorney Nathan Farmer, City Clerk Cindy Cole, Police Chief Jim Luke.

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

Opening prayer was given by Council Member Donald Parker, followed by the Pledge of Allegiance led by Council Member Kathy Watts

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

Motion was made by Council Member Bounds, seconded by Council Member Guy to enter a closed session to determine the need for an executive session.

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Guy, seconded by Council Member Parker to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matters with Industrial Park
2. Zoning matter

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watts, and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Bounds, seconded by Council Member Guy, to return to regular session and no action was taken during executive session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watts, Bounds and Roberson

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Bounds, seconded by Council Member Guy to approve the minutes of the Mayor and City Council dated June 7, 2005 and June 9, 2005 with one correction to the June 9, 2005 minutes as follows: Under "Order to file a petition to intervene in public service commission hearing for GEO add #5. Together with defending the city against claims, allegations, or lawsuits made against the city by GEO." The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Member Watts and Roberson

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Bounds, seconded by Council Member Guy to approve the issuance of the following manual checks:

City of Picayune, Local Law Enf	General Fund	\$	237.00
MS Black Caucus of Local Elected Officials	General Fund	\$	150.00
Hancock Bank	General Fund	\$	72,167.92

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Member Watts and Roberson

The motion was declared carried.

ORDER TO PURCHASE MOSQUITO INSECTICIDE

Motion was made by Council Member Bounds, seconded by Council Member Guy to authorize Purchasing Agent to advertise for Mosquito Insecticide and Mineral Oil. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Member Watts and Roberson

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY BUDGET REPORT

Motion was made by Council Member Bounds, seconded by Council Member Guy to acknowledge receipt monthly budget reports. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Member Watts and Roberson

The motion was declared carried.

ORDER TO ACCEPT PLANNING COMMISSION MINUTES

Motion was made by Council Member Bounds, seconded by Council Member Guy to accept Planning Commission Minutes dated May 10, 2005 and June 14, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Member Watts and Roberson

The motion was declared carried.

RECESSED MEETING DATING JUNE 21, 2005

The City of Picayune Planning Commission met May 10, 2005 at 6:00 p.m. in the court room at the Picayune Police Department. The following members were present: Paul Reese, Stephen Gordon, Martha Sheppard, Steve Lawler, Tony Smith, Richard Reynolds, Planning & Development Director Barbara McGrew and Zoning Administrator Johnny Lou Ingram.

It being determined a quorum was present, the meeting was called to order by Stephen Gordon and the following agenda items were discussed with recommendations made to the City Council.

1. **Approval of Minutes.** Minutes of the meeting held April 12, 2005 were approved as submitted.
2. **Request for Home Occupation License.** Motion was made by Paul Reese, seconded by Martha Sheppard and unanimously carried to deny the request of Paul Elliott & Tara Anderson, 1407 8th Ave. for Home Occupation License to operate a merchandise business from their home. They purchase from auctions & wholesalers and purchases are shipped top their home. They in turn ship the product to the customer. They are considered to hold stock in trade, therefore, do not qualify for home occupation license. Motion carried.
3. **Request for Conditional Use.** Motion was made by Paul Reese, seconded by Martha Sheppard to recommend a conditional use to open a Veterinary Practice at 406 Carroll Street. This request was made by Dr. Jason Leonard, Amite, LA. This property is located between Dockside Seafood and the Knights of Columbus Hall. There was a question as to the closeness of animals to a business that deals with food. He was told that he could not live on the premises and stated that the property was 301 ' from Dockside Seafood. The vote recorded All Yes with the exception of Richard Reynolds who voted No. Motion carried.
4. **Request to Build Four Single Family Homes in C-2 Zone.** Jarod Lee and his Father subdivided this property, located on the NE corner of E. Canal St. and N. Monroe for the purpose of building four single family houses. This area is zoned C-2, Downtown Commercial, therefore, they have to have permission to build the houses. They request that the houses be built following the setback for C-2 district. On the front the average setback is

Minutes
Planning Commission
May 10, 2005

27' on the side a minimum of 10' and the rear yard building line is at 15'. These building back up to the branch, which runs in back of the property. Motion was made by Tony Smith, seconded by Martha Sheppard and unanimously carried to recommend this request to the city council. Motion carried.

5. **Request to Approve Heritage Oaks Phase I, Final Plat.** The Final Plat for Heritage Oaks Phase I, owned by Huey Stockstill was submitted for approval. Motion was made by Paul Reese seconded by Martha Sheppard and unanimously carried to approve the Final Plat of Heritage Oaks, Phase I. Motion carried.
6. **Request to Set Date for Public Hearing and Site Plan for Huey Stockstill Development located on the W. Side of River Rd. which will be known as The Bluff Plantation.** Motion was made by Tony Smith, seconded by Stephen Gordon and unanimously carried to set the date of June 14, 2005 as the public hearing for the zone change of The Bluff Plantation subdivision from R-1 to PUD-R; also, to view the development plat of said subdivision.
7. **Request for Manual Automotive Dealing in C-2 zone.** Gloria Peters, business owner, and John Eisler, property owner, requested to place a detail shop at the property located at 511 E. Canal St., site of the old IGA store. After discussion, motion was made by Martha Sheppard, seconded by Paul Reese, and unanimously carried to approve this request based on Site Plan Review approval.

Meeting adjourned until June 14, 2005.

MINUTES CITY OF PICAYUNE PLANNING COMMISSION JUNE 14, 2005

The City of Picayune Planning Commission met June 14, 2005 at 6:00 p.m. in the courtroom at the Picayune Police Department. The following members were present: Lud Pierce,

RECESSED MEETING DATING JUNE 21, 2005

Stephen Gordon, Martha Sheppard, Nancy Durham, Steve Lawler, Tony Smith and Zoning Administrator Johnny Lou Ingram.

It being determined a quorum was present, the meeting was called to order by Commissioner Melvin Hicks and the following agenda items were discussed with recommendations made to the City Council.

1. **Approval of Minutes.** Minutes of the meeting held May 10, 2005 were approved as submitted with the exception of adding the month of May to the date.
2. **Public Hearing.** A public hearing was held concerning the rezoning of property located on the West side of River Rd., formally known as the L.O. Crosby, Sr. property, from R-1 to PUD-R, Planned Unit District – Residential. This area will be known as The Bluffs Plantation and contains 46.0 acres, more or less. This rezoning was request by owner, Huey Stockstill and New South Development Co., LLC. (A copy of the public hearing is attached to these minutes). There was several people from the River Oaks subdivision that attended and voiced opinions on the entrance to the proposed subdivision. All in attendance were very impressed with the preliminary plan. Brookes Wallace, Dungan Engineering, gave a run down of Phase I, which will be the first phase of development. This discussion pertained to the number of lots and how large they are, covenants, drainage, traffic, etc. After a lengthy discussion, motion was made by Lud Pierce, seconded by Tony Smith and unanimously carried to approve the rezoning of the above mentioned property from R-1, Single Family Residential, to PUD-R, Planned Unit District – Residential.

Preliminary Plan Approval. Motion was made by Tony Smith, seconded by Steve Lawler and unanimously carried to approve the Preliminary Plan for The Bluffs Plantation. This plan was approved by the Site Plan Review Committee. Motion carried.

Minutes
Planning Commission
June 14, 2005
Page 2

3. **Request for Home Occupation License.** Ms. BonnieDoming, 410 Country Club Dr., has requested license to operate a telephone service for the home improvement field. She was not present; therefore, no action was taken on her request. Will present again next month.
4. **Request to Place Mobile Home in R-3 Zone.** Mr. John Satcher submitted a request to move his mobile home from Fannie Ave. back to Satcher Dr. His rent has gone up and he cannot afford to pay more. Mr. Satcher was not present, therefore no action was taken on his request. Will present again at next month's meeting.
5. **Request to Approve Lot Extension.** Motion was made by Steve Lawler, seconded by Nancy Durham and unanimously carried, to approve a 12' x 72.98' property extension from Eugene & Jan Sweet to the Picayune School District. A few years ago the District expanded the building to the North without realizing that it would then press up against the property line. The Sweet's have agreed to sell the District the described parcel: Description: 12' x 72.98' of Lot 2A to Lot 7, H. C. Hill Subdivision. Motion carried.
6. **Request for Approval of Preliminary Plan Woods Phase IX**
Motion was made by Steve Lawler, seconded by Lud Pierce and unanimously carried to approve the Preliminary Plan for The Woods Subdivision Phase IX, submitted by Andy Cooper. The site Plan Review Committee has approved this plan. Motion carried.
7. **Request Approval of Preliminary Plan – Robert Troncoso Dev.**

Mr. Robert Troncoso is the developer of the Southwest corner of Highway 11 and Highway 43 North. He has assembled 10 Parcels and his intention is to subdivide the property site into two parcels, one for Walgreen's and the other for another business which has not been decided on. The plan shows part of Vaughn street being closed to put together the parcels to be divided. Vaughn Street will have exit and entry on Megehee Street to Sycamore Rd. and to the new street to be place off Megehee to Highway 43 North. The house that blocks Megehee from joining Vaughn will be donated to

RECESSED MEETING DATING JUNE 21, 2005

the City to be removed for the joining of the streets. Everyone was in agreement with the plan and thought it was a very good idea concerning the streets. Motion was made by Steve Lawler, seconded by Stephen Gordon and unanimously carried to approve the

Minutes
Planning Commission
June 14, 2005
Page 3

Preliminary Plan submitted by Mr. Troncoso. The site Plan Review Committee has approved this plan. Motion carried.

The meeting adjourned until July 12, 2005.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY PUBLIC RECORDS REPORT

Motion was made by Council Member Bounds, seconded by Council Member Guy to acknowledge receipt of monthly Public Records report for the month of May 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Member Watts and Roberson

The motion was declared carried.

RECESSED MEETING DATING JUNE 21, 2005

CITY OF PICAYUNE				
REPORT OF PUBLIC RECORDS REQUESTS				
May/31/2005				
DATE	PERSON REQUESTING	SUBJECT MATTER	DATE FILLED/DENIED	ACTION
03/31/05	DARYL SMITH, CITY OF PICAYUNE STREET/DRAINAGE	#4 RECORDS CHECKS	03/31/05	PRINTED
04/28/05	INFINITY INSURANCE	ACCIDENT REPORT 05040443	04/28/05	COPIED
04/29/05	KATHRYN WAYLAND (WELLS, MARBLE & HURST)	ACCIDENT REPORT 04013218	04/29/05	COPIED
05/02/05	HELEY, LOTTERHOS, & HENLEY, PLLC	INFORMATION ON AMANDA STOCKSTILL	05/02/05	DENIED
05/02/05	MAMIE LEE	BACKGROUND CHECK	05/02/05	PRINTED
05/02/05	EDWARD HAARMANN	ACCIDENT REPORT 05042764	05/02/05	COPIED
05/02/05	RATASHA CALHOUN	INCIDENT REPORT 05042623	05/02/05	COPIED
05/02/05	JOSEPH STINSON	BACKGROUND CHECK	05/02/05	PRINTED
05/03/05	CRYSTAL ELAINE ROBERTS	RECORDS CHECK FOR DEPT OF HUMAN SERV	05/03/05	PRINTED
05/03/05	METROPOLITAN	ACCIDENT REPORT 05041955	05/03/05	COPIED
05/03/05	METROPOLITAN	ACCIDENT REPORT 05042741	05/03/05	COPIED
05/03/05	WILLIAMS, WILLIAMS & MONTGOMERY	ACCIDENT REPORT 05041093	05/03/05	COPIED
05/03/05	CHOICEPOINT	ACCIDENT REPORT 05041960	05/03/05	COPIED
05/03/05	PROGRESSIVE	ACCIDENT REPORT 05042070	05/03/05	COPIED
05/03/05	PROGRESSIVE	ACCIDENT REPORT 05042366	05/03/05	COPIED
05/03/05	DONNA HALL	RECORDS CHECK	05/03/05	PRINTED
05/04/05	FARM BUREAU	ACCIDENT REPORT 05050240	05/04/05	COPIED
05/04/05	KAULA GOSS	BACKGROUND CHECK	05/04/05	PRINTED
05/04/05	ANGELA COMBOS (OFFICE OF PERSONNEL MGT)	RECORDS CHECK ON KEVIN ROSS HERRINGTON	05/04/05	PRINTED
05/04/05	JAMES LASLEY (AIR FORCE)	BACKGROUND CHECK	05/04/05	PRINTED
05/05/05	GULFPORT POLICE DEPARTMENT	BACKGROUND CHECK	05/05/05	PRINTED
05/05/05	KROLL GOVT SRVCS INC - OFC OF PERSONNEL MGT	BACKGROUND CHECK	05/05/05	DENIED
05/05/05	KROLL GOVT SRVCS INC - OFC OF PERSONNEL MGT	BACKGROUND CHECK	05/05/05	DENIED
05/05/05	SHAANA STEWART	ACCIDENT REPORT	05/05/05	COPIED
05/05/05	SANDRA DOLL (US DISTRICT COURT PROBATION OFFICER)	RECORDS CHECK	05/05/05	PRINTED
05/05/05	CRYSTAL CHARLESTON	RECORDS CHECK	05/05/05	PRINTED
05/05/05	JAMES FALLON	ACCIDENT REPORT 05050347	05/05/05	COPIED
05/05/05	SHANA REYNOLDS	BACKGROUND CHECK	05/05/05	PRINTED
05/05/05	PROGRESSIVE	ACCIDENT REPORT 05042768	05/05/05	COPIED
05/05/05	CHRISTOPHER WILLIAMS	SIMPLE ASSAULT REPORT #04121273	05/05/05	COPIED
05/06/05	LAFAYETTE CITY POLICE DEPARTMENT	BACKGROUND CHECK	05/06/05	PRINTED
05/06/05	FRED COUNTS	ACCIDENT REPORT 05041862	05/06/05	COPIED
05/06/05	METROPOLITAN	ACCIDENT REPORT 05042377	05/06/05	COPIED
05/06/05	METROPOLITAN	ACCIDENT REPORT 05042070	05/06/05	COPIED
05/06/05	PROGRESSIVE	ACCIDENT REPORT 05041558	05/06/05	COPIED
05/06/05	SYLVIA FAY WARREN	BACKGROUND CHECK	05/06/05	PRINTED
05/09/05	NURSING MANAGEMENT INC	#1 RECORDS CHECK ON OLIVIA E DANIELS	05/09/05	PRINTED
05/09/05	COVENANT HEALTH & REHAB OF PICAYUNE LP	#5 RECORDS CHECK	05/09/05	PRINTED
05/09/05	OLIVIA DANIELS	BACKGROUND CHECK	05/09/05	PRINTED
05/09/05	JOHN SEEGER	BACKGROUND CHECK	05/09/05	PRINTED
05/09/05	GLADDEN JORDAN	ACCIDENT REPORT #01041321	05/09/05	COPIED
05/09/05	FBI NICS	REQUEST COPY OF INCIDENT REPORT "91 CASE FILE"	05/09/05	DENIED
05/10/05	CHOICEPOINT	ACCIDENT REPORT 05050338	05/10/05	COPIED
05/10/05	CHOICEPOINT	ACCIDENT REPORT 05042751	05/10/05	COPIED
05/10/05	LINDA EIERMANN	ACCIDENT REPORT 2005042751	05/10/05	COPIED
05/11/05	ROBERT GILLIM	ACCIDENT REPORT 05050497	05/11/05	COPIED
05/11/05	CARLOS STEWART	ACCIDENT REPORT 05050633	05/11/05	COPIED
05/11/05	LARRY WILLIAMSON	INCIDENT REPORT 05050821	05/11/05	COPIED
05/12/05	ASHTON CURTIS	INCIDENT REPORT 04113266	05/12/05	COPIED
05/12/05	TAZONIA ARENA	ACCIDENT REPORT 2005050632	05/12/05	COPIED
05/12/05	METROPOLITAN	ACCIDENT REPORT 2005040558	05/12/05	COPIED
05/12/05	FBI NICS	INCIDENT #L25992	05/12/05	DENIED
05/12/05	PROGRESSIVE	ACCIDENT REPORT 05050847	05/12/05	COPIED
05/12/05	DAVID MANGUS	CASH REPORT #2005050632	05/12/05	COPIED
05/12/05	THOMAS BETHEA	ACCIDENT REPORT 2005042403	05/12/05	COPIED
05/13/05	UNITED STATES DISTRICT COURT	BACKGROUND CHECK	05/13/05	COPIED
05/13/05	MARY CHAMPAGNE	ACCIDENT REPORT 05050860	05/13/05	COPIED
05/13/05	JAMES STOCKSTILL	ACCIDENT REPORT 05051039	05/13/05	COPIED
05/13/05	JAMES ALAN SMITH	RECORDS CHECK	05/13/05	PRINTED
05/13/05	PICAYUNE APARTMENTS	RECORDS CHECK ON JAMES E JONES	05/13/05	PRINTED
05/16/05	JAMES RODGERS	COPY OF ACCIDENT REPORT 2005040847	05/16/05	COPIED
05/16/05	TARA WERNER	ACCIDENT REPORT 05050873	05/16/05	COPIED
05/16/05	PROGRESSIVE	ACCIDENT REPORT 05042403	05/16/05	COPIED
05/16/05	PROGRESSIVE	ACCIDENT REPORT 05050860	05/16/05	COPIED
05/16/05	JIM S HALL	ACCIDENT REPORT 05050817	05/16/05	COPIED
05/16/05	CHOICEPOINT	ACCIDENT REPORT 05050497	05/16/05	COPIED
05/16/05	RAPID REPORTS	ACCIDENT REPORT 05050817	05/16/05	DENIED
05/16/05	OFFICE OF PERSONNEL MGT - KROLL GOVT SERV, INC	BACKGROUND CHECK	05/16/05	PRINTED
05/16/05	CITY OF WICHITA POLICE DEPT	RECORDS CHECK ON STEPHANIE N HALL	05/16/05	PRINTED
05/17/05	GLORIA WALKER	CRASH REPORT 05051433	05/17/05	COPIED
05/17/05	NORMAN PHILLIPS	CRASH REPORT 05050440	05/17/05	COPIED
05/18/05	MARTIN BERRY	COPY OF GRAND LARCENY REPORT 2005041780	05/18/05	COPIED
05/18/05	CHASITY DRENNAN-BRELAND	BACKGROUND CHECK	05/18/05	PRINTED
05/18/05	INFINITY INSURANCE	ACCIDENT REPORT 05031637 & 05051433	05/18/05	COPIED
05/18/05	ALFA INSURANCE	ACCIDENT REPORT 05050133	05/18/05	COPIED
05/18/05	METROPOLITAN	ACCIDENT REPORT 05050633	05/18/05	COPIED
05/18/05	PROGRESSIVE	ACCIDENT REPORT 05051216	05/18/05	COPIED
05/19/05	DITA MCCARTHY (MS CTR FOR LEGAL SERV)	COPY OF DISTURBING THE PEACE & ASSAULT BY THREAT REPORT CASE #2005011754	05/19/05	DENIED
05/19/05	UNITED STATES DISTRICT COURT	BACKGROUND CHECK	05/19/05	PRINTED
05/19/05	CANDACE HARRY	BACKGROUND CHECK	05/19/05	PRINTED
05/19/05	LAUREN S HATTEN	COPY OF ACCIDENT REPORT 2005051216	05/19/05	COPIED
05/19/05	CANDACE HARRY	BACKGROUND CHECK	05/19/05	PRINTED
05/20/05	ALBERT JORNIS	ACCIDENT REPORT 05051334	05/20/05	COPIED
05/23/05	FARM BUREAU	ACCIDENT REPORT 05050973	05/23/05	COPIED
05/23/05	GERALD CALLHOUN	INCIDENT REPORT 05051750	05/23/05	COPIED
05/23/05	LASHUNDA SMITH	INCIDENT REPORT 05051827	05/23/05	COPIED

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY PRIVILEGE LICENSE REPORT

RECESSED MEETING DATING JUNE 21, 2005

Motion was made by Council Member Bounds, seconded by Council Member Guy to acknowledge receipt of monthly Privilege License report for the month of May 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Member Watts and Roberson

The motion was declared carried.

[Spread report here.](#)

ORDER AUTHORIZING MAYOR TO SIGN QUITCLAIM DEED

Motion was made by Council Member Bounds, seconded by Council Member Guy to authorize Mayor's signature on quitclaim deed for 2001 taxes in the name of William J. Smith parcel 617-111-002-03-015-01. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Member Watts and Roberson

The motion was declared carried.

ORDER TO ADVERTISE RESOURCES

Motion was made by Council Member Roberson, seconded by Council Member Guy to approve request from Picayune Touchdown Club to advertise resources for the City for a \$200.00 full page ad in the 2005 Football Program. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, Roberson and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Member Bounds

The motion was declared carried.

ORDER TO APPROVE BUDGET AMENDMENT # 7

Motion was made by Council Member Parker, seconded by Council Member Guy to approve Budget Amendment # 7 for year ending 9/30/2005.

RECESSED MEETING DATING JUNE 21, 2005

CITY OF PICAYUNE - GENERAL FUND
 CITY OF PICAYUNE - GENERAL FUND
 BUDGET AMENDMENT #7
 FOR THE YEAR ENDING 9/30/2005

	FUND 001							
	FUND 001 2005 ORIGINAL BUDGET	BUDGET AMEND #1	BUDGET AMEND #2	BUDGET AMEND #3	BUDGET AMEND #4	BUDGET AMEND #5	BUDGET AMEND #6	BUDGET AMEND #7
RECEIPTS:								
LICENSE & PERMITS	428,000	428,000	428,000	428,000	428,000	428,000	428,000	513,000
INTERGOVERNMENTAL REVENUE	3,763,206	3,765,105	3,765,105	3,797,607	3,797,607	3,869,327	3,869,327	3,876,927
CHARGES FOR SERVICES	655,672	655,672	655,672	655,672	655,672	655,672	655,672	573,367
FINES & FORFEITS	301,500	301,500	301,500	301,500	301,500	301,500	301,500	290,200
MISCELLANEOUS	28,000	28,750	30,675	40,675	40,675	41,179	41,179	34,823
TRANSFERS	350,000	350,000	350,000	350,000	350,000	342,355	334,355	334,355
INTEREST EARNINGS	37,000	37,018	37,018	37,018	37,018	37,018	37,018	44,025
PROCEEDS FROM LOANS	921,000	921,000	921,000	921,000	921,000	803,000	803,000	1,029,168
TOTAL FROM ALL SOURCES, OTHER THAN TAXES	6,484,378	6,487,045	6,488,970	6,531,472	6,531,472	6,478,051	6,470,051	6,695,865
AMOUNT TO BE RAISED BY AD VALOREM TAX	1,652,000	1,652,000	1,652,000	1,652,000	1,652,000	1,652,000	1,652,000	1,654,000
TOTAL REVENUES	8,136,378	8,139,045	8,140,970	8,183,472	8,183,472	8,130,051	8,122,051	8,349,865
BEGINNING CASH	2,638,888	2,638,888	2,638,888	3,223,499	3,223,499	3,223,499	3,223,499	3,223,499
TOTAL FROM ALL SOURCES	10,775,266	10,777,933	10,779,858	11,406,971	11,406,971	11,353,550	11,345,550	11,573,364

EXPENDITURES:

GENERAL GOVERNMENT

PERSONNEL	1,065,895	1,065,895	1,065,895	1,065,895	1,065,895	1,065,895	1,065,895	1,039,895
SUPPLIES	47,470	47,470	47,470	47,470	47,470	47,320	47,320	47,320
OTHER SERVICES & CHARGES	459,750	462,017	462,017	462,017	462,017	461,417	461,417	463,417
CAPITAL OUTLAY	98,900	98,900	108,900	108,900	108,900	108,900	108,900	108,900
TOTALS	1,672,015	1,674,282	1,684,282	1,684,282	1,684,282	1,683,532	1,683,532	1,659,532

PUBLIC SAFETY - POLICE

PERSONNEL	2,297,385	2,297,385	2,308,245	2,343,836	2,343,836	2,343,836	2,343,836	2,345,004
SUPPLIES	226,650	228,567	228,567	230,417	230,417	222,147	222,147	217,932
OTHER SERVICES & CHARGES	254,097	254,884	256,809	261,724	261,724	260,637	260,637	274,721
CAPITAL OUTLAY	151,205	151,350	151,350	182,330	182,330	247,850	247,850	282,239
TOTALS	2,929,337	2,932,186	2,944,971	3,018,307	3,018,307	3,074,470	3,074,470	3,119,896

PUBLIC SAFETY - FIRE

PERSONNEL	1,691,600	1,691,600	1,691,600	1,691,600	1,691,600	1,691,600	1,691,600	1,687,600
SUPPLIES	63,350	64,100	64,100	64,100	64,100	64,204	64,204	66,204
OTHER SERVICES & CHARGES	73,450	73,450	73,450	73,450	73,450	73,450	73,450	75,450
CAPITAL OUTLAY	594,000	594,000	595,937	595,937	595,937	595,937	595,937	572,837
TOTALS	2,422,400	2,423,150	2,425,087	2,425,087	2,425,087	2,425,191	2,425,191	2,402,091

PUBLIC WORKS

PERSONNEL	797,349	797,349	797,349	802,349	802,349	802,349	802,349	760,249
SUPPLIES	174,500	174,500	174,500	174,500	174,500	174,500	171,500	202,400
OTHER SERVICES & CHARGES	771,800	771,800	771,800	771,800	771,800	771,800	766,800	803,000
CAPITAL OUTLAY	745,886	745,886	745,886	745,886	745,886	1,133,606	1,133,606	1,256,606

RECESSED MEETING DATING JUNE 21, 2005

CITY OF PICAYUNE

FUND 003

FOR THE YEAR ENDING 9/30/2005

SPECIAL POLICE DRUG FUND

	2005 PROPOSED BUDGET	BUDGET AMEND #5	BUDGET AMEND #7
<u>RECEIPTS:</u>			
RESTITUTION FOR DRUGS	8,000	8,000	17,000
FORFEITURES & SEIZURES	25,000	25,000	17,000
SALE OF PROPERTY	0	0	0
INTEREST	1,000	1,000	1,000
BEGINNING CASH & INVESTMENTS	87,841	87,841	87,841
TOTAL FROM ALL SOURCES	121,841	121,841	122,841
<u>DISBURSEMENTS:</u>			
SUPPLIES	1,700	1,700	1,700
OTHER SERVICES	1,200	1,200	1,200
CAPITAL OUTLAY	43,000	63,000	63,000
TOTAL	45,900	65,900	65,900
ENDING CASH	75,941	55,941	56,941
TOTAL DISBURSEMENTS & ENDING BALANCE	121,841	121,841	122,841

CITY OF PICAYUNE

FUND 102

BUDGET AMEND #7

FOR THE YEAR ENDING 9/30/2005

CDBG WESTSIDE REDEVELOPMENT

	2005 ORIGINAL BUDGET	BUDGET AMEND #7
<u>RECEIPTS:</u>		
SALE OF LOTS	12,000	0
INTEREST EARNED	500	500
BEGINNING CASH & INVESTMENTS	41,695	41,695
TOTAL FROM ALL SOURCES	54,195	42,195
<u>DISBURSEMENTS:</u>		
SUPPLIES	0	0
PROFESSIONAL SERVICES	500	500
CAPITAL OUTLAY	0	0
TOTAL	500	500
ENDING CASH & INVESTMENTS	53,695	41,695
TOTAL DISBURSEMENTS & ENDING BALANCE	54,195	42,195

RECESSED MEETING DATING JUNE 21, 2005

**CITY OF PICAYUNE
BUDGET AMEND #7
FOR THE YEAR ENDING 9/30/2005**

FUND 107

CDBG DRAINAGE

	2005 ORIGINAL BUDGET	BUDGET AMEND #7
--	----------------------------	--------------------

RECEIPTS:

INTEREST EARNED	0	130
BEGINNING CASH & INVESTMENTS	0	22,355
TOTAL FROM ALL SOURCES	0	22,485

DISBURSEMENTS:

SUPPLIES	0	0
PROFESSIONAL SERVICES	0	0
CAPITAL OUTLAY	0	0
TOTAL	0	0
ENDING CASH & INVESTMENTS	0	22,485
TOTAL DISBURSEMENTS & ENDING BALANCE	0	22,485

**CITY OF PICAYUNE
BUDGET AMEND #7
FOR THE YEAR ENDING 9/30/2005**

FUND 108

UDAG MAJESTIC INN FUND

	FY 2005 ORIGINAL BUDGET	BUDGET AMEND#7
--	-------------------------------	-------------------

RECEIPTS:

RENTAL PAYMENTS	14,177	14,177
INTEREST INCOME	1,000	1,400
BEGINNING CASH & INVESTMENTS	115,195	115,195
TOTAL FROM ALL SOURCES	130,372	130,772

DISBURSEMENTS:

SUPPLIES	0	0
PROFESSIONAL SERVICES	800	800
CAPITAL	0	0
ENDING CASH & INVESTMENTS	129,572	129,972
TOTAL DISBURSEMENTS & ENDING BALANCE	130,372	130,772

RECESSED MEETING DATING JUNE 21, 2005

CITY OF PICAYUNE
 BUDGET AMEND #7
 FOR THE YEAR ENDING 9/30/2005

FUND 109

TOBACCO GRANT FUND

RECEIPTS:

	<u>ORIGINAL BUDGET</u>	<u>BUDGET AMEND #1</u>	<u>BUDGET AMEND #7</u>
GRANT REVENUE	0	0	0
INTEREST INCOME	0	0	0
BEGINNING CASH & INVESTMENTS	<u>0</u>	<u>228</u>	<u>228</u>
TOTAL FROM ALL SOURCES	<u><u>0</u></u>	<u><u>228</u></u>	<u><u>228</u></u>

DISBURSEMENTS:

OTHER SERVICES	0	228	228
CAPITAL	0	0	0
TRANSFER TO FED GOVT	0	0	0
TRANSFER TO GEN FUND	0	0	0
ENDING CASH & INVESTMENTS	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL DISBURSEMENTS & ENDING BALANCE	<u><u>0</u></u>	<u><u>228</u></u>	<u><u>228</u></u>

RECESSED MEETING DATING JUNE 21, 2005

CITY OF PICAYUNE
 BUDGET AMEND #7
 FOR THE YEAR ENDING 9/30/2005
 ECONOMIC DEVELOPMENT FUND

FUND 110

	FY 2005 PROPOSED BUDGET	BUDGET AMEND #5	BUDGET AMEND #7
<u>ECONOMIC DEVELOPMENT-SALE OF LOTS</u>			
REVENUES:			
INTEREST INCOME	1,000	1,000	1,100
RENT	3,750	3,750	3,750
SALE OF LOTS	0	0	48,000
SUBTOTAL	<u>4,750</u>	<u>4,750</u>	<u>52,850</u>
BEGINNING CASH	193,321	193,321	193,321
TOTAL ECON DEV REVENUE	<u><u>198,071</u></u>	<u><u>198,071</u></u>	<u><u>246,171</u></u>
EXPENSES:			
SUPPLIES	0	0	0
OTHER SERVICES:			
PARTNERS FOR PEARL RIVER COUNTY	90,000	90,000	90,000
CONSULTING SER & EXP 45,000	45,000	45,000	45,000
OTHER SERVICES	0	0	10,000
CAPITAL OUTLAYS-LAND	0	0	0
TRANSFER TO AIRPORT FUND (TERMINAL BLD)	60,000	60,000	60,000
SUBTOTAL	<u>195,000</u>	<u>195,000</u>	<u>205,000</u>
ENDING CASH BALANCE	3,071	3,071	41,171
TOTAL ECON DEV EXPENSE	<u><u>198,071</u></u>	<u><u>198,071</u></u>	<u><u>246,171</u></u>

TOURISM

REVENUES:			
INTEREST INCOME	0	0	6,000
SALES TAX REVENUE	260,000	260,000	260,000
TRANSFER FROM FRIENDSHIP PARK PROJECT	0	0	0
BEGINNING CASH	961,720	961,720	961,720
TOTAL TOURISM REVENUE	<u><u>1,221,720</u></u>	<u><u>1,221,720</u></u>	<u><u>1,227,720</u></u>
EXPENSES:			
SUPPORT TO OTHER ORGAN	0	0	0
OTHER SERVICES	0	0	6,000
CAPITAL OUTLAYS	0	0	0
TRANSF TO LTD FOR MS DEV LN-DEBT PMT	284,603	284,603	284,603
TRANSF TO MS DEV/FRIENDSHIP PARK PROJ	0	500,000	500,000
SUBTOTAL	<u>284,603</u>	<u>784,603</u>	<u>790,603</u>
ENDING CASH BALANCE	937,117	437,117	437,117
TOTAL TOURISM EXPENSE	<u><u>1,221,720</u></u>	<u><u>1,221,720</u></u>	<u><u>1,227,720</u></u>

RECESSED MEETING DATING JUNE 21, 2005

**CITY OF PICAYUNE
FOR THE YEAR ENDING 9/30/2004**

FUND 111

FED LAW ENF BLK GRANT VII FUND - 111

ORIGINAL BUDGET BUDGET AMEND #2

RECEIPTS:

GRANT REVENUE	0	
INTEREST INCOME	0	0.05
BEGINNING CASH & INVESTMENTS	0	41.01
TOTAL FROM ALL SOURCES	<u>0</u>	<u>41</u>

DISBURSEMENTS:

OTHER SERVICES	0	0
CAPITAL	0	0
TRANSFER TO FED GOVT	0	38.82
TRANSFER TO GEN FUND	0	2.24
ENDING CASH & INVESTMENTS	0	0
TOTAL DISBURSEMENTS & ENDING BALANCE	<u>0</u>	<u>41</u>

**CITY OF PICAYUNE
FOR THE YEAR ENDING 9/30/2005**

FUND 112

LOCAL LAW ENF BLK GRANT 04

ORIGINAL BUDGET BUDGET AMEND #5

RECEIPTS:

LOCAL LAW ENF BLK REVENUE	0	2,133
TRANSFER FROM GENERAL FUND	0	237
INTEREST INCOME	0	0
BEGINNING CASH & INVESTMENTS	<u>0</u>	<u>0</u>
TOTAL FROM ALL SOURCES	<u>0</u>	<u>2,370</u>

DISBURSEMENTS:

SUPPLIES	0	0
PROFESSIONAL SERVICES	0	0
CAPITAL	0	2,370
ENDING CASH & INVESTMENTS	<u>0</u>	<u>2,370</u>
TOTAL DISBURSEMENTS & ENDING BALANCE	<u>0</u>	<u>2,370</u>

RECESSED MEETING DATING JUNE 21, 2005

**CITY OF PICAYUNE
BUDGET AMEND #7
FOR THE YEAR ENDING 9/30/2005**

FUND 310

FRIENDSHIP PARK PROJECT

RECEIPTS:

	FY 2005 PROPOSED BUDGET	BUDGET AMEND #3	BUDGET AMEND #5	BUDGET AMEND #7
INTEREST INCOME	0	5000	5000	10100
BOND REVENUE	0	0	0	0
TRANSFER FROM GEN-GEN OBL LOAN	500,000	500,000	500,000	500,000
TRANSFER FROM TOURISM FUND	0	0	500,000	500,000
BEGINNING CASH & INVESTMENTS	<u>2,078,092</u>	<u>1,780,362</u>	<u>1,780,362</u>	<u>1,780,362</u>
TOTAL FROM ALL SOURCES	<u>2,578,092</u>	<u>2,285,362</u>	<u>2,785,362</u>	<u>2,790,462</u>

DISBURSEMENTS:

CONSTRUCTION IN PROGRESS	2,578,092	2,285,362	2,785,362	2,790,462
TRANSFER TO TOURISM FUND	0	0	0	0
ENDING CASH & INVESTMENTS	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL DISBURSEMENTS & ENDING BALANCE	<u>2,578,092</u>	<u>2,285,362</u>	<u>2,785,362</u>	<u>2,790,462</u>

**CITY OF PICAYUNE
BUDGET AMEND #7
FOR THE YEAR ENDING 9/30/2005**

FUND 340

WALMART BOND FUND

RECEIPTS:

	FY 2005 ORIGINAL BUDGET	BUDGET AMEND #7
SALES TAX	123,225	123,225
INTEREST EARNED	1,500	2,000
BEGINNING CASH & INVESTMENTS	<u>79,425</u>	<u>79,425</u>
TOTAL FROM ALL SOURCES	<u>204,150</u>	<u>204,650</u>

DISBURSEMENTS:

TRANSFER TO DEBT SERVICE	123,275	123,276
ENDING CASH & INVESTMENTS	<u>80,875</u>	<u>81,374</u>
TOTAL DISBURSEMENTS & ENDING BALANCE	<u>204,150</u>	<u>204,650</u>

RECESSED MEETING DATING JUNE 21, 2005

CITY OF PICAYUNE-AIRPORT FUND
 BUDGET AMEND #7
 FOR THE YEAR ENDING 9/30/05

FUND 351

REVENUES:	ORIGINAL FY 2005 BUDGET	BUDGET AMEND #1	BUDGET AMEND #2	BUDGET AMEND #7
REGULAR AIRPORT 351-000-XXX				
FEDERAL GRANTS	233,404	233,404	239,656	239,656
STATE GRANTS	4,078	4,078	4,078	8,933
REVENUES	203,250	203,250	203,250	278,350
LOAN PROCEEDS	0	0	0	0
TRANSFER FROM ECO DEV FUND	60,000	60,000	60,000	60,000
TRANSFER FROM GENERAL FUND	0	0	0	0
REGULAR AIRPORT REVENUE	500,732	500,732	506,984	586,939
CHEVRON PROJECT 351-600-XXX				
REVENUES	6000	6000	6000	6000
CHEVRON PROJ REVENUE	6,000	6,000	6,000	6,000
BEGINNING CASH & INVESTMENTS	155,274	155,274	155,274	155,274
TOTAL FROM ALL SOURCES	662,006	662,006	668,258	748,213
EXPENSES:				
REGULAR AIRPORT 351-415-XXX				
PERSONNEL	57,600	57,600	57,600	54,600
SUPPLIES	132,410	132,410	132,410	214,410
OTHER SERVICES & CHARGES	41,700	41,700	41,700	42,700
CAPITAL OUTLAYS	285,060	324,965	331,217	331,217
TOTAL OPERATING EXPENSES	516,770	556,675	562,927	642,927
LOAN PAYMENTS-LOANED FROM GEN	0	0	0	0
LOAN PAYMENTS(TRANSF OUT)	105,266	105,266	105,266	105,266
COLA	0	0	0	0
ENDING CASH & INVESTMENTS	39,970	65	65	20
TOTAL DISBURSEMENTS & ENDING CASH BALANCE	662,006	662,006	668,258	748,213

RECESSED MEETING DATING JUNE 21, 2005

CITY OF PICAYUNE
FOR THE YEAR ENDING 9/30/2005
INTERMODAL TRANSPORTATION CENTER PROJECT:

FUND 375

REVENUES	FY 2005 PROPOSED BUDGET	BUDGET AMEND #5
FTA GRANT REVENUE	643,705	643,705
TRANSFER FROM GENERAL	160,927	160,927
TRANSFER FROM UTILITY FUND	0	5,825
INTEREST EARNED	0	0
BEGINNING CASH & INVESTMENTS	0	0
TOTAL FROM ALL SOURCES	804,632	810,457

DISBURSEMENTS:
375-605-XXX

SUPPLIES	0	0
SERVICES	0	0
CAPITAL OUTLAY	804,632	810,457
ENDING CASH & INVESTMENTS	0	0
TOTAL DISBURSEMENTS & ENDING BALANCE	804,632	810,457

CITY OF PICAYUNE - UTILITY FUND

FUND 405

BUDGET AMEND #7
FOR THE YEAR ENDING 9/30/2005

	FY 2005 ORIGINAL BUDGET	BUDGET AMEND #1	BUDGET AMEND #3	BUDGET AMEND #5	BUDGET AMEND #6	BUDGET AMEND #7
REVENUES:						
INTERGOVERNMENTAL REVENUES	\$ 3,698,826	3,698,826	3,698,826	3,527,427	3,527,427	3,579,883
CHARGES FOR UTILITY SERVICES	6,000	6,000	6,000	6,000	6,000	9,000
NON-REVENUE RECEIPTS	25,000	25,000	25,000	25,000	25,000	25,000
INTEREST EARNINGS	1,250,000	1,250,000	1,250,000	343,000	343,000	343,000
LOAN PROCEEDS	809,000	809,000	809,000	809,000	809,000	809,000
GRANT REVENUE						
TOTAL REVENUES	5,788,826	5,788,826	5,788,826	4,710,427	4,710,427	4,765,883
BEGINNING CASH	294,855	294,855	1,065,854	1,065,854	1,065,853	1,065,854
TOTAL FROM ALL SOURCES	\$ 6,083,681	6,083,681	6,854,680	5,776,281	5,776,281	5,831,737
EXPENSES:						
UTILITY ADMINISTRATION						
PERSONNEL	\$ 144,100	144,100	144,100	144,100	144,100	147,100
SUPPLIES	8,200	8,200	8,200	8,200	8,200	9,200
OTHER SERVICES & CHARGES	106,500	106,500	106,500	106,500	106,500	102,500
CAPITAL OUTLAY	4,000	44,000	44,000	44,000	44,000	44,000
TOTALS	262,800	302,800	302,800	302,800	302,800	302,800
TREATMENT PLANT & UTILITY CONSTRUCTION						
PERSONNEL	1,337,000	1,337,000	1,372,000	1,393,145	1,393,145	1,368,645
SUPPLIES	1,721,470	1,721,470	1,698,470	1,684,970	1,683,470	2,008,170
OTHER SERVICES & CHARGES	449,825	449,825	443,825	438,000	438,000	411,300
CAPITAL OUTLAY	941,425	941,425	935,425	1,278,425	1,287,925	1,288,925
TOTALS	4,449,720	4,449,720	4,449,720	4,794,540	4,802,540	5,077,040
COST OF LIVING RAISES	0	0	0	0	0	0
TRANSFERS OUT	350,000	350,000	350,000	348,180	340,180	340,180
DEBT PAYMENTS	107,710	107,710	107,710	107,710	107,710	107,710
SUBTOTAL	457,710	457,710	457,710	455,890	447,890	447,890
TOTAL EXPENSES	5,170,230	5,210,230	5,210,230	5,553,230	5,553,230	5,827,730
ENDING CASH BALANCE-RESERVE FOR CAPITAL PROJ	913,451	873,451	1,644,450	223,051	223,051	4,007
TOTAL EXPENSES & ENDING CASH BALANCE	\$ 6,083,681	6,083,681	6,854,680	5,776,281	5,776,281	5,831,737

RECESSED MEETING DATING JUNE 21, 2005

		FUND 406			
CITY OF PICAYUNE					
BUDGET AMEND #7					
FOR THE YEAR ENDING 9/30/2005		<u>FY 2005</u>	<u>BUDGET</u>	<u>BUDGET</u>	<u>BUDGET</u>
		<u>BUDGET</u>	<u>AMEND #3</u>	<u>AMEND #4</u>	<u>AMEND #7</u>
<u>CEMETERY FUND</u>					
<u>RECEIPTS:</u>					
RECORDING FEES		100	100	100	100
SALE OF LOTS		25,000	25,000	25,000	25,000
INTEREST INCOME		3,000	3,000	3,000	3,000
UNIFORM REVENUE		300	300	300	300
MISCELLANEOUS INCOME		50	50	50	50
TRANSFERS IN - CITY		57,000	57,000	92,000	97,000
BEGINNING CASH & INVESTMENTS		44,002	12,742	12,742	12,742
TOTAL REVENUE AND BEGINNING CASH		<u>129,452</u>	<u>98,192</u>	<u>133,192</u>	<u>138,192</u>
<u>DISBURSEMENTS:</u>					
PERSONNEL SERVICES		114,500	114,500	114,500	112,300
SUPPLIES		10,100	10,100	10,100	17,500
OTHER SERVICES & CHARGES		4,520	4,520	4,520	4,320
CAPITAL OUTLAY		0	0	0	0
TOTAL		129,120	129,120	129,120	134,120
COLA		0	0	0	0
ENDING CASH & INVESTMENTS		332	-30,928	4,072	4,072
TOTAL DISBURSEMENTS & ENDING CASH		<u>129,452</u>	<u>98,192</u>	<u>133,192</u>	<u>138,192</u>

CITY OF PICAYUNE		FUND 602	
FOR THE YEAR ENDING 9/30/2005			
<u>UNEMPLOYMENT FUND</u>		<u>ORIGINAL</u>	<u>BUDGET</u>
		<u>BUDGET</u>	<u>AMEND #7</u>
<u>RECEIPTS:</u>			
INTEREST INCOME		0	600
BEGINNING CASH & INVESTMENTS		0	6,107
TOTAL FROM ALL SOURCES		<u>0</u>	<u>6,707</u>
<u>DISBURSEMENTS:</u>			
SUPPLIES		0	0
PROFESSIONAL SERVICES		0	0
CAPITAL		0	0
ENDING CASH & INVESTMENTS		0	6,707
TOTAL DISBURSEMENTS & ENDING BALANCE		<u>0</u>	<u>6,707</u>

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE CAPITAL PROJECTS LIST

RECESSED MEETING DATING JUNE 21, 2005

Motion was made by Council Member Parker, seconded by Council Member Guy to approve the following capital projects list for 2005 to be funded with Series 2005 Bond Issue with the amount not to exceed the net amount from the \$1,500,000 bond issue. The following roll call was taken:

General Fund

1 Resurface a portion of West Canal	284,000
2 S. Loftin Road (Road to new fire station)	55,000
3 Telly Road	301,000
4 Curbs for Martin Luther King	85,000
5 Air Conditioning (Annex)	57,000
6 Police Department (evidence Room)	135,000
7 Fire Station Training Tower	<u>40,000</u>

957,000

Utility Fund

8 Stuart Project (Hwy 43 N. Utilities)	300,000
9 Stemwood Well Repair	<u>43,000</u>

343,000

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE CONTRACT FROM THE VALUATION ADVISORY GROUP

Motion was made by Council Member Roberson, seconded by Council Member Bounds to accept and authorize the Mayor to execute contract with Valuation Advisory Group to perform an inventory of assets (\$5,000 capitalization threshold) and General fund infrastructure for a total of \$7,400. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

The Valuation Advisory Group, Inc. Contract

March 30, 2005

Ms. Cindy Cole
City Clerk
City of Picayune
203 Goodyear Boulevard
Picayune, Mississippi 39466

Re: 2005 Property Record Update

Dear Ms. Cole:

The Valuation Advisory Group, Inc. is pleased to offer this proposal for professional property record services. The purpose of our services will be to update our earlier inventory and provide you with a comprehensive and auditable property record which will enhance fixed asset accounting and property control procedures. This property record will be designed to assist the City in complying with Generally Accepted Accounting Principles (GAAP) and GASB Statement No. 34. The reports produced as a result of this engagement will be useful as internal management tools with regard to accounting, budgeting, planning and purchasing, and will serve to enhance general fixed asset control.

SCOPE

The services we propose will be conducted on the basis of historical cost for financial reporting purposes, defined as the actual or estimated cost of a property to its present owner. The report will include items inventoried by or provided to The Valuation Advisory Group as of a cutoff date to be determined. The properties to be included in this project will consist of land, buildings, improvements other than buildings, enterprise fund infrastructure, machinery, equipment, vehicles, and furniture and fixtures and, as an option, general fund infrastructure.

Machinery, equipment, vehicles, and furniture and fixtures will be included based on a physical inventory by our staff. All items with estimated historical costs greater than \$5,000 will be included; as an option, all items with estimated historical costs in excess of \$500 will be included. At the time of the inventory, tags will be affixed to those items not previously tagged, and general information recorded.

RECESSED MEETING DATING JUNE 21, 2005

As an option, major general fund infrastructure assets, consisting of long-lived assets such as roads, sidewalks, storm drainage systems, bridges, tunnels, traffic lights, street lighting, etc., may be included.

There are several levels of detail with which general fund infrastructure assets can be reported; the level of detail presented in our reports will largely be dictated by the level of detail available in City records. One option is to list infrastructure assets individually, i.e. road by road, sidewalk by sidewalk, bridge by bridge, etc., with individual acquisition dates and historical costs assigned to each asset. Another option permitted by GASB 34 is to present the assets, along with their acquisition dates, historical costs and depreciation, on an asset class, network or subsystem basis, as clarified in footnotes 14 and 15 of the Guide to Implementation of GASB Statement No. 34. General fund infrastructure networks are expected to be at least 10% of an entity's capital assets, while subsystems represent in excess of 5%.

The subject assets will be included based on a combination of verifying existing records and performing accepted appraisal techniques. In performing our analysis of the historical costs of these assets, we will work with the City's existing records where possible. In assigning historical costs to these assets, we feel that it is important to utilize actual costs, where these costs are available. In researching historical costs, we will make extensive use of such sources of information as minute books, deed files, bid files, contractor payment applications, etc. Only as a last resort will we resort to an appraisal based on a trending of current replacement costs. This use of actual historical costs helps to ensure the auditability of the record.

We see this project as a cooperative effort between The Valuation Advisory Group and City personnel. As it is not feasible to perform a detailed inventory of infrastructure assets, we will rely on engineering studies, public works records, maintenance files, etc., in determining the appropriate infrastructure assets to be included in our reports. Where costs are not available, costs will be assigned to infrastructure assets for which actual costs are not provided using standard costing methods, whereby estimated replacement costs are reverse-trended to an estimated or actual acquisition date. No physical verification of the inventories to be provided will be performed.

METHODOLOGY

In order to facilitate the project, we ask for the following assistance from City personnel:

- Provide a liaison who will be available to answer questions, provide data, and arrange access to the various buildings
- Provide details concerning any additions or deletions to land, building, improvement, enterprise fund infrastructure, and equipment accounts since the time of the last inventory
- Have the necessary tags available prior to the beginning of the inventory phase of the project
- If general fund infrastructure is to be included, provide the following statistical data concerning the City's infrastructure:
 - quantity
 - type and size, if applicable
 - construction or acquisition date
 - costs, where known.

The Valuation Advisory Group, Inc. will provide the following under this engagement:

- Conduct an inventory of furniture, fixture and equipment items with historical costs greater than \$5,000 or, as an option, \$500
- Review existing recorded data to ascertain historical costs. The historical costs not identified during this cost-finding phase will be developed using accepted appraisal methodology, including the use of catalogs, pricing services, and internally-developed databases
- Assign acquisition dates and useful lives to the inventory items, where necessary
- Calculate depreciation, both current and accumulated, in accordance with GASB 34
- Develop and process final reports

REPORTS

In addition to summaries by asset class, your reports will include the following information, by asset:

- item number within report
- asset class
- description of the asset including generic name, manufacturer's name, model number, etc.
- serial number
- asset tag number, if applicable
- fund

RECESSED MEETING DATING JUNE 21, 2005

- function
- department
- location
- acquisition date
- historical cost
- useful life
- salvage value
- depreciation, both current and accumulated

In addition to three bound copies of our report, we will provide the report data in spreadsheet format (Lotus 1-2-3, Quattro-Pro, Microsoft Excel, etc.), database format (dBase IV, Microsoft Access, etc.), or ASCII format, and will provide a schedule of cost sources for the assets included.

FEES

Based on the scope and methodology outlined, our fee for this service will be as follows:

Base fee (\$5,000 capitalization threshold)	\$4,200
Additional fee for \$500 capitalization threshold	4,650
General fund infrastructure (optional)	3,200

The above fees are inclusive of all expenses incurred in the performance of the engagement. The fee for the optional general fund infrastructure phase of the project assumes that reasonably complete inventories of infrastructure to be included are provided at the beginning of the fieldwork phase of the engagement. We ask for a \$2,000 retainer prior to beginning the project, with the balance to be invoiced progressively over the course of the engagement.

CONCLUSION

We look forward to again working with you. If this letter meets with your approval, please authorize commencement by signing the enclosed copy and returning it with a check for the retainer. However, if you have any questions or would like to further discuss the project, please do not hesitate to call.

We sincerely look forward to the opportunity of again being of service to the City of Picayune.

Respectfully submitted,
THE VALUATION ADVISORY GROUP, INC.

F. Gregory Rhodes, CPA

Enclosure

ACCEPTANCE:

NAME/TITLE

DATE

ORDER TO TABLE PROPOSAL FOR UNINSURED MOTORIST COVERAGE

Motion was made by Council Member Guy, seconded by Council Member Parker to table the proposal from Mississippi Municipal Liability Plan to provide Uninsured Motorist coverage for all land motor vehicles owned by City. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ADOPT MUNICIPAL RECORDS CONTROL SCHEDULE

Motion was made by Council Member Roberson, seconded by Council Member Watts to adopt Municipal Records Control Schedule Revised 10/2003 issued by State of Mississippi Department of Archives and History, Local Government Records Office to be used by all departments. The following roll call was taken:

RECESSED MEETING DATING JUNE 21, 2005

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson and
Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE RESOLUTION DIRECTING ISSUANCE OF BONDS

Motion was made by Council Member Guy, seconded by Council Member Parker to approve and authorize No Protest Resolution and Adoption of Bond Resolution for Series 2005 Bond Issue in the amount of \$1,500,000. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson and
Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

NO PROTEST RESOLUTION

The Mayor and City Council of the City of Picayune, Mississippi (the "Governing Body" of the "City") took up for further consideration the matter of issuing General Obligation Public Improvement Bonds, Series 2005, of said City in the maximum principal amount of \$1,500,000. After a discussion of the subject, Council Member _____ offered and moved the adoption of the following resolution:

RESOLUTION FINDING AND DETERMINING THAT THE RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PICAYUNE, MISSISSIPPI, TO ISSUE GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2005 OF THE CITY OF PICAYUNE, MISSISSIPPI, IN THE MAXIMUM PRINCIPAL AMOUNT NOT TO EXCEED ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) ADOPTED ON THE 17TH DAY OF MAY, 2005, WAS DULY PUBLISHED AS REQUIRED BY LAW; THAT NO SUFFICIENT PROTEST AGAINST THE ISSUANCE OF THE BONDS DESCRIBED IN SAID RESOLUTION HAS BEEN FILED BY THE QUALIFIED ELECTORS; AND AUTHORIZING THE ISSUANCE OF SAID BONDS.

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

1. Heretofore, on the 17th day of May, 2005, the Governing Body adopted a certain resolution entitled "**RESOLUTION OF THE CITY OF PICAYUNE, MISSISSIPPI (THE "CITY"), DECLARING THE INTENTION OF THE CITY TO ISSUE GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS IN A TOTAL AMOUNT OF NOT TO EXCEED ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) FOR THE PURPOSE OF ERECTING MUNICIPAL BUILDINGS AND REPAIRING, IMPROVING, ADORNING AND EQUIPPING THE SAME; REPAIRING, IMPROVING AND EXTENDING THE MUNICIPAL WATER AND SEWER SYSTEM; AND CONSTRUCTING, IMPROVING OR PAVING STREETS, AND PURCHASING LAND THEREFOR; AND DIRECTING PUBLICATION OF NOTICE OF SUCH INTENTION**" wherein the Governing Body found, determined and adjudicated that it is necessary that bonds of the City be issued in the amount, for the purpose and secured as aforesaid, declared its intention to issue said bonds, and fixed 6:00 o'clock p.m. on June 21, 2005, as the date and hour on which it proposed to direct the issuance of said bonds, on or prior to which date and hour any protest to be made against the issuance of such bonds was required to be filed.

RECESSED MEETING DATING JUNE 21, 2005

2. As required by law and as directed by the aforesaid resolution, said resolution was published once a week for at least three (3) consecutive weeks in the *Picayune Item*, a newspaper published in and having a general circulation in the City, and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended, the first publication having been made not less than twenty-one (21) days prior to June 21, 2005, and the last publication having been made not more than seven (7) days prior to such date, said notice having been published in said newspaper on May 31 and June 5, 12 and 19, 2005, as evidenced by the publisher's affidavit heretofore presented and filed.

3. On or prior to the hour of 6:00 o'clock p.m. on June 21, 2005, no written protest against the issuance of the bonds has been filed with the Clerk of the City of Picayune, Mississippi; and, therefore, the Governing Body does hereby find, determine and adjudicate that no protest against the issuance of the bonds has been duly filed.

4. The Governing Body is now authorized and empowered by the provisions of Section 21-33-301 through 21-33-329, Mississippi Code of 1972, as amended (the "Act"), to issue the hereinafter described bonds without any election on the question of the issuance thereof.

5. The amount of said bonds so proposed to be issued, when added to the outstanding indebtedness of the City, will not exceed any constitutional or statutory limitation of indebtedness.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY AS FOLLOWS:

SECTION 1. General Obligation Public Improvement Bonds, Series 2005 (the "Bonds") of the City of Picayune, Mississippi, are hereby authorized to be issued in the maximum principal amount of One Million Five Hundred Thousand Dollars (\$1,500,000) for the purpose of erecting municipal buildings and repairing, improving, adorning and equipping the same; repairing, improving and extending the municipal water and sewer system; and constructing, improving or paving streets, and purchasing land therefore. Such Bonds 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 the taxable property within the geographical limits of the City.

SECTION 2. Said Bonds shall be issued and offered for sale in accordance with the further orders and directions of this Governing Body.

Council Member _____ seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Mayor Greg Mitchell	Voted: _____
Council Member Donald L. Parker	Voted: _____
Council Member Leavern Guy	Voted: _____
Council Member Lucian Roberson	Voted: _____
Council Member Kathy Harris Watts	Voted: _____
Council Member Jerry Bounds	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 21st day of June, 2005.

_____ **MAYOR**

ATTEST:

CITY CLERK

BOND SALES RESOLUTION

The Mayor and City Council of the City of Picayune, Mississippi (the "City"), took up for further consideration the matter of the issuance of General Obligation Public Improvement Bonds, Series 2005, of said City, in the principal amount of One Million Five Hundred Thousand Dollars (\$1,500,000). After a discussion of the subject, Council Member _____ offered and moved the adoption of the following resolution:

RESOLUTION AUTHORIZING AND DIRECTING THE ISSUANCE OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2005, OF THE CITY OF PICAYUNE, MISSISSIPPI, IN THE PRINCIPAL AMOUNT OF ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) TO RAISE MONEY FOR THE PURPOSE OF PROVIDING FUNDS FOR ERECTING MUNICIPAL BUILDINGS AND REPAIRING, IMPROVING, ADORNING AND EQUIPPING THE SAME; REPAIRING, IMPROVING AND EXTENDING THE MUNICIPAL WATER AND SEWER SYSTEM; AND CONSTRUCTING, IMPROVING OR PAVING STREETS, AND PURCHASING LAND THEREFOR.

WHEREAS, the Mayor and City Council of the City of Picayune, Mississippi, acting for and on behalf of said City of Picayune, Mississippi, hereby finds, determines, adjudicates and declares as follows:

6. (a) In addition to any words and terms elsewhere defined herein, the following words and terms shall have the following meanings, unless some other meaning is plainly intended:

"Act" shall mean Sections 21-33-301 et seq., Mississippi Code of 1972, as amended.

"Act of Bankruptcy" shall mean the filing of a petition in bankruptcy by or against the City under any applicable bankruptcy, insolvency, reorganization or similar law, now or hereafter in effect.

"Agent" shall mean any Paying Agent or Transfer Agent, whether serving in either or both capacities, and herein designated by the Governing Body.

"Authorized Officer" means the Mayor of the City, the Clerk of the City and any other officer designated from time to time as an Authorized Officer by resolution of the City, and when used with reference to any act or document also means any other Person authorized by resolution of the City to perform such act or sign such document.

"Bond" or "Bonds" shall mean the \$1,500,000 General Obligation Public Improvement Bonds, Series 2005, of the City authorized and directed to be issued in this resolution.

"Bond Counsel" shall mean Butler, Snow, O'Mara, Stevens & Cannada, PLLC, Jackson, Mississippi.

"Bond Resolution" shall mean this resolution.

"City" shall mean the City of Picayune, Mississippi.

"Clerk" shall mean the City Clerk of the City.

"Governing Body" shall mean the Mayor and City Council of the City.

"Mayor" shall mean the Mayor of the City of Picayune, Mississippi.

"Notice" shall mean the Notice of Bond Sale set out in Section 24 hereof.

"Paying Agent" shall mean any bank, trust company or other institution hereafter designated by the Governing Body for the payment of the principal of and interest on the Bonds.

"Person" shall mean an individual, partnership, corporation, trust or unincorporated organization and a government or agency or political subdivision thereof.

RECESSED MEETING DATING JUNE 21, 2005

“Project” shall mean erecting municipal buildings and repairing, improving, adorning and equipping the same; repairing, improving and extending the municipal water and sewer system; and constructing, improving or paving streets, and purchasing land therefor.

“Purchaser” shall mean the successful bidder for the Bonds, to be hereafter designated by the Governing Body.

“Record Date” shall mean, as to interest payments, the 15th day of the month preceding the dates set for payment of interest on the Bonds and, as to payments of principal, the 15th day of the month preceding the maturity date or the date set for redemption.

“Record Date Registered Owner” shall mean the Registered Owner as of the Record Date.

“Registered Owner” shall mean the Person whose name shall appear in the registration records of the City maintained by the Transfer Agent.

“Transfer Agent” shall mean any bank, trust company or other institution hereafter designated by the Governing Body for the registration of owners of the Bonds and for the performance of such other duties as may be herein or hereafter specified by the Governing Body.

“2005 Bond Fund” shall mean the City of Picayune, Mississippi General Obligation Public Improvement Bonds, Series 2005, 2005 Bond Fund provided for in Section 12 hereof.

“2005 Construction Fund” shall mean the City of Picayune, Mississippi General Obligation Public Improvement Bonds, Series 2005, 2005 Construction Fund provided for in Section 13 hereof.

Words of the masculine gender shall be deemed and construed to include correlative words of the feminine and neuter genders. Unless the context shall otherwise indicate, words and terms herein defined shall be equally applicable to the plural as well as the singular form of any of such words and terms.

7. Heretofore, on the 17th day of May, 2005, the Governing Body adopted a Resolution entitled **“RESOLUTION OF THE CITY OF PICAYUNE, MISSISSIPPI (THE "CITY"), DECLARING THE INTENTION OF THE CITY TO ISSUE GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS IN A TOTAL AMOUNT OF NOT TO EXCEED ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) FOR THE PURPOSE OF ERECTING MUNICIPAL BUILDINGS AND REPAIRING, IMPROVING, ADORNING AND EQUIPPING THE SAME; REPAIRING, IMPROVING AND EXTENDING THE MUNICIPAL WATER AND SEWER SYSTEM; AND CONSTRUCTING, IMPROVING OR PAVING STREETS, AND PURCHASING LAND THEREFOR; AND DIRECTING PUBLICATION OF NOTICE OF SUCH INTENTION”** wherein the Governing Body found, determined and adjudicated that it is necessary that Bonds of the City be issued in the amount, for the purpose and secured as aforesaid, declared its intention to issue said Bonds, and fixed 6:00 o'clock p.m. on June 21, 2005, as the date and hour on which it proposed to direct the issuance of said Bonds, on or prior to which date and hour any protests to be made against the issuance of such Bonds were required to be filed.

8. As required by law and as directed by the aforesaid resolution, said resolution was published once a week for at least three (3) consecutive weeks in *Picayune Item*, a newspaper published in and of general circulation in the City, and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended, the first publication having been made not less than twenty-one (21) days prior to June 21, 2005, and the last publication having been made not more than seven (7) days prior to such date, said notice having been published in said newspaper on May 31 and June 5, 12 and 19, 2005, as evidenced by the publisher's affidavit heretofore presented and filed.

9. On or prior to 6:00 o'clock p.m. on June 21, 2005, no written protest against the issuance of the Bonds described in the aforesaid resolution had been filed or presented by qualified electors of the City.

10. The Governing Body is now authorized and empowered by the provisions of the Act to issue the Bonds without an election on the question of the issuance thereof and is authorized to issue Bonds registered as to principal and interest in the form and manner hereinafter provided for by Sections 31-21-1 to 31-21-7, Mississippi Code of 1972, as amended.

11. The assessed value of taxable property within the City, according to the last completed assessment for taxation, is Sixty Seven Million Two Hundred Sixty Seven Thousand One Hundred Thirty Nine Dollars (\$67,267,139); 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 One Million Four Hundred Twenty Five Thousand Dollars (\$1,425,000), 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 15% debt limit), in the amount of One Million Four Hundred Twenty Five Thousand Dollars (\$1,425,000); the issuance of the Bonds, 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.

12. It has now become necessary to make provision for the preparation, execution and issuance of said Bonds.

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

SECTION 1. In consideration of the purchase and acceptance of any and all of the Bonds by those who shall hold the same from time to time, this Bond Resolution shall constitute a contract between the City and the Registered Owners from time to time of the Bonds. The pledge made herein and the covenants and agreements herein set forth to be performed on behalf of the City for the benefit of the Registered Owners shall be for the equal benefit, protection and security of the Registered Owners of any and all of the Bonds, all of which, regardless of the time or times of their authentication and delivery or maturity, shall be of equal rank without preference, priority or distinction.

SECTION 2. The Bonds are hereby authorized and ordered to be prepared and issued in the principal amount of One Million Five Hundred Thousand Dollars (\$1,500,000) to raise money for the Project as authorized by the Act.

SECTION 3. (a) Payments of interest on the Bonds shall be made to the Record Date Registered Owner, and payments of principal shall be made upon presentation and surrender thereof at the principal office of the Paying Agent to the Record Date Registered Owner in lawful money of the United States of America.

(b) The Bonds shall be registered as to both principal and interest; shall be dated the date of delivery thereof; shall be issued in the principal denomination of \$5,000 each, or integral multiples thereof up to the amount of a single maturity; shall be numbered from one upward in the order of issuance; shall bear interest from the date thereof at the rate or rates specified by further order of the Governing Body, payable on January 1 and July 1 of each year (each an "Interest Payment Date"), commencing July 1, 2006; and shall mature and become due and payable on July 1 in the years and in the principal amounts as follows:

<u>YEAR</u>	<u>AMOUNT</u>
2006	\$ 70,000
2007	75,000
2008	80,000
2009	80,000

RECESSED MEETING DATING JUNE 21, 2005

2010	85,000
2011	90,000
2012	95,000
2013	100,000
2014	105,000
2015	105,000
2016	110,000
2017	115,000
2018	125,000
2019	130,000
2020	135,000

(c) Bonds maturing on July 1, 2013 and thereafter, are subject to redemption prior to their stated dates of maturity, either in whole or in part, in inverse order of maturity and by lot within a maturity on July 1, 2012, or on any Interest Payment Date thereafter, at par, plus accrued interest to the date of redemption.

(d) Notice of redemption identifying the numbers of Bonds or portions thereof to be redeemed shall be given to the Registered Owners thereof by first class mail at least thirty (30) days and not more than sixty (60) days prior to the date fixed for redemption. Failure to mail or receive any such notice, or any defect therein or in the mailing thereof, shall not affect the validity of any proceedings for the redemption of Bonds. Any notice mailed as provided herein shall be conclusively presumed to have been given, irrespective of whether received. If such written notice of redemption is made and if due provision for payment of the redemption price is made, all as provided above, the Bonds which are to be redeemed thereby automatically shall be deemed to have been redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the right of the owner to receive the redemption price out of the funds provided for such payment. If at the time of mailing of any notice of redemption, there shall not be on deposit with the Paying Agent sufficient moneys to redeem all of the Bonds called for redemption, such notice shall state that it is subject to the deposit of moneys with the Paying Agent not later than on the redemption date and shall be of no effect unless such moneys are deposited.

(e) The Bonds, for which the payment of sufficient moneys or, to the extent permitted by the laws of the State of Mississippi, (i) direct obligations of, or obligations for the payment of the principal of and interest on which are unconditionally guaranteed by, the United States of America ("Government Obligations"), (ii) certificates of deposit or municipal obligations fully secured by Government Obligations or (iii) evidences of ownership of proportionate interests in future interest or principal payments on Government Obligations held by a bank or trust company as custodian, under which the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor on the Government Obligations and which Government Obligations are not available to satisfy any claim of the custodian or any person claiming through the custodian or to whom the custodian may be obligated, (iv) State and Local Government Series ("SLGS") Securities, and (v) municipal obligations, the payment of the principal of, interest and redemption premium, if any, on which are irrevocably secured by Government Obligations and which Government Obligations are not subject to redemption prior to the date on which the proceeds attributable to the principal of such obligations are to be used and have been deposited in an escrow account which is irrevocably pledged to the payment of the principal of and interest and redemption premium, if any, on such municipal obligations (all of which collectively, with Government Obligations, "Defeasance Securities"), shall have been deposited with an escrow agent appointed for such purpose, which may be the Paying and Transfer Agent, shall be deemed to have been paid, shall cease to be entitled to any lien, benefit or security under this Bond Resolution and shall no longer be deemed to be outstanding hereunder, and the Registered Owners shall have no rights in respect thereof except to receive payment of the principal of and interest on such Bonds from the funds held for that purpose. Defeasance Securities shall be considered sufficient under the Bond Resolution if said investments, with interest, mature and bear interest in such amounts

and at such times as will assure sufficient cash to pay currently maturing interest and to pay principal when due on such Bonds.

SECTION 4. (a) When the Bonds shall have been validated and executed as herein provided, they shall be registered as an obligation of the City in the office of the Clerk in a record maintained for that purpose, and the Clerk shall cause to be imprinted upon the reverse side of each of the Bonds, over his manual or facsimile signature and manual or facsimile seal, his certificate in substantially the form set out in Section 6.

(b) The Bonds shall be executed by the manual or facsimile signature of the Mayor and countersigned by the manual or facsimile signature of the City Clerk, with the seal of the City imprinted or affixed thereto; provided, however all signatures and seals appearing on the Bonds, other than the signature of an authorized officer of the Transfer Agent hereafter provided for, may be facsimile and shall have the same force and effect as if manually signed or impressed. In case any official of the City whose signature or a facsimile of whose signature shall appear on the Bonds shall cease to be such official before the delivery or reissuance thereof, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such official had remained in office until delivery or reissuance.

(c) The Bonds shall be delivered to the Purchaser upon payment of the purchase price therefor in accordance with the terms and conditions of their sale and award, together with a complete certified transcript of the proceedings had and done in the matter of the authorization, issuance, sale and validation of the Bonds, and the final, unqualified approving opinion of Bond Counsel, which opinion shall be imprinted on the reverse of each of the Bonds.

(d) Prior to or simultaneously with the delivery by the Transfer Agent of any of the Bonds, the City shall file with the Transfer Agent:

(i) a copy, certified by the Clerk, of the transcript of proceedings of the Governing Body in connection with the authorization, issuance, sale and validation of the Bonds; and

(ii) an authorization to the Transfer Agent, signed by the Mayor or the Clerk, to authenticate and deliver the Bonds to the Purchaser.

(e) At delivery, the Transfer Agent shall authenticate the Bonds and deliver them to the Purchaser thereof upon payment of the purchase price of the Bonds to the City.

(f) Bonds, blank as to denomination, rate of interest, date of maturity and CUSIP number and sufficient in quantity in the judgment of the City to meet the reasonable transfer and reissuance needs on the Bonds, shall be printed and delivered to the Transfer Agent in generally-accepted format, and held by the Transfer Agent until needed for transfer or reissuance, whereupon the Transfer Agent shall imprint the appropriate information as to denomination, rate of interest, date of maturity and CUSIP number prior to the registration, authentication and delivery thereof to the transferee holder. The Transfer Agent is hereby authorized upon the approval of the Governing Body to have printed from time to time as necessary additional Bonds bearing the manual or facsimile seal of the City and manual or facsimile signatures of the persons who were the officials of the Governing Body as of the date of original issue of the Bonds.

SECTION 5. (a) The City will appoint the Paying and Transfer Agent for the Bonds after receiving the recommendation of the successful bidder. The Paying and Transfer Agent shall be a bank or trust company located within the State of Mississippi. The City specifically reserves the right to hereafter designate a separate Transfer Agent and/or Paying Agent in its discretion in the manner hereinafter provided.

(b) So long as any of the Bonds shall remain outstanding, the City shall maintain with the Transfer Agent records for the registration and transfer of the Bonds. The Transfer Agent is hereby appointed registrar for the Bonds, in which capacity the Transfer Agent shall register in such records and permit to be transferred thereon, under

RECESSED MEETING DATING JUNE 21, 2005

such reasonable regulations as may be prescribed, any Bond entitled to registration or transfer.

(c) The City shall pay or reimburse the Agent for reasonable fees for the performance of the services normally rendered and the incurring of normal expenses reasonably and necessarily paid as are customarily paid to paying agents, transfer agents and bond registrars, subject to agreement between the City and the Agent. Fees and reimbursements for extraordinary services and expenses, so long as not occasioned by the negligence, misconduct or willful default of the Agent, shall be made by the City on a case-by-case basis, subject, where not prevented by emergency or other exigent circumstances, to the prior written approval of the Governing Body.

(d) (i) An Agent may at any time resign and be discharged of the duties and obligations of either the function of the Paying Agent or Transfer Agent, or both, by giving at least sixty (60) days' written notice to the City, and may be removed from either or both of said functions at any time by resolution of the Governing Body delivered to the Agent. The resolution shall specify the date on which such removal shall take effect and the name and address of the successor Agent, and shall be transmitted to the Agent being removed within a reasonable time prior to the effective date thereof. Provided, however, that no resignation or removal of an Agent shall become effective until a successor Agent has been appointed pursuant to the Bond Resolution.

(ii) Upon receiving notice of the resignation of an Agent, the City shall promptly appoint a successor Agent by resolution of the Governing Body. Any appointment of a successor Agent shall become effective upon acceptance of appointment by the successor Agent. If no successor Agent shall have been so appointed and have accepted appointment within thirty (30) days after the notice of resignation, the resigning Agent may petition any court of competent jurisdiction for the appointment of a successor Agent, which court may thereupon, after such notice as it may deem appropriate, appoint a successor Agent.

(iii) In the event of a change of Agents, the predecessor Agent shall cease to be custodian of any funds held pursuant to this Bond Resolution in connection with its role as such Agent, and the successor Agent shall become such custodian; provided, however, that before any such delivery is required to be made, all fees, advances and expenses of the retiring or removed Agent shall be fully paid. Every predecessor Agent shall deliver to its successor Agent all records of account, registration records, lists of Registered Owners and all other records, documents and instruments relating to its duties as such Agent.

(iv) Any successor Agent appointed under the provisions hereof shall be a bank, trust company or national banking association having Federal Deposit Insurance Corporation insurance of its accounts, duly authorized to exercise corporate trust powers and subject to examination by and in good standing with the federal and/or state regulatory authorities under the jurisdiction of which it falls.

(v) Every successor Agent appointed hereunder shall execute, acknowledge and deliver to its predecessor Agent and to the City an instrument in writing accepting such appointment hereunder, and thereupon such successor Agent, without any further act, shall become fully vested with all the rights, immunities and powers, and subject to all the duties and obligations, of its predecessor.

(vi) Should any transfer, assignment or instrument in writing be required by any successor Agent from the City to more fully and certainly vest in such successor Agent the estates, rights, powers and duties hereby vested or intended to be vested in the predecessor Agent, any such transfer, assignment and written instruments shall, on request, be executed, acknowledged and delivered by the City.

RECESSED MEETING DATING JUNE 21, 2005

Payments of principal of and interest on this Bond shall be made by check or draft mailed on the Interest Payment Date to such Registered Owner at his address as it appears on such registration records. The Registered Owner hereof may change such address by written notice to the Transfer Agent by certified mail, return receipt requested, or such other method as may be subsequently prescribed by the Transfer Agent, such notice to be received by the Transfer Agent not later than the 15th day of the calendar month preceding the applicable principal or Interest Payment Date.

This Bond is one of a series of Bonds of like date of original issue, tenor and effect, except as to denomination, number, rate of interest and date of maturity, issued in the aggregate authorized principal amount of One Million Five Hundred Thousand Dollars (\$1,500,000) to raise money for the purpose of providing funds for erecting municipal buildings and repairing, improving, adorning and equipping the same; repairing, improving and extending the municipal water and sewer system; and constructing, improving or paving streets, and purchasing land therefor.

This Bond is issued under the authority of the Constitution and statutes of the State of Mississippi, including Sections 21-33-301 et seq., Mississippi Code of 1972, as amended, and by the further authority of proceedings duly had by the Mayor and City Council of the City, including a resolution adopted June 21, 2005 (the "Bond Resolution").

Bonds maturing on July 1, 2013 and thereafter, are subject to redemption prior to their stated dates of maturity, either in whole or in part, in inverse order of maturity and by lot within a maturity on July 1, 2012, or on any Interest Payment Date thereafter, at par, plus accrued interest to the date of redemption.

Notice of redemption identifying the numbers of Bonds or portions thereof to be redeemed shall be given to the Registered Owners thereof by first class mail at least thirty (30) days and not more than sixty (60) days prior to the date fixed for redemption. Failure to mail or receive any such notice, or any defect therein or in the mailing thereof, shall not affect the validity of any proceedings for the redemption of Bonds. Any notice mailed as provided herein shall be conclusively presumed to have been given, irrespective of whether received. If such written notice of redemption is made and if due provision for payment of the redemption price is made, all as provided above, the Bonds which are to be redeemed thereby automatically shall be deemed to have been redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the right of the owner to receive the redemption price out of the funds provided for such payment. If at the time of mailing of any notice of redemption, there shall not be on deposit with the Paying Agent sufficient moneys to redeem all of the Bonds called for redemption, such notice shall state that it is subject to the deposit of moneys with the Paying Agent not later than on the redemption date and shall be of no effect unless such moneys are deposited.

The Bonds are registered as to both principal and interest. The Bonds are to be issued or reissued in the denomination of \$5,000 each, or integral multiples thereof up to the amount of a single maturity.

This Bond may be transferred or exchanged by the Registered Owner hereof in person or by his attorney duly authorized in writing at the principal office of the Transfer Agent, but only in the manner, subject to the limitations in the Bond Resolution, and upon surrender and cancellation of this Bond. Upon such transfer or exchange, a new Bond or Bonds of like aggregate principal amount in authorized denominations of the same maturity will be issued.

The City and the Paying Agent may deem and treat the Registered Owner hereof as the absolute owner for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes and neither the City nor the Paying Agent shall be affected by any notice to the contrary.

The Bonds are and will continue to be 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 the taxable property within the geographical limits of the City. The City will levy annually a special tax upon all taxable property within the geographical limits of the City adequate and sufficient to provide for the payment of the principal of and the interest on the Bonds as the same falls due.

RECESSED MEETING DATING JUNE 21, 2005

This Bond shall not be valid or become obligatory for any purpose or be entitled to any benefit or security under the Bond Resolution until the certificate of registration and authentication hereon shall have been signed by the Transfer Agent.

IT IS HEREBY CERTIFIED, RECITED AND REPRESENTED that all conditions, acts and things required by law to exist, to have happened and to have been performed precedent to and in the issuance of the Bonds, in order to make the same legal and binding general obligations of the City, according to the terms thereof, do exist, have happened and have been performed in regular and due time, form and manner as required by law. For the performance in apt time and manner of every official act herein required, and for the prompt payment of this Bond, both principal and interest, the full faith and credit of the City are hereby irrevocably pledged.

IN WITNESS WHEREOF, the City has caused this Bond to be executed in its name by the manual or facsimile signature of the Mayor of the City, countersigned by the manual or facsimile signature of the Clerk of the City, under the manual or facsimile seal of the City, which said manual or facsimile signatures and seal said officials adopt as and for their own proper signatures and seal, as of the _____ day of _____, 2005.

CITY OF PICAYUNE, MISSISSIPPI

BY: _____
Mayor

COUNTERSIGNED:

City Clerk

(facsimile seal)

There shall be printed in the lower left portion of the face of the Bonds a registration and authentication certificate in substantially the following form:

CERTIFICATE OF REGISTRATION AND AUTHENTICATION

This Bond is one of the Bonds described in the within mentioned Bond Resolution and is one of the General Obligation Public Improvement Bonds, Series 2005, of the City of Picayune, Mississippi.

as Transfer Agent

BY: _____
Authorized Officer

Date of Registration and Authentication: _____

There shall be printed on the reverse of the Bonds a registration and validation certificate and an assignment form in substantially the following form:

REGISTRATION AND VALIDATION CERTIFICATE

STATE OF MISSISSIPPI

COUNTY OF PEARL RIVER

I, the undersigned City Clerk of the City of Picayune, Mississippi, do hereby certify that the within Bond has been duly registered by me as an obligation of said City pursuant to law in a record kept in my office for that purpose, and has been validated and confirmed by Decree of the Chancery Court of Pearl River County, Mississippi, rendered on the __ day of _____, 2005.

(facsimile)
City Clerk

(facsimile seal)

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

the within Bond and does hereby irrevocably constitute and appoint _____, _____, Mississippi, as Transfer Agent to transfer the said Bond on the records kept for registration thereof with full power of substitution in the premises.

NOTICE: The signature to this Assignment must correspond with the name of the Registered Owner as it appears upon the face of the within Bond in every particular manner, without any alteration whatever.

Signatures guaranteed:

NOTICE: Signature(s) must be guaranteed by an approved eligible guarantor institution, an institution that is a participant in a Securities Transfer Association recognized signature guarantee program.

(Authorized Officer)

Date of Assignment: _____

Insert Social Security Number or Other Tax Identification Number of Assignee: _____

SECTION 7. In case any Bond shall become mutilated or be stolen, destroyed or lost, the City shall, if not then prohibited by law, cause to be authenticated and delivered a new Bond of like date, number, maturity and tenor in exchange and substitution for and upon cancellation of such mutilated Bond, or in lieu of and in substitution for such Bond stolen, destroyed or lost, upon the Registered Owner's paying the reasonable expenses and charges of the City in connection therewith, and in case of a Bond stolen, destroyed or lost, his filing with the City or Transfer Agent evidence satisfactory to them that such Bond was stolen, destroyed or lost, and of his ownership thereof, and furnishing the City or Transfer Agent with such security or indemnity as may be required by law or by them to save each of them harmless from all risks, however remote.

SECTION 8. For the purpose of effectuating and providing for the payment of the principal of and interest on the Bonds as the same shall respectively mature and accrue, there shall be and is hereby levied a direct, continuing special tax upon all of the taxable property within the geographical limits of the City, adequate and sufficient, after allowance shall have been made for the expenses of collection and delinquencies in the payment of taxes, to produce sums required for the payment of the principal of and the interest on the Bonds. Said tax shall be extended upon the tax rolls and collected in the same manner and at the same time as other taxes of the City are collected, and the rate of tax which shall be so extended shall be sufficient in each year fully to produce the sums required as aforesaid, without limitation as to time, rate or amount. The avails of said tax are hereby irrevocably pledged for the payment of the principal of and interest on the Bonds as the same shall respectively mature and accrue. Should there be a failure in any year to comply with the requirements of this section, such failure shall not impair the right of the Registered Owners of any of the Bonds in any subsequent year to have

adequate taxes levied and collected to meet the obligations of the Bonds, both as to principal and interest.

SECTION 9. Only such of the Bonds as shall have endorsed thereon a certificate of registration and authentication in substantially the form hereinabove set forth, duly executed by the Transfer Agent, shall be entitled to the rights, benefits and security of this Bond Resolution. No Bond shall be valid or obligatory for any purpose unless and until such certificate of registration and authentication shall have been duly executed by the Transfer Agent, which executed certificate shall be conclusive evidence of registration, authentication and delivery under this Bond Resolution. The Transfer Agent's certificate of registration and authentication on any Bond shall be deemed to have been duly executed if signed by an authorized officer of the Transfer Agent, but it shall not be necessary that the same officer sign said certificate on all of the Bonds that may be issued hereunder at any one time.

SECTION 10. (a) In the event the Purchaser shall fail to designate the names, addresses and social security or tax identification numbers of the Registered Owners of the Bonds within thirty (30) days of the date of sale, or at such other later date as may be designated by the City, one Bond registered in the name of the Purchaser may be issued in the full amount for each maturity. Ownership of the Bonds shall be in the Purchaser until the initial Registered Owner has made timely payment and, upon request of the Purchaser within a reasonable time of the initial delivery of the Bonds, the Transfer Agent shall re-register any such Bond upon its records in the name of the Registered Owner to be designated by the Purchaser in the event timely payment has not been made by the initial Registered Owner.

(b) Except as hereinabove provided, the Person in whose name any Bond shall be registered in the records of the City maintained by the Transfer Agent may be deemed the absolute owner thereof for all purposes, and payment of or on account of the principal of or interest on any Bond shall be made only to or upon the order of the Registered Owner thereof, or his legal representative, but such registration may be changed as hereinafter provided. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

SECTION 11. (a) Each Bond shall be transferable only in the records of the City, upon surrender thereof at the office of the Transfer Agent, together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the Registered Owner or his attorney duly authorized in writing. Upon the transfer of any Bond, the City, acting through its Transfer Agent, shall issue in the name of the transferee a new Bond or Bonds of the same aggregate principal amount and maturity and rate of interest as the surrendered Bond or Bonds.

(b) In all cases in which the privilege of transferring Bonds is exercised, the Transfer Agent shall authenticate and deliver Bonds in accordance with the provisions of this Bond Resolution.

SECTION 12. (a) The City hereby establishes the 2005 Bond Fund which shall be maintained with a qualified depository in its name for the payment of the principal of and interest on the Bonds, and the payment of Agents' fees in connection therewith. There shall be deposited into the 2005 Bond Fund as and when received:

(i) The accrued interest and premium, if any, received upon delivery of the Bonds;

(ii) The avails of any of the ad valorem taxes levied and collected pursuant to Section 8 hereof;

(iii) Any income received from investment of monies in the 2005 Bond Fund; and

(iv) Any other funds available to the City which may be lawfully used for payment of the principal of and interest on the Bonds, and which the

RECESSED MEETING DATING JUNE 21, 2005

Governing Body, in its discretion, may direct to be deposited into the 2005 Bond Fund.

(b) As long as any principal of and interest on the Bonds remains outstanding, the Clerk is hereby irrevocably authorized and directed to withdraw from the 2005 Bond Fund sufficient monies to make the payments herein provided for and to transfer same to the account of the Paying Agent in time to reach said Paying Agent at least five (5) days prior to the date on which said interest or principal and interest shall become due.

SECTION 13. The City hereby establishes the 2005 Construction Fund which shall be maintained with a qualified depository. The principal proceeds received upon the sale of the Bonds shall be deposited in the 2005 Construction Fund. Any income received from investment of monies in the 2005 Construction Fund shall be deposited in the 2005 Construction Fund or the 2005 Bond Fund for the payment of debt service on the Bonds during the construction period for the Project. From the 2005 Construction Fund there shall be first paid the costs, fees and expenses incurred by the City in connection with the authorization, issuance, sale, validation and delivery of the Bonds. The balance thereof shall be held and disbursed for the Project, as authorized by the Act. Any amounts which remain in the 2005 Construction Fund after the completion of the Project shall be transferred to the 2005 Bond Fund and used as permitted under State law.

SECTION 14. (a) Payment of principal on the Bonds shall be made, upon presentation and surrender of the Bonds at the principal office of the Paying Agent, to the Record Date Registered Owner thereof who shall appear in the registration records of the City maintained by the Transfer Agent as of the Record Date.

(b) Payment of each installment of interest on the Bonds shall be made to the Record Date Registered Owner thereof whose name shall appear in the registration records of the City maintained by the Transfer Agent as of the Record Date. Interest shall be payable in the aforesaid manner irrespective of any transfer or exchange of such Bond subsequent to the Record Date and prior to the due date of the interest.

(c) Principal of and interest on the Bonds shall be paid by check or draft mailed on the Interest Payment Date to Registered Owners at the addresses appearing in the registration records of the Transfer Agent. Any such address may be changed by written notice from the Registered Owner to the Transfer Agent by certified mail, return receipt requested, or such other method as may be subsequently prescribed by the Transfer Agent, such notice to be received by the Transfer Agent not later than the 15th day of the calendar month preceding the applicable principal or Interest Payment Date to be effective as of such date.

SECTION 15. The Bonds shall be submitted to validation as provided by Chapter 13, Title 31, Mississippi Code of 1972, and to that end the Clerk is hereby directed to make up a transcript of all legal papers and proceedings relating to the Bonds and to certify and forward the same to the State's Bond Attorney for the institution of validation proceedings.

SECTION 16. Based on existing statutes, rulings and court decisions and assuming, among other matters, compliance with certain covenants, the interest on the Bonds is exempt from federal income taxation. Under existing law, interest on the Bonds is exempt from present taxes imposed by the State of Mississippi and any county, municipality or other political subdivision of the State of Mississippi, except for inheritance, estate and transfer taxes.

SECTION 17. The City hereby covenants that it will not make any use of the proceeds of the Bonds or do or suffer any other action that would cause: (i) the Bonds to be "arbitrage bonds" as such term is defined in Section 148(a) of the Internal Revenue Code of 1986, as amended ("Code"), and the Regulations promulgated thereunder; (ii) the interest on the Bonds to be included in the gross income of the Registered Owners thereof for federal income taxation purposes; or (iii) the interest on the Bonds to be treated as an item of tax preference under Section 57(a)(5) of the Code.

SECTION 18. The City represents as follows:

RECESSED MEETING DATING JUNE 21, 2005

(a) The City shall timely file with the Ogden, Utah Service Center of the Internal Revenue Service, such information report or reports as may be required by Section 148(f) and 149(e) of the Code;

(b) The City shall take no action that would cause the Bonds to be “federally guaranteed” within the meaning of Section 149(b) of the Code;

(c) The City shall take all necessary action to have the Bonds registered within the meaning of Section 149(a) of the Code; and

(d) The City will not employ any device or abusive transaction with respect to the investment of the proceeds of the Bonds.

SECTION 19. In accordance with Section 148(f)(4)(D) (the “Small Issuer Exception” requirement) of the Code, the City represents that: (i) it is a governmental unit of the State of Mississippi and is empowered to exercise general taxing powers; (ii) the Bonds are not “private activity bonds” as defined in Section 141 of the Code; (iii) ninety-five percent (95%) or more of the net proceeds of the Bonds are to be used for local governmental activities of the City; and (iv) the aggregate face amount of all tax-exempt obligations (other than private activity bonds as defined in Section 141 of the Code and certain current refunding bonds described in Section 148(f)(4)(D) of the Code) issued by the City during calendar year 2005 is not reasonably expected to exceed \$5,000,000.

SECTION 20. In the event that the aggregate principal amount of the tax-exempt obligations (other than private activity bonds as defined in Section 141 of the Code and certain current refunding bonds described in Section 148(f)(4)(D) of the Code) issued by, or on behalf of, the City during calendar year 2005 exceeds \$5,000,000, or if the City otherwise fails to meet the Small Issuer Exception, the City hereby covenants that it shall make, or cause to be made, the rebate payments required by Section 148(f) of the Code in the manner described in Regulation of §§1.148-1 through 1.148-11, as such regulations and statutory provisions may be modified insofar as they apply to the Bonds.

SECTION 21. The City hereby designates the Bonds as “qualified tax-exempt obligations” as defined in and for the purposes of Section 265(b)(3) of the Code. For purposes of this designation, the City hereby represents that:

(a) the City reasonably anticipates that the amount of tax-exempt obligations to be issued by it during the period from January 1, 2005, to December 31, 2005, and the amount of obligations designated as “qualified tax-exempt obligations” by it, will not exceed \$10,000,000 when added to the aggregate principal amount of the Bonds; and

(b) for purposes of this Section 21, the following obligations are not taken into account in determining the aggregate principal amount of tax-exempt obligations issued by the City: (i) a private activity bond as defined in Section 141 of the Code (other than a qualified 501(c)(3) bond, as defined in Section 145 of the Code); and (ii) any obligation issued to refund any other tax-exempt obligation (other than to advance refund within the meaning of Section 149(d)(5) of the Code) as provided in Section 265(b)(3)(c) of the Code.

SECTION 22. The issuer in this matter is not required to comply with the annual disclosure requirements set forth in 17 CFR § 240.15c2-12 (the “Rule”). Pursuant to the Rule, the obligation of an issuer of municipal securities to make annual disclosures is only applicable to primary offerings of municipal securities with an aggregate principal amount of \$1,000,000 or more. The Bonds in this matter are being sold through a competitive sale and not a public offering to a purchaser without a view for distributing said Bonds. The Purchaser of said Bonds shall be required to execute a certification at closing to the effect that the Bonds are being purchased for the account of the Purchaser without the intent to distribute. As such, the issuance of the Bonds in this matter is not a primary offering of municipal securities, and as such, the Rule does not apply.

SECTION 23. The Bonds shall be offered for sale on sealed bids at a meeting of the Governing Body to be held at the place, and on the date and at the hour specified and

upon the terms and conditions set out in the Notice in Section 24 hereof. On or before said date and hour, such sealed bids must be filed with the Clerk at the place specified in the Notice. The Governing Body reserves the right to reject any and all bids submitted, and if all bids are rejected, to sell the Bonds at a private sale at any time within sixty (60) days after the date advertised for the receipt of bids, at a price not less than the highest bid which shall have been received at the advertised sale.

SECTION 24. As required by Section 31-19-25, Mississippi Code of 1972, as amended, the Clerk is hereby authorized and directed to give Notice by publishing an advertisement at least two (2) times in the *Picayune Item*, a newspaper published in and of general circulation in the City, the first publication thereof to be made at least ten (10) days preceding the date fixed herein for the receipt of bids. The Notice shall be in substantially the following form:

NOTICE OF BOND SALE
\$1,500,000
GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS
SERIES 2005
OF
CITY OF PICAYUNE, MISSISSIPPI

Sealed proposals will be received by the Mayor and City Council of the City of Picayune, Mississippi (the "Governing Body" of the "City"), in its meeting place in the City Hall of the City until the hour of 6:00 o'clock p.m. on the 5th day of July, 2005, at which time said bids will be publicly opened and read, for the purchase in its entirety, at not less than par and accrued interest to the date of delivery thereof, of an issue of One Million Five Hundred Thousand Dollars (\$1,500,000) principal amount General Obligation Public Improvement Bonds, Series 2005, of the City (the "Bonds").

The Bonds will be dated the date of delivery thereof, will be delivered in the denomination of Five Thousand Dollars (\$5,000) each, or integral multiples thereof up to the amount of a single maturity, will be numbered from one upward; will be issued in fully registered form; and will bear interest from the date thereof at the rate or rates offered by the successful bidder in its bid, payable on January 1 and July 1 in each year (each an "Interest Payment Date"), commencing July 1, 2006. The Bonds will mature serially on July 1 in each year and in the principal amounts as follows:

<u>YEAR</u>	<u>AMOUNT</u>
2006	\$ 70,000
2007	75,000
2008	80,000
2009	80,000
2010	85,000
2011	90,000
2012	95,000
2013	100,000
2014	105,000
2015	105,000
2016	110,000
2017	115,000
2018	125,000
2019	130,000
2020	135,000

Bonds maturing on July 1, 2013, and thereafter, are subject to redemption prior to their stated dates of maturity, either in whole or in part, in inverse order of maturity and by lot within a maturity on July 1, 2012, or on any Interest Payment Date thereafter, at par, plus accrued interest to the date of redemption.

The City will appoint the Paying and Transfer Agent for the Bonds after receiving the recommendation of the successful bidder. The Paying and Transfer Agent shall be a bank or trust company located within the State of Mississippi. The Paying Agent and/or Transfer Agent shall be subject to change by order of the Governing Body under the

RECESSED MEETING DATING JUNE 21, 2005

conditions and in the manner provided in the Bond Resolution under which the Bonds are issued.

The successful bidder must deliver to the Transfer Agent within thirty (30) days of the date of sale, or at such other later date as may be designated by the City, the names and addresses of the Registered Owners of the Bonds and the denominations in which the Bonds of each maturity are to be issued. If the successful bidder fails to submit such information to the Transfer Agent by the required time, one bond may be issued for each maturity in the full amount maturing on that date registered in the name of the successful bidder.

Both principal of and interest on the Bonds will be payable by check or draft mailed on the Interest Payment Date to Registered Owners of the Bonds as of the 15th day of the month preceding the maturity date for such principal or interest payment at the addresses appearing in the registration records of the City maintained by the Transfer Agent. Payment of principal at maturity shall be conditioned on the presentation and surrender of the Bonds at the principal office of the Transfer Agent.

The Bonds will be transferable only upon the records of the City maintained by the Transfer Agent.

The Bonds shall not bear a greater overall maximum interest rate to maturity than eleven percent (11%) per annum, and shall mature in the amounts and on the dates hereinabove set forth; no Bond shall bear more than one (1) rate of interest; each Bond shall bear interest from its date to its stated maturity date at the interest rate or rates specified in the bid; all Bonds of the same maturity shall bear the same rate of interest from date to maturity. The lowest interest rate specified shall not be less than seventy percent (70%) of the highest interest rate specified; each interest rate specified must be an even multiple of one-eighth of one percent (1/8 of 1%) or one-tenth of one percent (1/10 of 1%) and a zero rate cannot be named. The interest rate for any one maturity shall not exceed eleven percent (11%) per annum.

The Bonds are being issued for the purpose of providing funds for erecting municipal buildings and repairing, improving, adorning and equipping the same; repairing, improving and extending the municipal water and sewer system; and constructing, improving or paving streets, and purchasing land therefor.

The Bonds 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 the taxable property within the geographical limits of the City. The City will levy annually a special tax upon all taxable property within the geographical limits of the City adequate and sufficient to provide for the payment of the principal of and the interest on the Bonds as the same falls due.

The City will designate the Bonds as qualified tax-exempt obligations within the meaning and for the purposes of Section 265(b)(3) of the Code.

Proposals should be addressed to the Mayor and City Council and should be plainly marked "Proposal for General Obligation Public Improvement Bonds, Series 2005, of the City of Picayune, Mississippi," and should be filed with the Clerk of the City on or prior to the date and hour hereinabove named.

Each bid must be accompanied by a cashier's check, certified check, or exchange, issued or certified by a bank located in the State of Mississippi, payable to the City of Picayune, Mississippi, in the amount of Thirty Thousand Dollars (\$30,000) as a guaranty that the bidder will carry out its contract and purchase the Bonds if its bid be accepted. If the successful bidder fails to purchase the Bonds pursuant to its bid and contract, then the amount of such good faith check shall be retained by the City as liquidated damages for such failure. No interest will be allowed on the amount of the good faith deposit. All checks of unsuccessful bidders will be returned immediately on award of the Bonds. All proposals shall remain firm for three hours after the time specified for the opening of proposals and an award of the Bonds, or rejection of proposals, will be made by the City within said period of time.

The award, if any, will be made to the bidder complying with the terms of sale and offering to purchase the Bonds at the lowest net interest cost to the City. The net interest cost will be determined by computing the aggregate interest on the Bonds over the life of

the issue at the rate or rates of interest specified by the bidder, less premium offered, if any. It is requested that each proposal be accompanied by a statement of the net interest cost (computed to six decimal places), but such statement will not be considered a part of the proposal.

The Governing Body reserves the right to reject any and all bids submitted and to waive any irregularity or informality.

The obligation of the purchaser to purchase and pay for the Bonds is conditioned on the delivery, at the time of settlement of the Bonds, of the following: (1) the approving legal opinion of Butler, Snow, O'Mara, Stevens & Cannada, PLLC, Bond Counsel, to the effect that the Bonds constitute valid and legally binding obligations of the City payable from 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 the taxable property within the geographical limits of the City and to the effect that the interest on the Bonds is exempt from Federal and Mississippi income taxes under existing laws, regulations, rulings and judicial decisions with such exceptions as shall be required by the Internal Revenue Code of 1986; and (2) the delivery of certificates in form and tenor satisfactory to Bond Counsel evidencing the proper execution and delivery of the Bonds and receipt of payment therefor, including a statement of the City, dated as of the date of such delivery, to the effect that there is no litigation pending or, to the knowledge of the signer or signers thereof, threatened relating to the issuance, sale and delivery of the Bonds. A copy of said approving legal opinion will appear on or accompany the Bonds.

Delivery of the Bonds is expected to be made within sixty (60) days after the aforesaid date of sale of the Bonds at a place to be designated by the purchaser and without cost to the purchaser. Simultaneously with the delivery of the Bonds, the purchaser shall furnish to the City a certificate, in form acceptable to Bond Counsel, stating that: (i) it purchased the Bonds as an investment for its own account and not with a view toward distribution or resale in the capacity of a bond house, broker, or intermediary; or (ii) pursuant to a bona fide public offering of all of the Bonds, it sold a substantial amount (ten percent (10%), or more, in par amount) of each maturity of the Bonds to the public (excluding bond houses, brokers or similar persons or organizations acting in the capacity of underwriters or wholesalers) at or below the initial public offering prices set forth in such certificate. The purchaser shall also furnish a certificate, in form acceptable to Bond Counsel, setting forth the yield on the Bonds and issue price thereof, calculated in accordance with the requirements of the Code.

It is anticipated that CUSIP identification numbers will not be printed on the Bonds unless specifically requested by the purchaser, but neither the failure to print such number on any Bond nor any error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for the Bonds in accordance with the terms of the purchase contract. All expenses in relation to the printing of CUSIP numbers on the Bonds shall be paid by the City; the CUSIP Service Bureau charge for the assignment of said numbers shall be the responsibility of and shall be paid for by the purchaser.

The issuer in this matter is not required to comply with the annual disclosure requirements set forth in 17 CFR § 240.15c2-12 (the "Rule"). Pursuant to the Rule, the obligation of an issuer of municipal securities to make annual disclosures is only applicable to primary offerings of municipal securities with an aggregate principal amount of \$1,000,000 or more. The Bonds in this matter are being sold through a competitive sale and not a public offering to a purchaser without a view for distributing said Bonds. The Purchaser of said Bonds shall be required to execute a certification at closing to the effect that the Bonds are being purchased for the account of the Purchaser without the intent to distribute. As such, the issuance of the Bonds in this matter is not a primary offering of municipal securities, and as such, the Rule does not apply.

AN OFFERING DOCUMENT WILL NOT BE PREPARED IN CONNECTION WITH THE SALE AND ISSUANCE OF THE BONDS.

By order of the Mayor and City Council of the City of Picayune, Mississippi, on June 21, 2005.

CITY CLERK

PUBLISH: June 24 and July 1, 2005

SECTION 25. The Clerk shall obtain from the publisher of the aforesaid newspaper the customary publisher's affidavit proving publication of the Notice for the time and in the manner required by law, and such proof of publication shall be filed in the Clerk's office and exhibited before the Governing Body at the hour and date aforesaid.

SECTION 26. Each of the following constitutes an event of default under this Bond Resolution:

- (a) failure by the City to pay any installment of principal of or interest on any Bond at the time required;
- (b) failure by the City to perform or observe any other covenant, agreement or condition on its part contained in this Bond Resolution or in the Bonds, and the continuance thereof for a period of thirty (30) days after written notice thereof to the City by the Registered Owners of not less than ten percent (10%) in principal amount of the then outstanding Bonds; or
- (c) an Act of Bankruptcy occurs.

SECTION 27. The Mayor and Clerk and any other Authorized Officers of the Governing Body are authorized to execute and deliver such resolutions, certificates and other documents as are required for the sale, issuance and delivery of the Bonds.

SECTION 28. All orders, resolutions or proceedings of the Governing Body in conflict with any provision hereof shall be, and the same are hereby repealed, rescinded and set aside, but only to the extent of such conflict. For cause, this Bond Resolution shall become effective upon the adoption hereof.

Following the reading of the foregoing Bond Resolution, Council Member _____ seconded the motion for its adoption. The Mayor put the question to a roll call vote, and the result was as follows:

Mayor Greg Mitchell	Voted: _____
Council Member Donald L. Parker	Voted: _____
Council Member Leavern Guy	Voted: _____
Council Member Lucian Roberson	Voted: _____
Council Member Kathy Harris Watts	Voted: _____
Council Member Jerry Bounds	Voted: _____

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the Bond Resolution adopted this the 21st day of June, 2005.

_____ **MAYOR**

ATTEST:

CITY CLERK

(SEAL)

ORDER TO APPROVE RESOLUTION FOR TAXABLE NEGOTIABLE NOTE

Motion was made by Council Member Guy, seconded by Council Member Parker to approve of and authorize Mayor to execute Resolution Directing Sale and Award of Taxable Negotiable Note, Series 2005 to be dated at delivery thereof in the amount of \$72,167.92 for the acquisition of municipal buildings (Centraplex). The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, and Guy

VOTING NAY: Council Member Roberson and Watts

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

The Mayor and City Council of the City of Picayune, Mississippi, acting for and on behalf of the City of Picayune, Mississippi (the "City"), took up for consideration the matter of issuance of a Taxable Negotiable Note, Series 2005, of the City in the maximum principal amount of Eighty Five Thousand Dollars (\$85,000) (the "Note") to raise money for the purpose of providing funds for the acquisition of municipal buildings (the "Project").

The Clerk reported that pursuant to a resolution adopted May 17, 2005, she did cause to be published in *The Picayune Item*, a newspaper published in the City of Picayune, Mississippi, and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended, a notice that sealed proposals for the purchase of the aforesaid Note would be received by the Mayor and City Council at the office of the City Clerk in the City Hall in the City of Picayune, Mississippi, until the hour of 5:00 o'clock P.M. on the 7th day of June, 2005; said notice was published on May 22, 2005, in the said newspaper, said publication having been made at least ten (10) days preceding the date set for the receipt of bids.

The Clerk then and there presented a publisher's affidavit as proof of publication of said Notice in the aforesaid newspaper, a copy of which was directed to be inserted in the minutes of this Governing Body and is as follows:

INSERT PUBLISHERS AFFIDAVIT

The hour of 5:00 o'clock P.M. on June 7, 2005, having arrived, the Clerk reported that pursuant to the aforesaid Notice of Note Sale there had been filed with her at or prior to said hour on said date five (5) sealed proposals for the purchase of the aforesaid Note and the Clerk then and there presented said sealed proposals to the Governing Body.

Thereupon it was ordered by the Mayor and City Council that the Clerk proceed to open said sealed proposals and to read same aloud in the presence and hearing of said Governing Body and of the bidders and other persons assembled. The Clerk thereupon proceeded to open and read the aforesaid bids which are as follows:

INSERT ORIGINAL BIDS

Following the reading of the bids, the Mayor and City Council proceeded to consider them for the purpose of determining which was the best and most advantageous bid submitted. Whereupon, the following resolution was presented, read and its adoption and passage moved by Council Member _____:

RESOLUTION DIRECTING THE SALE AND AWARD OF A TAXABLE NEGOTIABLE NOTE, SERIES 2005, OF THE CITY OF PICAYUNE, MISSISSIPPI, TO BE DATED THE DATE OF DELIVERY THEREOF, IN THE MAXIMUM PRINCIPAL AMOUNT OF EIGHTY FIVE THOUSAND DOLLARS (\$85,000).

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:

13. This Governing Body on May 17, 2005, did adopt a resolution directing that a Taxable Negotiable Note, Series 2005 (the "Note"), of the City in the maximum

RECESSED MEETING DATING JUNE 21, 2005

principal amount of Eight Five Thousand Dollars (\$85,000) be offered for sale on sealed bids to be received up to and until the hour of 5:00 o'clock P.M. on June 7, 2005.

14. As directed by the aforesaid resolution, notice of sale of the Note was duly published in *The Picayune Item*, a newspaper published in and having general circulation in the City, and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended, said notice having been published on May 22, 2005, in said newspaper, said publication having been made at least ten (10) days preceding June 7, 2005, all as shown by the proof of publication of said notice filed in the office of the Clerk.

15. The Governing Body did meet at its meeting place in the City Hall of the City of Picayune, Mississippi, at 6:00 o'clock P.M. on June 7, 2005.

16. At said time and place five (5) sealed proposals for the purchase of the Note were received, examined and considered by the Governing Body, said bids having heretofore been presented by and being on file with the Clerk.

17. The Governing Body does now find, determine and adjudicate that the highest and best bid made and offered for the Note on the basis of the lowest net interest cost over the life of the issue was made by Trustmark National Bank, Jackson, Mississippi, and said bid was accompanied by a cashier's check, certified check or exchange payable to the City of Picayune, Mississippi, in the amount of One Thousand Seven Hundred Dollars (\$1,700), issued or certified by a bank located in the State of Mississippi, as a guarantee that said bidder would carry out its contract and purchase the Note if its bid be accepted.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY AS FOLLOWS:

SECTION 1. The Note is hereby awarded and sold to Trustmark National Bank, Jackson, Mississippi, in accordance with the offer submitted to the Governing Body in words and figures as follows:

INSERT COPY OF WINNING BID

SECTION 2. The Mayor and Clerk are hereby authorized and directed to endorse upon a copy or duplicate of the aforesaid offer a suitable notation as evidence of the acceptance thereof, for and on behalf of the City.

SECTION 3. The good faith checks filed by all unsuccessful bidders shall forthwith be returned to them upon their respective receipts therefor, and the good faith check filed by the successful bidder shall be retained by the Governing Body as a guarantee that said bidder shall carry out its contract and purchase the Note. If said successful bidder fails to purchase the Note pursuant to its bid and contract, the amount of such good faith check shall be retained by the City as liquidated damages for such failure.

SECTION 4. The Note shall be in fully registered form; shall be dated the delivery thereof; shall be of the denomination of \$85,000; shall be numbered R-1; shall be payable, both as to principal and interest, in lawful money of the United States of America at the office of the City Clerk of the City, said City Clerk to act as paying agent, registrar and transfer agent for said Note; shall bear interest from the date thereof at the rate of four and ninety-three hundredths percent (4.93%) and mature as to principal and interest in five approximate equal installments due annually from the date of issuance thereof commencing on the first anniversary of the date of issuance of the Note.

The Note is subject to redemption prior to its stated date of maturity, at any time, at par, plus accrued interest to the date of redemption.

RECESSED MEETING DATING JUNE 21, 2005

SECTION 5. All orders, resolutions or proceedings of this Governing Body in conflict with the provisions of this resolution shall be and are hereby repealed, rescinded and set aside, but only to the extent of such conflict.

SECTION 6. For cause, this resolution shall become effective immediately upon the adoption thereof.

Council Member _____ seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Mayor Gregory Mitchell	Voted: ____
Council Member Lucian Roberson	Voted: ____
Council Member Donald L. Parker	Voted: ____
Council Member Kathy Harris Watts	Voted: ____
Council Member Leavern Guy	Voted: ____
Council Member Jerry Bounds	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 7th day of June, 2005.

MAYOR

ATTEST:

CITY CLERK

(SEAL)

ORDER TO APPROVE REQUEST TO CONNECT TO CITY WATER

Motion was made by Council Member Roberson, seconded by Council Member Parker to approve request from Robert Larsen to connect to City Water for property located at 218 Jeff Wheat Road with Mr. Larsen paying expenses. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO TABLE REQUEST TO CONNECT TO CITY WATER

Motion was made by Council Member Guy, seconded by Council Member Roberson to table request from Nathan Archer to connect to City Water for property located at 210 Koch Road. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE REZONING

Motion was made Council Member Roberson, seconded by Council Member Watts to approve rezoning of property located on West side of River Road to be known as Bluffs Plantation from R-1, Single Family Residential, to PUD-R, Planned Unit District-Residential as submitted by Huey Stockstill and New South Development Co, LLC. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson and Guy

VOTING NAY: None

RECESSED MEETING DATING JUNE 21, 2005

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE PRELIMINARY PLAN FOR THE BLUFFS PLANTATION

Motion was made by Council Member Bounds, seconded by Council Member Parker to approve Preliminary Plan for The Bluffs Plantation. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE LOT EXTENSION

Motion was made by Council Member Bounds, seconded by Council Member Roberson to approve 12' X 72.98' lot extension to Picayune School District from Eugene and Jan Sweet. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE PRELIMINARY PLAN FOR THE WOODS

Motion was made by Council Member Roberson, seconded by Council Member Guy to approve Preliminary Plan for The Woods Subdivision, Phase IX submitted by Andy Cooper. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE PRELIMINARY PLAN FOR HWY 11 & HWY 43

Motion was made by Council Member Guy, seconded by Council Member Roberson to approve Preliminary Plan for property located on the Southwest corner of Highway 11 & Highway 43 North as submitted by Robert Troncoso Developer. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE MODIFY SAFE COMMUNITIES GRANT

Motion was made by Council Member Roberson, seconded by Council Member Bounds to Approve said Budget Modification as presented and authorize Mayor to sign same. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watts, Roberson and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

[Spread new grant info here.](#)

RECESSED MEETING DATING JUNE 21, 2005

Council Member Bounds left the meeting at this time.

ORDER TO DECLARE PUBLIC NUISANCE AND 30 DAY TO CLEAN

Motion was made by Council Member Watts, seconded by Council Member Guy to declare property on south Beech that adjoins Julian Codina's and Amos Fowler property, owner Jim Allison, a public nuisance require property to be cleaned within 30 days. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watts, Roberson and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Roberson, seconded by Council Member Guy to declare property located at 207 South Howard Street owned by Tommy Harrelson a public nuisance require property to be cleaned within 30 days. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Roberson and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Council Member Watts left the meeting at this time.

Motion was made by Council Member Parker, seconded by Council Member Roberson to declare property located at 1007 Rosa Street owned by Albert Hawthorne a public nuisance require property to be cleaned within 30 days. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Roberson and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Bounds and Watts

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Council Member Bounds returned to the meeting.

Council Member Watts returned to the meeting.

Motion was made by Council Member Roberson, seconded by Council Member Guy to declare property located at 600 Richard Street owned by Alcus Dixon a public nuisance require property to be cleaned within 30 days. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Roberson, Watts, Bounds and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPLY FOR SAFE COMMUNITY AND LAW ENF LIAISON GRANT

Motion was made by Council Member Roberson, seconded by Council Member Guy to approve request to apply for and authorize Mayors signature for Safe Community and Law Enforcement Liaison Grant through Mississippi Department of Public Safety in the amount of \$156,269.22 with and 50/50 match which will cost the city \$24,000 with the remainder being in kind match of approximately \$54,000 and actual federal grant money of approximately \$78,000. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Roberson, Watts, Bounds and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

RECESSED MEETING DATING JUNE 21, 2005

The motion was declared carried.

ORDER TO ACCEPT DARE DONATION

Motion was made by Council Member Guy, seconded by Council Member Bounds to accept D A R E Donation of \$476.00 collected as a result of the D A R E Ride conducted Saturday April 9, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Roberson, Watts, Bounds and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPLY FOR SAFER GRANT

Motion was made by Council Member Parker, seconded by Council Member Watts to approve request to apply for SAFER Grant from US Dept of Homeland Security. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Roberson, Watts, Bounds and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ADJOURN

Motion was made by Council Member Roberson, seconded by Council Member Guy to adjourn. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Roberson, Watts, Bounds and Guy

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Cindy Cole, City Clerk

**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 in the Courtroom of the Criminal Justice Center in said City, Tuesday, July 5, 2005, at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Larry Watkins, Anna Turnage, Donald Parker, Jerry Bounds, and Leavern Guy, City Manager Reggie Frierson, City Attorney Nathan Farmer, City Clerk Cindy Cole, Fire Chief Keith Brown and Police Chief Jim Luke.

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

Opening prayer was given by Chief Jim Luke, followed by the Pledge of Allegiance lead by Council Member Bounds.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Guy, seconded by Council Member Parker to approve the minutes of the Mayor and City Council dated June 21, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Guy, seconded by Council Member Parker to approve the issuance of the following manual checks:

City of Picayune General Fund	Utility Fund	\$52,000
MS State Tax Commission	Utility Fund	\$ 6,000
CDBG Railspur Fund	General Fund	\$15,421

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Parker to set the date of August 16, 2005 for public hearing for property clean up for 2100 Trotter Street, owner Leonard Proffit. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Parker to set the date of August 16, 2005 for public hearing for property clean up at 2104 Cousin Street, owner Leila Jones Hill. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Parker to set the date of August 16, 2005 for public hearing for property clean up for lot between 102 and 116 Weems Street, owner Tiffany Dease. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Parker to authorize Mayors signature on quitclaim deed for parcels 617-614-002-06-022-00 and 617-522-002-05-019-00 to be in the names of Robert Forbes, Jr. and Annett and Mason Bickham. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Parker to void 2003 tax sale on 2002 taxes in the name of Rolland Early, parcel 617-521-000-00-006-00 due to assessment and exemption error and to refund College Investments the tax sale amount of \$713.63. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE DOCKET

Motion was made by Council Member Guy, seconded by Council Member Bounds, to approve the docket for the month of July 2005 in the amount of \$1,096,952.42. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

DENY REQUEST TO CONNECT TO CITY WATER

Motion was made by Council Member Guy, seconded by Council Member Bounds to deny request from Nathan Archer to connect to City Water for property located at 210 Koch Road. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AUTHORIZE ADVERTISING FOR BID

Motion was made by Council Member Bounds, seconded by Council Member Turnage to authorize the advertisement to bid with a deductive alternate on curbs for the Telly Road Improvements Project . The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ACCEPT BID

Motion was made by Council Member Bounds, seconded by Council Member Watkins to accept the bid of \$42,000 from Travis Kennedy to construct Irrigation Pump House and Restroom (Kid's Kingdom) at Friendship Park. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE CHANGE ORDER FOR FRIENDSHIP PARK PHASE I

Motion was made by Council Member Guy, seconded by Council Member Watkins to approve change order #6 which represents a contract decrease of \$37,486.98 with Huey Stockstill, Inc. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

BOND ISSUE SERIES 2005 BID OPENING

Motion was made by Council Member Bounds, seconded by Council Member Guy to open the 4 bids received for the sale of the \$,1500,0000 Series 2005 GO Bonds, and read aloud. The following roll call taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Parker take the four bids under advisement on the \$1,500,000 Series 2005 GO Bond Issue. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

REQUEST FOR TAX EXEMPTION

Motion was by Council Member Guy, seconded by Council Member Bounds to take the matter of the request Exemption from ad valorem taxes under advisement: The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE GRANT APPLICATION

Motion was made by Council Member Bounds, seconded by Council Member Turnage to approve and authorize the Mayor to execute the application for a Byrne Grant to the Mississippi Department of Public Safety to fund the Neighborhood Watch Program in the total amount of \$42,062.66, of which the City would provide a cash match of \$10,515.66 and the Public Safety portion being \$31,547. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE ENROLLMENT IN MS LAW ENFORCEMENT ACCREDITATION PROGRAM

Motion was made by Council Member Bounds, seconded by Council Member Turnage to authorize the Police Department to enroll in the MS Law Enforcement Accreditation Program for fee of \$300.00. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AMMEND AGENDA

Motion was made by Council Member Guy, seconded by Council Member Bounds to amend the agenda to include request to approve contract with Picayune School System. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy and Watkins

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Member Turnage

The motion was declared carried.

APPROVE CONTRACT WITH PICAYUNE SCHOOL DISTRICT

Motion was made by Council Member Bounds, seconded by Council Member Parker to approve contract to provide security services for Picayune School District. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy and Watkins

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Member Turnage

The motion was declared carried.

[Spread contract here](#)

APPROVE GRANT APPLICATION

Motion was made by Council Member Watkins, seconded by Council Member Guy to authorize Chief Brown to submit grant application for Walmart 100% Grant in the approximate amount of \$500 to \$750 to purchase fire safety material for children, and to sign said application. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MAYOR PRO TEM

Motion was made by Council Member Bounds, seconded by Council Member Watkins to appoint Council Member Guy as Mayor Pro Tem. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: Council Member Guy

The motion was declared carried.

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

Motion was made by Council Member Bounds, seconded by Council Member Turnage to enter a closed session to determine the need for an executive session.

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Bounds, seconded by Council Member Turnage to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matters with Advanced Windows
2. Contractual matters with Airport FOB
3. Possible Trade of Real Property
4. Contractual matter with Majestic Inn Property
5. Contractual matters with Centraplex
6. Personnel matters

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Bounds, seconded by Council Member Turnage, to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

EXTEND CONTRACT

Motion was made by Council Member Guy, seconded by Council Member Watkins to extend the current contract with Phillips Aviation for 60 days in order for new council to review. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CITY COUNCIL APPOINTMENTS

Motion was made by Council Member Bounds, seconded by Council Member Parker to appoint the following persons to the listed positions:

City Manager	Reggie Frierson
City Clerk	Cindy Cole
City Attorney	Nathan Farmer
Municipal Judge	M. D. Tate
Judge Pro Tem	Nell Cowart
Prosecuting Attorney	Gerald Patch

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPOINTMENT TO PARTNERS FOR PEARL RIVER COUNTY DEV. ASSN.

Motion was made by Council Member Guy, seconded by Council Member Bounds to appoint Steve Lawler to the board for Partners for Pearl River County Development Association. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ACCEPT BID ON BOND ISSUE

Motion was made by Council Member Parker, seconded by Council Member Guy to approve Resolution Directing the Sale and Award of General Obligation Public Improvement Bonds, Series 2005 to Trustmark National Bank with a bid of 3.521464%. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RESOLUTION FOR SALE AND AWARD OF BOND ISSUE

The Mayor and City Council of the City of Picayune, Mississippi, acting for and on behalf of the City of Picayune, Mississippi, took up for consideration the matter of issuance of General Obligation Public Improvement Bonds, Series 2005, of the City of Picayune, Mississippi, in the principal amount of One Million Five Hundred Thousand Dollars (\$1,500,000) (the "Bonds") to raise money for the purpose of erecting municipal buildings and repairing, improving, adorning and equipping the same; repairing, improving and extending the municipal water and sewer system; and constructing, improving or paving streets, and purchasing land therefor.

The Clerk reported that pursuant to a resolution adopted June 21, 2005, she did cause to be published in the *Picayune Item*, a newspaper with a general circulation in the City of Picayune, Mississippi, and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended, a notice that sealed proposals for the purchase of the aforesaid Bonds would be received by the Mayor and City Council at its meeting place in the City Hall in the City of Picayune, Mississippi, until the hour of 6:00 o'clock P.M. on the 5th day of July, 2005; said

notice was published in said newspaper on June 24 and July 1, 2005, the first publication having been made at least ten (10) days preceding the date set for the receipt of bids.

The Clerk then and there presented a publisher's affidavit as proof of publication of said notice in the aforesaid newspaper, a copy of which was directed to be inserted in the minutes of the Mayor and City Council and is as follows:

INSERT PUBLISHERS AFFIDAVIT

The hour of 6:00 o'clock P.M. on July 5, 2005, having arrived, the Clerk reported that pursuant to the aforesaid notice there had been filed with her at or prior to said hour on said date _____ (___) sealed proposals for the purchase of the aforesaid Bonds and the Clerk then and there presented said sealed proposals to the Mayor and City Council.

Thereupon it was ordered by the Mayor and City Council that the Clerk proceed to open said sealed proposals and to read same aloud in the presence and hearing of the Mayor and City Council and of the bidders and other persons assembled. The Clerk thereupon proceeded to open and read the aforesaid bids which are as follows:

INSERT ORIGINAL BIDS

Following the reading of the bids, the Mayor and City Council proceeded to consider them for the purpose of determining which was the best and most advantageous bid submitted. Whereupon, the following resolution was presented, read and its adoption and passage moved by Council Member _____:

RESOLUTION DIRECTING THE SALE AND AWARD OF GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 2005, OF THE CITY OF PICAYUNE, MISSISSIPPI, TO BE DATED THE DATE OF DELIVERY THEREOF, IN THE PRINCIPAL AMOUNT OF ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000).

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

1. The Mayor and City Council on June 21, 2005, did adopt a resolution directing that General Obligation Public Improvement Bonds, Series 2005 (the "Bonds"), of the City in the principal amount of One Million Five Hundred Thousand Dollars (\$1,500,000) be offered for sale on sealed bids to be received up to and until the hour of 6:00 o'clock P.M. on July 5, 2005.

2. As directed by the aforesaid resolution, notice of sale of the Bonds was duly published in the *Picayune Item*, a newspaper published in and having a circulation in the City and qualified under the provisions of Section 13-3-31, Mississippi Code of 1972, as amended, said notice having been published in said newspaper on June 24 and July 1, 2005, the first publication having been made at least ten (10) days preceding July 5, 2005, all as shown by the proof of publication of said notice filed in the office of the Clerk.

3. The Mayor and Board of Aldermen did meet at their meeting place in the City Hall in the City of Picayune, Mississippi, at 6:00 o'clock P.M. on July 5, 2005.

4. At said time and place _____ (___) sealed proposals for the purchase of the Bonds were received, examined and considered by the Mayor and City Council said bids having heretofore been presented by and being on file with the Clerk.

5. The Mayor and Board of Aldermen do now find, determine and adjudicate that the highest and best bid made and offered for the Bonds on the basis of the lowest net interest cost over the life of the issue was made by _____, _____, _____, and said bid was accompanied by a cashier's check, certified check or exchange payable to the City of Picayune, Mississippi, in the amount of Thirty Thousand Dollars (\$30,000), issued or certified by a bank located in the State of Mississippi, as a guarantee that said bidder would carry out its contract and purchase the Bonds if its bid be accepted.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL AS FOLLOWS:

SECTION 1. The Bonds are hereby awarded and sold to _____, _____, _____, in accordance with the offer submitted to the Mayor and City Council in words and figures as follows:

INSERT COPY OF WINNING BID

SECTION 2. The Mayor and Clerk are hereby authorized and directed to endorse upon a copy or duplicate of the aforesaid offer a suitable notation as evidence of the acceptance thereof, for and on behalf of the City.

SECTION 3. The good faith checks filed by all unsuccessful bidders shall forthwith be returned to them upon their respective receipts therefor, and the good faith check filed by the successful bidder shall be retained by the Mayor and City Council as a guarantee that said bidder shall carry out its contract and purchase the Bonds. If said successful bidder fails to purchase the Bonds pursuant to its bid and contract, the amount of such good faith check shall be retained by the City as liquidated damages for such failure.

SECTION 4. The Bonds shall be in fully registered form; shall be dated the date of delivery thereof; shall be of the denomination of \$5,000 each or integral multiples thereof up to the amount of a single maturity; shall be numbered from one (1) upward in order of issuance; shall be payable, both as to principal and interest, in lawful money of the United States of America at _____, _____, _____, said bank to act as paying agent, registrar and transfer agent for said Bonds; shall bear interest from the date thereof at the rates hereinafter set forth, payable semiannually on January 1 and July 1 in each year (each an "Interest Payment Date"), commencing July 1, 2006, and shall mature and become due and payable serially, on July 1 in the years and principal amounts as follows:

<u>YEAR</u>	<u>AMOUNT</u>	<u>INTEREST RATE</u>
2006	\$ 70,000	_____ %
2007	75,000	_____
2008	80,000	_____
2009	80,000	_____
2010	85,000	_____
2011	90,000	_____
2012	95,000	_____
2013	100,000	_____
2014	105,000	_____
2015	105,000	_____
2016	110,000	_____
2017	115,000	_____
2018	125,000	_____
2019	130,000	_____
2020	135,000	_____

Bonds maturing on July 1, 2013, and thereafter, are subject to redemption prior to their stated dates of maturity, either in whole or in part, in inverse order of maturity and by lot within a maturity on July 1, 2012, or on any Interest Payment Date thereafter, at par, plus accrued interest to the date of redemption.

SECTION 5. All orders, resolutions or proceedings of the Mayor and City Council in conflict with the provisions of this resolution shall be and are hereby repealed, rescinded and set aside, but only to the extent of such conflict.

SECTION 6. For cause, this resolution shall become effective immediately upon the adoption thereof.

Following the reading of the foregoing Bond Resolution, Council Member _____ seconded the motion for its adoption. The Mayor put the question to a roll call vote, and the result was as follows:

Mayor Greg Mitchell	Voted: _____
Council Member Donald L. Parker	Voted: _____
Council Member Leavern Guy	Voted: _____
Council Member Larry Watkins	Voted: _____
Council Member Anna Turnage	Voted: _____
Council Member Jerry Bounds	Voted: _____

The motion having received the affirmative vote of a majority of the members present, the Mayor declared the motion carried and the Bond Resolution adopted this the 5th day of July, 2005.

ATTEST:

CITY CLERK

(SEAL)

JACKSON 1055090v1

MOTION TO RECESS

Motion was made by Council Member Watkins,, seconded by Council Member Parker to recess until July 19, 2005 at 6:00 p.m. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Cindy Cole, City Clerk

RECESSED MEETING DATING SEPTEMBER 2, 2005

**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 in Courtroom of the Criminal Justice Center in said City, Friday, September 2, 2005, at 9:00 a.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Anna Turnage, Larry Watkins, and Leavern Guy, Police Chief Jim Luke, Deputy Police Chief Tom Milar, and Barbara McGrew.

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

Opening prayer was given by Barbara McGrew, followed by the Pledge of Allegiance led by Council Member Leavern Guy.

Greg Mitchell, Mayor

ATTEST:

Cindy Cole, City Clerk

RECESSED MEETING DATING JULY 21, 2005

**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 in Courtroom of the Criminal Justice Center in said City, Tuesday, July 21, 2005, at 6:00 p.m. in regular session with the following officials present: Council Members Donald Parker, Jerry Bounds, Anna Turnage, Larry Watkins and Leavern Guy, City Manager Reggie Frierson, City Attorney Nathan Farmer, City Clerk Cindy Cole.

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

Opening prayer was given by Brother Arthur H. Shaw, Jr., followed by the Pledge of Allegiance led by Council Member Watkins.

ORDER TO REFER NOISE COMPLAINT TO MUNICIPAL COURT

Motion was made by Council Member Bounds, seconded by Council Member Watkins to refer noise complaint filed by Mr. Flannigan against Audio Adventure to Municipal Court due to the potential violation of a Municipal Ordinance. The following roll call was taken:

VOTING YEA: Council Members Bounds, Turnage, Guy and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE REQUEST TO SUB-DIVIDE LOT

Motion was made by Council Member Bounds, seconded by Council Member Watkins to approve request to sub-divide one lot at 241 Frontage Road into two conforming lots, owner Frontage Road Partners, LLP. The following roll call was taken:

VOTING YEA: Council Members Bounds, Turnage, Guy and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE APPLICATION TO FAA

Motion was made by Council Member Bounds, seconded by Council Member Turnage to authorize the Mayor to sign application to FAA in the amount of \$369,250 with the Federal portion being \$329,740, State portion being \$19,755 and the City's portion being \$19,755 for the construction of the Airport Terminal Building. The following roll call was taken:

VOTING YEA: Council Members Bounds, Turnage, Guy and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ODRER TO SURPLUS VEHICLES

Motion was made by Council Member Bounds, seconded by Council Member Watkins to authorize the Police Department to surplus the following four vehicles and send said vehicles to auction:

1. 2000 Dodge Intreped, Unit # 27 Vin 63020
2. 1992 Chev PU Unit #220 Vin 10520
3. 1992 Jeep Cherokee Vin 11171

RECESSED MEETING DATING JULY 21, 2005

4. 2000 Dodge Intrepid, Unit #301 Vin 15128

The following roll call was taken:

VOTING YEA: Council Members Bounds, Turnage, Guy and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

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

Motion was made by Council Member Bounds, seconded by Council Member Turnage to enter a closed session to determine the need for an executive session.

VOTING YEA: Council Members Bounds, Turnage, Guy and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Bounds, seconded by Council Member Turnage to return to regular session. The following roll call was taken:

VOTING YEA: Council Members Bounds, Turnage, Guy and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Possible trade of Real Property
2. Contractual matters with Advanced Windows

The following roll call was taken:

VOTING YEA: Council Members Bounds, Turnage, Guy and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Bounds, seconded by Council Member Turnage, to return to regular session. The following roll call was taken:

VOTING YEA: Council Members Bounds, Turnage, Guy and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Parker

ABSTAINING AND NOT VOTING: None

RECESSED MEETING DATING JULY 21, 2005

The motion was declared carried.

ORDER TO APPROVE RESOLUTION

Motion was made by Council Member Bounds, seconded by Council Member Turnage to authorize Mayor to approve and execute Resolution relative to closure Vaughn Street (see exhibit A) and execute plat of Troncoso Development subject to the successful negotiation of cost incurred by the City. The following roll call was taken:

VOTING YEA: Council Members Bounds, Turnage, Guy and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

[Spread resolution here](#)

ORDER TO ADJOURN

Motion was made Council Member Bounds, seconded by Council Member Turnage to adjourn. The following roll call was taken:

VOTING YEA: Council Members Bounds, Turnage, Guy and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Cindy Cole, City Clerk

**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 in the Courtroom of the Criminal Justice Center in said City, Tuesday, May 3, 2005, at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Lucian Roberson, Kathy Watts, Donald Parker, Jerry Bounds, and Leavern Guy, City Manager Reggie Frierson, City Attorney Nathan Farmer, and City Clerk Cindy Cole.

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

Opening prayer was given by Fireman Barry Lee, followed by the Pledge of Allegiance lead by Council Member Bounds.

ORDER TO AMEND AGENDA

Motion was made by Council Member Bounds, seconded by Council Member Parker to amend the Consent Agenda to include a request to void 2003 tax sale in the name of Gwendolyn Hernandez. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Bounds, seconded by Council Member Parker to approve the minutes of the Mayor and City Council dated July 19, and July 21, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Bounds, seconded by Council Member Parker to approve the issuance of the following manual checks:

City of Picayune General Fund	Utility Fund	\$70,263.43
MS State Tax Commission	Utility Fund	\$ 3,699.00
Billy McQueen	Utility Fund	\$ 72.00
Peggy Fore	Utility Fund	\$ 72.00
Raymond Wood	Utility Fund	\$ 72.00
The Cabot Lodge-Millsaps	Utility Fund	\$ 437.40
The Valuation Advisory Group	General Fund	\$ 2,000.00

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO VOID TAX SALES

Motion was made by Council Member Bounds, seconded by Council Member Parker to approve request to void 2002 and 2003 tax sale of Majestic Inn and reduce assessment per Pearl River County and refund College Investments \$10,698.53 and Avatar \$10,352.23. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Bounds, seconded by Council Member Parker to approve request to void 2003 and 2004 tax sale of property in name of Trinity Outreach Ministry, parcel 617-515-004-07-020-00 and refund College Investments \$423.97 and Intrepid \$410.35. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Bounds, seconded by Council Member Parker to approve request to void 2003 tax sale in the name of Senior Center of Pearl River County, parcel 617-623-004-01-001-00 and refund S & S Properties the amount of \$2,818.48. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Bounds, seconded by Council Member Parker to approve request to void 2003 tax sale in the name of Gwendolyn Hernandez and refund David Daley \$34.73. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO SET PUBLIC HEARINGS FOR PROPERTY CLEAN UP

Motion was made by Council Member Bounds, seconded by Council Member Parker to set the date of September 20, 2005 for public hearing for property clean up on two lots between 2618 and 2624 Jackson Landing Road, owner Timothy Moss. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MEETING DATED AUGUST 2, 2005

Motion was made by Council Member Bounds, seconded by Council Member Parker to set the date of September 20, 2005 for public hearing for property clean up for 926 Third Street, owner Robert Lee McDougle. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Bounds, seconded by Council Member Parker to set the date of September 20, 2005 for public hearing for property clean up for 930 Third Street, owner Pearline Thomas Dees. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Bounds, seconded by Council Member Parker to set the date of September 20, 2005 for public hearing for property clean up for at 1111 Rosa Street, owner James Rancifer. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Bounds, seconded by Council Member Parker to set the date of September 20, 2005 for public hearing for property clean up for 1203 Blackwell Lane, owner Kelly Johnson. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Bounds, seconded by Council Member Parker to set the date of September 20, 2005 for public hearing for property clean up for 2104 Walker Street, owner Elaine Johnson, MLA Properties LTD and FUNB. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

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 Bounds, to approve the docket for the month of August 2005 in the amount of \$596,883.06. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Council Member Guy entered the meeting at this point.

ORDER TO APPROVE BLUE STAR MEMORIAL

Motion was made by Council Member Bounds, seconded by Council Member Turnage to approve request to accept the Picayune Garden Club's offer to purchase a Blue Star Memorial Marker and the City of Picayune agreed to install on Memorial Blvd. as a tribute to the American Armed Forces. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO AMEND AGENDA

Motion was made by Council Member Parker, seconded by Council Member Guy to amend agenda to include a request to advertise the resources of the City at the Return to Space event at Stennis Space Center. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ADVERTISE RESOURCES

Motion was made by Council Member Guy, seconded by Council Member Watkins to approve \$300 for table sponsorship for the City at the "Return to Space" celebration to be held at Stennis on September 3, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

PRESENTATION OF TRAFFIC IMPACT ANALYSIS

A presentation was made by Charles Hill of Neel-Schaffer, Inc. on the Traffic Impact Study in which The City of Picayune authorized Neel-Schaffer, Inc. to perform for the existing Wal-Mart and new Commercial Development. The Council requested cost information and copies of the study to be provided and would address it on August 16.

APPROVE REQUEST TO CONNECT TO CITY WATER

Motion was made by Council Member Parker, seconded by Council Member Turnage to approve request from George Procell to connect to City water and sewer with Mr. Procell paying all cost. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACCEPT GRANT AWARD

Motion was made by Council Member Turnage, seconded by Council Member Guy to accept FAA grant award in the amount of \$329,740 to construct Aviation Terminal Building and authorize the Mayor to sign. The total cost of the Terminal is \$369,250 with the City's paying of \$19,755 and State paying \$19,755. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACCEPT BID

Motion was made by Council Member Guy, seconded by Council Member Watkins to award bid to Construct Aviation Terminal Building to Reflectech, bid amount \$349,250. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO AMEND GRANT AGREEMENT

Motion was made by Council Member Parker, seconded by Council Member Guy to amend Grant Agreement by and between the Federal Transit Administration (FTA) and the City of Picayune for the construction of the Intermodal Center to extend the Project Completion Date. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACCEPT DONATION

Motion was made by Council Member Watkins, seconded by Council Member Turnage to accept donation in the amount of \$30.00 for DARE Program. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO SUPLUS RADIOS

Motion was made by Council Member Guy, seconded by Council Member Watkins to authorize surplus of portable and mobile radios in order to trade-in and upgrade. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO AMEND AGENDA

Motion was made by Council Member Bounds, seconded by Council Member Turnage to amend the agenda to include request concerning FEMA Grant. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE CHIEF BROWN AS AGENT

Motion was made by Council Member Bounds, seconded by Council Member Turnage to approve request to designate Chief Keith Brown as applicant agent for the City of Picayune for the purpose of obtaining and administering federal financial assistance from FEMA following Hurricane Dennis, Disaster # FEMA 1594-DR-MS. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO AMEND AGENDA

Motion was made by Council Member Guy, seconded by Council Member Watkins to amend the agenda for executive session to include Contractual matters with Troncoso Development and Waste Management. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Guy, Watkins, and Turnage.

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Council Member Bounds exited the meeting at this time.

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

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

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watkins and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Guy, seconded by Council Member Turnage to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watkins and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matters with Advanced Windows
2. Contractual matters with Memorial Blvd/ East Jerusalem
3. Contractual matter with Utilities to Stuart Property
4. Contractual matters with Telly Road Project
5. Contractual matters with Comprehensive Plan
6. Contractual matters with Troncoso Development
7. Contractual matters with Waste Management

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, Watkins and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Council Member Guy exited the meeting at this time.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Parker seconded by Council Member Turnage, to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watkins and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE COUNTER OFFER TO ALLIANCE WINDOWS

Motion was made by Council Member Parker, seconded by Council Member Watkins to approve proposed counter-offer for Alliance Window System. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watkins and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO DISMISS ACTION

Motion was made by Council Member Parker, seconded by Council Member Watkins to authorize Nathan Farmer, City Attorney to dismiss action pending in Circuit Court for Eminent Domain against John McKeen and Circle Corp. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watkins and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE ORDINANCE

Motion was made by Council Member Parker, seconded by Council Member Watkins to authorize City Clerk to prepare an ordinance for Council approval that provides for an adjustment in garbage fees to increase/decrease at the same percentages specified in the contract of the service provider, (currently Waste Management is service provider). The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watkins and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO RECESS

Motion was made by Council Member Watkins, seconded by Council Member Parker to recess until August 4, 2005 at 6:00 p.m. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watkins and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Michelle Berdux, Chief Deputy City Clerk

RECESSED MEETING DATED AUGUST 4, 2005

**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 in Courtroom of the Criminal Justice Center in said City, Tuesday, August 4, 2005, at 6:00 p.m. in regular session with the following officials present: Council Members Donald Parker, Anna Turnage, Larry Watkins and Leavern Guy, City Manager Reggie Frierson, City Attorney Nathan Farmer, City Clerk Cindy Cole.

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

Opening prayer was given by Council Member Parker, followed by the Pledge of Allegiance led by Council Member Watkins.

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

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

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Guy and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Guy, seconded by Council Member Watkins to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Guy and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matters with Troncoso Development
2. Contractual matters with Comprehensive Plan

RECESSED MEETING DATED AUGUST 4, 2005

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Guy and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Guy, seconded by Council Member Watkins, to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Guy and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACCEPT TRONCOSO DEVELOPMENT OFFER

Motion was made by Council Member Turnage, seconded by Council Member Watkins to accept \$66,500 from Troncoso Development for the closure of Vaughn Street and the cost of making improvements to McGeehee Street from Vaughn Street to Hwy 43 with Troncoso Development responsible for moving all utilities and paying all cost associated with moving utilities in connection with the Vaughn Street closure. The following roll call was taken:

VOTING YEA: Council Members Turnage, Parker, Guy and Watkins

VOTING NAY: Mayor Mitchell

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Guy, seconded by Council Member Parker to approve the issuance of the following manual checks:

Nathan Farmer Utility Fund \$108,750.00
(Purchase Sheffield Property)

The following roll call was taken:

RECESSED MEETING DATED AUGUST 4, 2005

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Guy and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO RECESS

Motion was made by Council Member Turnage, seconded by Council Member Watkins to recess until August 16, 2005 at 6:00 p.m. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Guy and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Cindy Cole, City Clerk

**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 in the Courtroom of the Criminal Justice Center in said City, Tuesday, August 16, 2005, at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Larry Watkins, Anna Turnage, Donald Parker, and Jerry Bounds, City Manager Reggie Frierson, City Attorney Nathan Farmer, City Clerk Cindy Cole, Fire Chief Keith Brown and Police Chief Jim Luke.

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

Opening prayer was given by Council Member Donald Parker, followed by the Pledge of Allegiance led by Council Member Larry Watkins.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Watkins, seconded by Council Member Bounds to approve the minutes of the Mayor and City Council dated August 2, and August 4, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Watkins, seconded by Council Member Bounds to approve the issuance of the following manual checks:

<u>To</u>	<u>Fund</u>	<u>Amount</u>	<u>For</u>
Nathan Farmer	2005 G O Bond (Gen/Util)	\$ 7500.00	Attorney's fees for G O Bond Series
Travis Kennedy	Friendship Park Fund	\$14,473.74	Kids Kingdom bathroom & pump construction at Friendship Park

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE THE RECEIPT OF MONTHLY PRIVILEGE LICENSE REPORT

Motion was made by Council Member Watkins, seconded by Council Member Bounds to acknowledge receipt of the Monthly Privilege License Report for the month of July 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE THE RECEIPT OF MONTHLY PUBLIC RECORDS REPORT

Motion was made by Council Member Watkins, seconded by Council Member Bounds to acknowledge receipt of the Monthly Public Records report for the month of July 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE THE RECEIPT OF MONTHLY BUDGET REPORTS

Motion was made by Council Member Watkins, seconded by Council Member Bounds to acknowledge receipt of the Monthly Budget Reports for the month of August 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACCEPT PLANNING COMMISSION MINUTES

Motion was made by Council Member Watkins, seconded by Council Member Bounds to accept Planning Commission minutes dated July 12, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF PLANNING COMMISSION MINUTES

Motion was made by Council Member Watkins, seconded by Council Member Bounds to acknowledge receipt of Planning Commission minutes date August 11, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACCEPT BID

Motion was made by Council Member Bounds, seconded by Council Member Watkins to accept low bid for Mosquito Spray and Mineral Oil. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

ABSENT AND NOT VOTING: Council Member Guy

The motion was declared carried.

Council Member Guy entered the meeting at this time.

ORDER TO APPROVE MEMORANDUM OF UNDERSTANDING

Motion was made by Council Member Parker, seconded by Council Member Watkins to approve Memorandum of Understanding from Pearl River Valley Opportunity, Inc to provide direct cash assistance, when available to low income households to offset the high cost of energy. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy, and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE VERSION 1 OF ORDINANCE NO 798

Motion was made by Council Member Watkins, seconded by Council Member Turnage to approve of and authorize Mayor to execute Ordinance 798 to increase garbage rates 2.5% to adjust to the increased cost to the City from Waste Management. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy, and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDINANCE NO. 798

AN ORDINANCE TO AMEND ORDINANCE NO. 795 (AN ORDINANCE TO AMEND ORDINANCE NO. 786 WHICH WAS AN AMENDMENT TO AN ORDINANCE TO AMEND ORDINANCE NO. 715 WHICH WAS AN AMENDMENT TO SECTION 1 OF ORDINANCE NO. 334 REGULATING THE PLACING AND HANDLING OF TRASH AND GARBAGE AND THE COLLECTION THEREOF IN THE CITY OF PICAYUNE.) Be it Ordained by the City Council of the City of Picayune, Pearl River County, Mississippi, In Meeting Duly Assembled:

SECTION 1. That Section 1 Ordinance No. 795 shall be amended and when amended shall read as follows:

Section 1. That a garbage collection fee be set for all residential places at \$14.35 per month and that the garbage collection fee for all commercial places shall be \$16.05 per month; that the residential and commercial rates shall be adjusted annually to increase/decrease at the same percentage as specified in the contract by and between the City of Picayune and the garbage collection service provider for the City of Picayune, that the City of Picayune shall furnish each such resident a sufficient number of garbage bags for using two each week.

SECTION 2. That any ordinance or section of any ordinance in conflict herewith is hereby repealed.

SECTION 3. Should any section, clause, paragraph, provision, or part of this ordinance for any reason be held invalid or unconstitutional by an Court of competent jurisdiction, this act shall not affect the validity or any other section, clause, paragraph, provision, or provisions, and completely severable from all other portions.

Conflict in any case where a provision of this ordinance is found to be in conflict with the provision of any other ordinance or code of the City of Picayune, Mississippi, existing on the effective date of this ordinance, the provisions of this ordinance shall take precedence.

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Guy, Bounds, Turnage, Parker and Watkins

VOTING NAY: None.

The motion having received the affirmative vote of the majority of the members present, the Mayor declared the motion carries and the ordinance passes, approved and adopted on this the 16th day of August 2005.

Greg Mitchell, Mayor

ATTEST:

Deputy City Clerk

ORDER TO CHANGE REQUEST FOR RAILROAD CLOSING

Motion was made by Council Member Guy, seconded by Council Member Parker that this matter be continued until Thursday, August 18, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Guy, and Turnage

VOTING NAY: Council Members Bounds, Watkins

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE HOME OCCUPATION LICENSE

Motion was made by Council Member Parker, seconded by Council Member Guy to approve Home Occupation License for Mrs. Bonnie Doming, 410 Country Club Drive to operate a phone service for home improvement field. Service only, no stock in trade. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy, and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE SIGN VARIANCE

Motion was made by Council Member Guy, seconded by Council Member Bounds to approve 5 ½' sign variance as requested by Bell Signs, Inc. for Home Depot. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy, and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE PRELIMINARY PLAN

Motion was made by Council Member Bounds, seconded by Council Member Watkins to approve Preliminary Plan for Berrywood Subdivision Phase 3. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy, and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE PRELIMINARY PLAN

Motion was made by Council Member Bounds; seconded by Council Member Turnage to approve Preliminary Plan for The Woods Subdivision Phase X. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy, and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE PRELIMINARY PLAN

Motion was made by Council Member Bounds, seconded by Council Member Turnage to approve Preliminary Plan for Bluffs Plantation. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy, and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO CONSIDER PRELIMINARY PLAN CHANGE FOR TRONCOSO DEVELOPMENT

No action needed.

ORDER TO WAIVE PERMIT FEES

Motion was made by Council Member Bounds, seconded by Council Member Turnage to authorize Code Enforcement to waive building, electrical, HVAC and plumbing fees for construction of Intermodal Center. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy, and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO REJECT BIDS ON EVIDENCE BUILDING

Motion was made by Council Member Guy, seconded by Council Member Watkins to reject all bids on Evidence Building and advertise for bids on Metal building to include building template layout on City's new concrete slab. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy, and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO AMEND ORDINANCE NO 612

Motion was made by Council Member Guy, seconded by Council Member Turnage to amend Ordinance No 612, "Animal Control Ordinance" to reflect Animal Control Officer shall be authorized to issue a summons only for the purpose of CALEA. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy, and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACCEPT GRANT AWARD

Motion was made by Council Member Guy, seconded by Council Member Turnage to accept Fiscal Year 2005 Homeland Security Grant Award from MS Dept of Public Safety in the amount of \$14,272 which is a 100% grant. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy, and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACCEPT GRANT AWARD

Motion was made by Council Member Parker, seconded by Council Member Guy to accept Fiscal Year 2005 Law Enforcement Grant Award from MS Dept of Public Safety in the amount of \$8,348, which is a 100% grant.. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy, and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO CONSIDER REQUEST TO REJECT BIDS

Motion was made by Council Member Watkins, seconded by Council Member Turnage to reject all bids on construction of new fire station and authorize to bid for separate components to construct new fire station. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy, and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AIRPORT

Received letter to approve CAP Loan 3% for 20 Years T-Hangars

*Nathan Farmer announced property cleanup hearing would be postponed until first September meeting.

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

Motion was made by Council Member Parker, seconded by Council Member Turnage to enter a closed session to determine the need for an executive session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy, and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Parker, seconded by Council Member Turnage to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy, and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matters with Centraplex
2. Contractual matters with Rheogistic's
3. Contractual matter with East Jerusalem Street
4. Contractual matter with Phillips Aviation
5. Telly Road Project
6. Contractual matter with Neel-Schaffer (Traffic Study)
7. Contractual matter with Meter reading and billing
8. Contractual matter with MS Action for Progress

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy, and Turnage

VOTING NAY: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Council Member Parker exited meeting during Executive Session.

At the conclusion of executive session, motion was made by Council Member Bounds, seconded by Council Member Turnage to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Bounds, Watkins, Guy, and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO DRAFT CONTRACT WITH PHILLIPS AVIATION

Motion was made by Council Member Turnage, seconded by Council Member Watkins to authorize Nathan Farmer to draft a contract with Phillips Aviation and authorize Mayor and Clerk to execute said contract. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Bounds, Watkins, Guy, and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO RECESS

Motion was made by Council Member Turnage, seconded by Council Member Watkins to recess until Thursday, August 18, 2005 at 5:00 p.m. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Bounds, Watkins, Guy, and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Michelle Berdux, Chief Deputy City Clerk

**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 in the Courtroom of the Criminal Justice Center in said City, Thursday, August 18, 2005, at 5:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Larry Watkins, Anna Turnage, Jerry Bounds, and Leavern Guy, City Manager Reggie Frierson, and Deputy City Clerk Michelle Berdux.

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

Opening prayer was given by Council Member Larry Watkins, followed by the Pledge of Allegiance led by Council Member Anna Turnage.

ORDER TO APPROVE CHANGE ORDER #1 ON CONTRACT WITH HUEY STOCKSTILL

Motion was made by Council Member Bounds, seconded Council Member Guy to approve change order #1 in the amount of \$31,387.75 on contract with Huey Stockstill, Inc. for Railroad Access Road Project with the total of contract now being \$97,604.57 and to authorize Mayor to sign said change order. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Turnage, Guy and Bounds.

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Council Member Donald Parker entered meeting at this time.

City Clerk Cindy Cole entered meeting at this time.

City Attorney Nathan Farmer entered meeting at this time.

ORDER TO TABLE CONTRACT WITH KANDUIT CONSTRUCTION FOR INTERMODAL TRANSPORTATION CENTER

Motion was made by Council Member Bounds, seconded by Council Member Turnage that this matter be continued until Tuesday, September 6, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds.

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Budget Workshop

ORDER TO RECESS

Motion was made by Council Member Bounds, seconded by Council Member Turnage to recess until Tuesday, September 6, 2005 at 5 p.m. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds.

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Cindy Cole, City Clerk

**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, Saturday, August 27, 2005, at 10:00 a.m. in special called session with the following officials present: Mayor Greg Mitchell, Council Members Leavern Guy, Larry Watkins, Anna Turnage, and City Manager Reggie Frierson. Council Member Donald Parker and Jerry Bounds were absent.

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

Opening prayer was given by Larry Watkins, followed by the Pledge of Allegiance led by Mayor Greg Mitchell.

APPROVE REQUEST TO DECLARE A STATE OF EMERGENCY DUE TO HURICANE KATRINA

Motion was made by Council Member Guy, seconded by Council Member Turnage to Declare a State of Emergency due to conditions of extreme peril to the safety of persons and property have arisen within the City of Picayune, caused by Hurricane Katrina being located off the Mississippi Gulf Coast and authorize Mayor and City Council Members to execute declaration.

PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY
(City of Picayune)

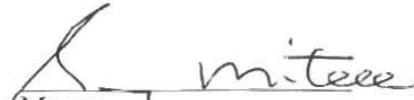
WHEREAS, the Mayor and City Council of the City of Picayune does hereby find that conditions of extreme peril to the safety of persons and property have arisen within said City of Picayune, caused by **Hurricane Katrina** commencing on or about August 27, 2005; and

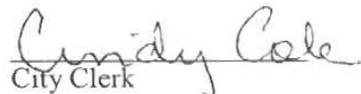
Whereas, the aforesaid conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency in order to provide for the health and safety of the citizens and the protection of their property within the affected jurisdiction;

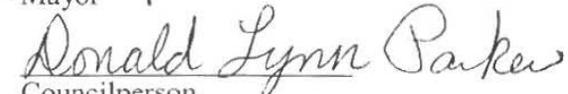
NOW, THEREFORE, IT IS HEREBY PROCLAIMED that in accordance with Section 33-15-17(d), Mississippi Code of 1972, as amended, a local emergency now exists throughout said City; and shall be reviewed every seven (7) days until such local emergency is no longer in effect and proclaimed terminated by the City Council of the City of Picayune, State of Mississippi.

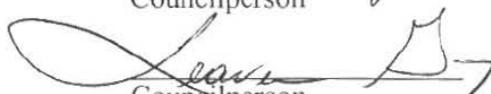
IT IS FURTHER PROCLAIMED AND ORDERED that all City of Picayune agencies and departments shall render all possible assistance and discharge their emergency responsibilities as set forth in the City of Picayune Emergency Operations Plan.

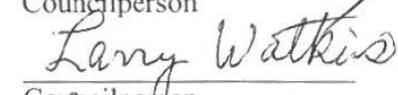
Dated: 8/27/05

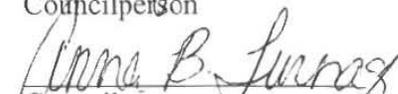

Mayor

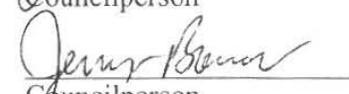
ATTEST:

City Clerk


Councilperson


Councilperson


Councilperson


Councilperson


Councilperson

The following roll call was made:

VOTING YEA: Mayor Greg Mitchell, Council Members Guy, Turnage, and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker, and Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

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

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

The following roll call was made:

VOTING YEA: Mayor Greg Mitchell, Council Members Guy, Turnage, and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: Council Member Parker and Bounds

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Guy, seconded by Council Member Turnage to return to regular session.

The following roll call was made:

VOTING YEA: Mayor Greg Mitchell, Council Members Guy, Turnage, and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker and Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO RECESS

Motion was made by Council Member Guy, seconded by Council Member Turnage to recess until Tuesday, March 30, 2005.

The following roll call was made:

VOTING YEA: Mayor Greg Mitchell, Council Members Guy, Turnage, and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker and Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Cindy Cole, City Clerk

**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 in the City Manager's office of City Hall in said City, Friday, September 2, 2005, at 9:00 a.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Anna Turnage, Larry Watkins, and Leavern Guy, Police Chief Jim Luke, Deputy Police Chief Tom Milar, and Barbara McGrew.

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

Opening prayer was given by Barbara McGrew, followed by the Pledge of Allegiance led by Council Member Leavern Guy.

ORDER TO PROVIDE DUMPSTER

Motion was made by Council Member Guy, seconded by Council Member Watkins to provide a dumpster behind First Baptist Church of Picayune for Virginia Baptist Mission Group.

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Parker and Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO DECLARE STATE OF EMERGENCY

Motion was made by Council Member Watkins, seconded by Council Member Guy to declare a state of emergency of sewer system for the City of Picayune and that generators are needed to keep system running at treatment plant.

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Parker and Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO RECESS

Motion was made by Council Member Guy, seconded by Council Member Turnage to recess until Saturday, September 3, 2005 at 9:00 a.m.

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Parker and Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Cindy Cole, City Clerk

**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 in the City Manager's office of City Hall in said City, Friday, September 2, 2005, at 9:00 a.m. in regular session with the following officials present: Council Members Donald Parker, Anna Turnage, Larry Watkins, and Leavern Guy, City Manager Reggie Frierson, City Clerk Cindy Cole, Police Chief Jim Luke, City Attorney Nathan Farmer, Deputy Fire Chief John Mark Mitchell, Ken Donald, Louise Cochran, and Diane Miller

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

Opening prayer was given by Police Chief Jim Luke, followed by the Pledge of Allegiance led by Council Member Larry Watkins.

- *Ken Donald announced that Evergreen Group will set up at Picayune Airport. 90-120 days self-contained. Needs generator power for airport and he needs to order a load of AVGAS.*
- *Jim Luke announced there were 2 police officers from Georgia and 10 troopers from Florida (some Game & Fish). Next 48 hours our police department will get relief. Stage all personnel coming in at Centraplex. Banks will open today.*
- *Nathan Farmer will prepare regulation to commandeer gas at KeithCo. Under emergency management statute City Manager is vested with additional power. No action required since Council declared emergency situation.*
 - *Every seven days must meet to determine if it is still an emergency situation.*
- *Reggie Frierson – gas is okay now.*
 - *Flooded with 18-wheelers loaded with goods, get list to City Clerk.*
 - *Beatrice, Nebraska adopted Picayune.*
 - *Red Cross needs generators.*

Crews will work ½ day today (Saturday)

Street 2 men
Gas 2 men
Water 2 men
Sunday off – on call
Monday off – on call

- *Anna Turnage – Get lists of people on Medicare or Medicaid to send nurses out to check on them.*

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

Motion was made by Council Member Watkins, seconded by Council Member Turnage to enter a closed session to determine the need for an executive session. The following roll call was taken:

VOTING YEA: Council Members Guy, Parker, Turnage, and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Watkins, seconded by Council Member Turnage to return to regular session. The following roll call was taken:

VOTING YEA: Council Members Guy, Parker, Turnage, and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Bounds

RECESSED MEETING DATING SEPTEMBER 3, 2005

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matters concerning debris clean up

The following roll call was taken:

VOTING YEA: Council Members Guy, Parker, Turnage, and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Watkins, seconded by Council Member Turnage to return to regular session. The following roll call was taken:

VOTING YEA: Council Members Guy, Parker, Turnage, and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO AMEND HANDBOOK

Motion was made by Council Member Watkins, seconded by Council Member Turnage to amend the handbook to reflect that employees working more than 40 hours, including salary employees, during Civil Emergencies will be paid overtime by FEMA. This was effective July 15, 2005. The following roll call was taken:

VOTING YEA: Council Members Guy, Parker, Turnage, and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RECESSED MEETING DATING SEPTEMBER 3, 2005

ORDER TO SECURE LINE OF CREDIT

Motion was made by Council Member Watkins, seconded by Council Member Turnage to authorize City Clerk Cindy Cole to secure a \$1,000,000.00 line of credit for 6 months with interest due at maturity, to authorize Mayor and City Clerk to execute necessary documents and authorize the law firm of Butler, Snow, O'Mara, Stevens & Canada, PLLC, Jackson, Mississippi, as Bond Counsel, to assist and prepare such documents necessary in order to facilitate the line of credit. The following roll call was taken:

VOTING YEA: Council Members Guy, Parker, Turnage, and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

On August 29, 2005, Hurricane Katrina struck the Mississippi Gulf Coast as a Class 4 Hurricane and continued inland throughout the Southern and Eastern parts of the State of Mississippi resulting in loss of life, substantial destruction and damage to infrastructure, buildings, residences and other structures in Southern and Eastern Mississippi. A significant portion of the State has been declared a federal disaster area and the City is included in this area. Recovery efforts are continuing throughout the State and in the City. Hurricane Katrina has created an emergency in the City and pursuant to Section 21-35-19; the City may borrow money without notice or a hearing so as to meet the needs created by such emergency. The City is establishing a line of credit with the First Bank, which may be drawn upon at anytime; payable within 6 months with interest accruing at 3.25% and such obligation of the City is a qualified tax-exempt obligation within the definition of Section 265 of the Internal Revenue Code. In order to prepare the necessary documents for the line of credit, it is in the best interest of the City to authorize the law firm of Butler, Snow, O'Mara, Stevens & Canada, PLLC, Jackson, Mississippi, as Bond Counsel, to assist and prepare such documents necessary in order to facilitate the line of credit. This line of credit was unanimously approved by the City.

ORDER TO ADJOURN

Motion was made by Council Member Parker, seconded by Council Member Turnage to adjourn. The following roll call was taken:

VOTING YEA: Council Members Guy, Parker, Turnage, and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Cindy Cole, City Clerk

**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 in the City Manager's office of City Hall in said City, Monday, September 5, 2005, at 9:00 a.m. in regular session with the following officials present: Council Members Larry Watkins, Anna Turnage, Donald Parker and Leavern Guy, City Attorney Nathan Farmer, City Clerk Cindy Cole, Ken Donald, Shane Whitfield and Diane Miller.

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

Opening prayer was given by Council Member Donald Parker, followed by the Pledge of Allegiance led by City Clerk Cindy Cole.

- *Diane Miller – FEMA will reimburse for chainsaws and generators if receipted before September 28, 2005.*

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

Motion was made by Council Member Parker, seconded by Council Member Watkins to enter a closed session to determine the need for an executive session. The following roll call was taken:

VOTING YEA: Council Members Guy, Turnage, Watkins and Parker

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Parker, seconded by Council Member Watkins to return to regular session. The following roll call was taken:

VOTING YEA: Council Members Guy, Turnage, Watkins and Parker

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matters concerning debris clean up.

The following roll call was taken:

VOTING YEA: Council Members Guy, Turnage, Watkins and Parker

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

MEETING DATED SEPTEMBER 5, 2005

At the conclusion of executive session, motion was made by Council Member Parker, seconded by Council Member Turnage to return to regular session. The following roll call was taken:

VOTING YEA: Council Members Guy, Turnage, Watkins and Parker

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO RECESS

Motion was made by Council Member Parker, seconded by Council Member Turnage to recess until Monday, September 5, 2005 at 3:00 p.m. The following roll call was taken:

VOTING YEA: Council Members Guy, Turnage, Watkins and Parker

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Michelle Berdux, Chief Deputy City Clerk

**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 in the City Manager's office of City Hall in said City, Tuesday, September 5, 2005 at 3:00 p.m. in regular session with the following officials present: Council Members Leavern Guy, Larry Watkins, Donald Parker, and Anna Turnage, City Manager Reggie Frierson, City Attorney Nathan Farmer, and City Clerk Cindy Cole.

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

Opening prayer was given by Council Member Donald Parker, followed by the Pledge of Allegiance led by Darrin Dennis.

- *City Clerk Cindy Cole– move community store to Resurrection Life, join with Alan Hickman.*
- *Police Chief Jim Luke – Florida group 6:00 p.m. 09/05/05 until 6:00 p.m. 09/06/05. Military here to keep peace, detain and hold for Police.*
- *Darrin Dennis – The following places now have generators- The Pines, the jail and WIC office. Still waiting for generators are Dr. Denney's office, Chimney Square and the Cemetery.*
- *Lorraine Hill – Disaster Food Stamps – not final. People can apply for Emergency Food Stamps whenever they are here. Must have ID, self-declared income today and less than \$2,000.00 in the bank. These will possibly be available for 5 days. If you are eligible in September for regular food stamps then your card had already been loaded with September benefits in the maximum amount.*

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

Motion was made by Council Member Watkins, seconded by Council Member Turnage to enter a closed session to determine the need for an executive session. The following roll call was taken:

VOTING YEA: Council Members Guy, Watkins, Parker, and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Watkins, seconded by Council Member Turnage to return to regular session. The following roll call was taken:

VOTING YEA: Council Members Guy, Watkins, Parker, and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matters concerning debris clean up.

The following roll call was taken:

VOTING YEA: Council Members Guy, Watkins, Parker, and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Watkins, seconded by Council Member Turnage to return to regular session. The following roll call was taken:

VOTING YEA: Council Members Guy, Watkins, Parker, and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ADJOURN

Motion was made by Council Member Watkins, seconded by Council Member Turnage to adjourn. The following roll call was taken:

VOTING YEA: Council Members Guy, Watkins, Parker, and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Michelle Berdux, Chief Deputy City Clerk

**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 in the City Manager's office of City Hall in said City, Tuesday, September 6, 2005, at 5:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Larry Watkins, Anna Turnage, Donald Parker, Jerry Bounds, and Leavern Guy, City Attorney Nathan Farmer, City Clerk Cindy Cole.

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

Opening prayer was given by Glade Woods, followed by the Pledge of Allegiance led by Council Member Jerry Bounds.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Guy, seconded by Council Member Turnage to approve the issuance of the following manual checks:

<u>To</u>	<u>Fund</u>	<u>Amount</u>	<u>For</u>
City of Picayune, General Fund	Utility	NTE \$60,000.00	Transfer of garbage fees for August 2005
MS State Tax Commission	Utility	NTE \$4,500.00	Sales tax collections for August 2005
Brenda Smith	General	\$450.00	Janitorial service September payment
Dale Smith	General	\$450.00	Janitorial service September payment
Dungan Engineering, P A	Utility	\$750.00	FEMA flood mitigation survey
City of Picayune, Fire Dept	Utility	\$500.00	Asbestos inspection, FEMA flood mitigation project
Global Valuation Services, Inc	Utility	\$450.00	Appraisal, FEMA flood mitigation project
Nathan Farmer, P A	Utility	\$500.00	Attorney's fee, FEMA flood mitigation project
KeithCo	General	NTE\$5,500.00	Purchase of gas for city vehicles

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

Motion was made by Council Member Bounds, seconded by Council Member Guy to enter a closed session to determine the need for an executive session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

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 Bounds, seconded by Council Member Guy to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matters concerning meter reading
2. Emergency management matters

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Bounds, seconded by Council Member Guy to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO TABLE CONTRACTUAL MATTERS WITH METER READING

Motion was made by Council Member Watkins, seconded by Council Member Parker to table this matter until a later date. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO RECESS

Motion was made by Council Member Bounds, seconded by Council Member Guy to recess until Wednesday, September 7, 2005 at 9:00 a.m. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Michelle Berdux, Chief Deputy City Clerk

**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 in the City Manager's office of City Hall in said City, Wednesday, September 7, 2005, at 5:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Larry Watkins, Anna Turnage, Jerry Bounds, and Leavern Guy, City Manager Reggie Frierson, City Attorney Nathan Farmer, City Clerk Cindy Cole.

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

Opening prayer was given by Will Sullivan, followed by the Pledge of Allegiance led by City Clerk Cindy Cole.

- *Nathan Farmer-*
- *Will we contract debris cleanup ourselves or Corp of Engineers?*
 - *FEMA*
 - *100% - 1st 60 days of qualified material*
 - *75/25 – after 60 days max 6 mos. – manual online of what is eligible*
 - *Must define scope of services – online*
 - *Corp of Engineers*
 - *Take it and do it all*
- *Disallowed in 2 ways*
 - *At time of loading*
 - *At end of all of this MEMA will audit and determine if we owe repayment*

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

Motion was made by Council Member Watkins, seconded by Council Member Turnage to enter a closed session to determine the need for an executive session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Watkins, seconded by Council Member Turnage to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matters concerning debris cleanup

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Bounds, seconded by Council Member Watkins to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO RECESS

Motion was made by Council Member Bounds, seconded by Council Member Watkins to recess until Thursday, September 8, 2005 at 6:00 p.m. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Michelle Berdux, Chief Deputy City Clerk

**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 in the City Manager's office of City Hall in said City, Thursday, September 8, 2005, at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Larry Watkins, Anna Turnage, Donald Parker, Jerry Bounds, and Leavern Guy, City Manager Reggie Frierson, City Attorney Nathan Farmer, and City Clerk Cindy Cole.

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

Opening prayer was given by Council Member Donald Parker, followed by the Pledge of Allegiance led by Deputy Police Chief Tom Milar.

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

Motion was made by Council Member Watkins, seconded by Council Member Turnage to enter a closed session to determine the need for an executive session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Turnage, Parker, Guy and Bounds

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 Watkins, seconded by Council Member Turnage to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Turnage, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matters concerning debris cleanup

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Turnage, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Parker, seconded by Council Member Watkins to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Turnage, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE CONTRACT RESOLUTION

Motion was made by Council Member Watkins, seconded by Council Member Turnage to approve resolution to endorse the County's contract for debris removal. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Turnage, Parker, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: Council Member Guy

The motion was declared carried.

ORDER TO APPROVE CONTRACT RESOLUTION

Motion was made by Council Member Bounds, seconded by Council Member Turnage to approve a resolution in respect to DHS office in Picayune. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Turnage, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO RECESS

Motion was made by Council Member Bounds, seconded by Council Member Turnage to recess until Friday, September 9, 2005 at 5 p.m. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Turnage, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Michelle Berdux, Chief Deputy City Clerk

**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 in the City Manager’s office of City Hall in said City, Friday, September 9, 2005, at 5:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Larry Watkins, Anna Turnage, Donald Parker, and Jerry Bounds, City Manager Reggie Frierson, City Attorney Nathan Farmer, and City Clerk Cindy Cole.

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

Opening prayer was given by Council Member Donald Parker, followed by the Pledge of Allegiance led by Mayor Greg Mitchell.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Watkins, seconded by Council Member Turnage to approve the issuance of the following manual checks:

<u>To</u>	<u>Fund</u>	<u>Amount</u>	<u>For</u>
KeithCo Petroleum	General	\$6,797.50	Gas purchases for City vehicles after Katrina
SPCA	General	\$2,503.33	Replacing Sept docket payment for monthly budgeted support

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Member Watkins, Parker, Turnage, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

- *Jasper Wells- MEMA*
 - *O/T Estimate – so we can expedite payments*
- *Right of Entry Agreement – Private property debris clearance*
 - *2 reason 33-15-49*
 - *remove debris to prevent further damage*
 - *health and safety hazard – take photos and good documents*
- *May or may not be reimbursed by FEMA*

ORDER TO DESIGNATE AGENT

Motion was made by Council Member Bounds, seconded by Council Member Turnage to name City Clerk as designated agent for reimbursements from FEMA and/or MEMA. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Member Watkins, Parker, Turnage, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

- *Brooks from Dungan Engineering – update on County wide contract*
 - *Contract expires October 28, 2005 if no extension is given*
 - *Start picking up debris beginning Tuesday*
 - *60 crews*
 - *30 days to make first (1st) pass*

- 45 days to make second(2nd) pass
- Debris should be sorted into three (3) classifications
 - Vegetative
 - Building & Demolition
 - White Goods

Council Member Guy entered the meeting at this time.

REQUEST TO PROVIDE TEMPORARY HOUSING

Motion was made by Council Member Guy, seconded by Council Member Watkins to take under advisement a request from Mark Formby to place a modular building behind his business to house 35 hospital workers. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Member Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO RECESS

Motion was made by Council Member Watkins, seconded by Council Member Turnage to recess until Saturday, September 10, 2005 at 9 a.m. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Member Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Michelle Berdux, Chief Deputy City Clerk

**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 in the City Manager's office of City Hall in said City, Saturday, September 10, 2005, at 9:00 a.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Larry Watkins, Anna Turnage, Donald Parker, and Jerry Bounds, City Manager Reggie Frierson, City Attorney Nathan Farmer, City Clerk Cindy Cole, and Police Chief Jim Luke.

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

Opening prayer was given by Council Member Larry Watkins, followed by the Pledge of Allegiance led by Mayor Greg Mitchell.

- *Reggie Frierson*
 - *Update on gas in City of Picayune*
 - *Grocery stores are open*
 - *Pump stations – 8 still on generators*
 - *Water wells back on electric power*
 - *Shelter down to 41*
 - *Will ask Red Cross to address Council Monday, September 12, 2005*
 - *Mosquito spray by air \$2.14 per acre – will check on this*
 - *Electricity*
 - *Coast Electric 80% by Monday*
 - *Mississippi Power 100 % by weekend*
 - *Disaster Food Stamps*
 - *Roseland Park Church*
 - *7:00 a.m. – 7:00 p.m. September 15th, 16th, 17th*
- *Glade Woods – Chimney Square will be inspected by EPA Monday. All keys must be turned in to the County.*

ORDER TO SET UP TEMPORARY HOUSING

Motion was made by Council Member Bounds, seconded by Council Member Watkins to allow City Manager to issue an executive order to set up temporary housing at Industrial Park. This is in response to a request made by Mark Formby on September 9, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

- *Nathan Farmer – FEMA, MEMA – minor changes to contract for debris cleanup*
- *Brooks Wallace – update contract for debris pickup, County will bid administration portion of contract*

ORDER TO TAKE DEBRIS CONTRACT UNDER ADVISEMENT

Motion was made by Council Member Parker, seconded by Council Member Turnage to take contract for debris pickup under advisement. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

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

Motion was made by Council Member Parker, seconded by Council Member Turnage to enter a closed session to determine the need for an executive session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Turnage, Parker and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Parker, seconded by Council Member Turnage to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Turnage, Parker and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matters concerning debris cleanup

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Member Watkins, Turnage, Parker and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Parker, seconded by Council Member Turnage to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Turnage, Parker and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO RECESS

Motion was made by Council Member Bounds, seconded by Council Member Turnage to recess until Monday, September 12, 2005 at 5:00 p.m. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Turnage, Parker and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

RECESSED MEETING DATED SEPTEMBER 10, 2005

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Michelle Berdux, Chief Deputy City Clerk

**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 in the City Manager's office of City Hall in said City, Monday, September 12, 2005, at 5:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Larry Watkins, Anna Turnage, Donald Parker, Leavern Guy and Jerry Bounds, City Attorney Nathan Farmer, City Clerk Cindy Cole, and Police Chief Jim Luke.

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

Opening prayer was given by Larry Williamson, followed by the Pledge of Allegiance led by Mayor Greg Mitchell.

- *Tom Milar – update on City of Picayune*
 - *Public safety FEMA will set office at MS Mall*
 - *Red Cross – 47 occupants in shelter*
 - *Goal – Business as usual by Monday, September 19, 2005*
- *Mayor – Read Commitment Letter from The First for LOC for \$1,000,000 at rate 3.25 for 6 mos.*

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

Motion was made by Council Member Bounds, seconded by Council Member Watkins to enter a closed session to determine the need for an executive session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Bounds, Guy, Watkins, Turnage and Parker

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 Bounds, seconded by Council Member Watkins to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Bounds, Guy, Watkins, Turnage and Parker

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matters with County contract
2. Possible sale of property, Industrial Park
Larry Williamson, Referred to Partners for Pearl River County

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Bounds, Guy, Watkins, Turnage and Parker

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Bounds, seconded by Council Member Watkins to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Bounds, Guy, Watkins, Turnage and Parker

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO AMEND RESOLUTION FOR DEBRIS REMOVAL CONTRACT

Motion was made by Council Member Guy, seconded by Council Member Turnage to amend resolution as directed by Council in light of revised contract for debris removal.

VOTING YEA: Mayor Mitchell, Council Member Bounds, Guy, Watkins, Turnage and Parker

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

ORDER TO ADOPT REVISED RESOLUTION

Motion was made by Council Member Guy, seconded by Council Member Parker to adopt Revised Resolution to enjoin Pearl River County in the debris removal contract with Huey Stockstill, Inc. . The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Bounds, Guy, Watkins, Turnage and Parker

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO RECESS

Motion was made by Council Member Bounds, seconded to Council Member Watkins to recess until Tuesday, September 20, 2005 at 6:00 p.m. with right to recall Council if necessary. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Bounds, Guy, Watkins, Turnage and Parker

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Michelle Berdux, Chief Deputy City Clerk

**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 in the City Manager's office of City Hall in said City, Thursday, September 15, 2005, at 5:00 p.m. in regular session with the following officials present: Council Members Larry Watkins, Anna Turnage, Donald Parker, Leavern Guy and Jerry Bounds, City Manager Reggie Frierson, City Attorney Nathan Farmer, and City Clerk Cindy Cole.

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

Opening prayer was given by Council Member Donald Parker, followed by the Pledge of Allegiance led by Council Member Bounds.

ORDER TO AMEND AGENDA

Motion was made by Council Member Bounds, seconded by Council Member Watkins to amend the Agenda to include Executive Session to discuss contractual matter. The following roll call was taken:

VOTING YEA: Council Members Parker, Bounds, Watkins, Guy and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Greg Mitchell

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

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

Motion was made by Council Member Bounds, seconded by Council Member Watkins to enter a closed session to determine the need for an executive session. The following roll call was taken:

VOTING YEA: Council Members Parker, Bounds, Watkins, Guy and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Greg Mitchell

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO RETURN TO REGULAR SESSION

Motion was made by Council Member Bounds, seconded by Council Member Watkins to return to regular session. The following roll call was taken:

VOTING YEA: Council Members Parker, Bounds, Watkins, Guy and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Greg Mitchell

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matter about securing office space.

The following roll call was taken:

VOTING YEA: Council Members Parker, Bounds, Watkins, Guy and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Greg Mitchell

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Watkins, seconded by Council Bounds to return to regular session. The following roll call was taken:

VOTING YEA: Council Members Parker, Bounds, Watkins, Guy and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Greg Mitchell

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO PROCURE ADDITIONAL OFFICE SPACE

Motion was made by Council Member Bounds, seconded by Council Member Parker to authorize City Manager to procure additional office space for City of Picayune. The following roll call was taken:

VOTING YEA: Council Members Parker, Bounds, Watkins, Guy and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Greg Mitchell

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE A RESOLUTION FOR EMERGENCY MEETING WITH PICAYUNE HOUSING AUTHORITY BOARD

Motion was made by Council Member Parker, seconded by Council Member Watkins to approve a resolution for City Manager to request an emergency meeting with Picayune Housing Authority Board on Friday, September 16, 2005 about housing problems. The following roll call was taken:

VOTING YEA: Council Members Parker, Bounds, Watkins, Guy and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Greg Mitchell

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE DOCKET

Motion was made by Council Member Bounds, seconded by Council Member Parker to approve the docket for the month of August 2005 in the amount of \$596,944.84. The following roll call was taken:

VOTING YEA: Council Members Parker, Bounds, Watkins, Guy and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Greg Mitchell

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

REQUEST TO ADOPT BUDGET FOR THE 2005-2006 FISCAL YEAR

Motion was made by Council Member Bounds, seconded by Council Member Watkins that the adoption of the Budget for Fiscal Year 2005-2006 be continued until Tuesday, September 20, 2005. The following roll call was taken:

VOTING YEA: Council Members Parker, Bounds, Watkins, Guy and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Greg Mitchell

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

REQUEST TO ADOPT MILLAGE RATE FOR FISCAL YEAR 2005-2006

Motion was made by Council Member Watkins, seconded by Council Member Bounds that the adoption of the millage rate for Fiscal Year 2005-2006 be continued until Tuesday, September 20, 2005. The following roll call was taken:

VOTING YEA: Council Members Parker, Bounds, Watkins, Guy and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Greg Mitchell

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

REQUEST TO ADOPT 2005 HANCOCK COUNTY TAX ROLL

Motion was made by Council Member Watkins, seconded by Council Member Bounds that adoption of the 2005 Hancock County tax roll be continued until Tuesday, September 20, 2005. The following roll call was taken:

VOTING YEA: Council Members Parker, Bounds, Watkins, Guy and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Greg Mitchell

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

REQUEST TO ADOPT THE 2005 PEARL RIVER COUNTY TAX ROLL

Motion was made by Council Member Watkins, seconded by Council Member Bounds that adoption of the 2005 Pearl River County tax roll be continued until Tuesday, September 20, 2005. The following roll call was taken:

VOTING YEA: Council Members Parker, Bounds, Watkins, Guy and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Greg Mitchell

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO AUTHORIZE CHANGE OF 2005 TAX SALE DATE

Motion was made by Council Member Watkins, seconded by Council Member Parker to allow the change of the 2005 tax sale date to Monday, September 26, 2005, after being postponed from Monday, August 29, 2005 due to Hurricane Katrina. The following roll call was taken:

VOTING YEA: Council Members Parker, Bounds, Watkins, Guy and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Greg Mitchell

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO RECESS

Motion was made by Council Member Parker, seconded by Council Member Turnage to recess until Tuesday, September 20, 2005 at 6:00 p.m. at the Criminal Justice Center. The following roll call was taken:

VOTING YEA: Council Members Parker, Bounds, Watkins, Guy and Turnage.

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Greg Mitchell

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Michelle Berdux, Deputy Chief City Clerk

**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 in the Courtroom of the Criminal Justice Center in said City, Thursday, September 22, 2005, at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Larry Watkins, Anna Turnage, and Jerry Bounds, City Manager Reggie Frierson, City Attorney Nathan Farmer, City Clerk Cindy Cole, Fire Chief Keith Brown and Police Chief Jim Luke.

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

Opening prayer was given by Barbara McGrew, followed by the Pledge of Allegiance led by Mayor Greg Mitchell.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Bounds, seconded by Council Member Turnage to approve the minutes of the Mayor and City Council dated August 16, 2005, August 18, 2005, September 2, 2005, September 3, 2005, September 5, 2005, a second set for September 5, 2005, September 6, 2005, September 7, 2005, September 8, 2005, September 9, 2005, September 10, 2005, September 12, 2005, and September 15, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

ABSTAINING AND NOT VOTING: None

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Bounds, seconded by Council Member Turnage to approve the issuance of the following manual checks:

<u>To</u>	<u>Fund</u>	<u>Amount</u>	<u>For</u>
AARC Conference Registration	General	\$295.00	AARC Conference in Tunica, MS for Carol Fitzwilliam
Reed Frierson	General	\$2,628.00	Emergency cleanup after Hurricane Katrina
BEI	General	\$8,920.00	Emergency cleanup after Hurricane Katrina
Phillip Stockstill Contracting	General	\$10,240.00	Emergency cleanup after Hurricane Katrina
Larry Albritton	General	\$3,577.50	Emergency cleanup after Hurricane Katrina
HCD Trucking	General	\$2,250.00	Emergency cleanup after Hurricane Katrina
Joey Fleming	General	\$2,400.00	Emergency cleanup after Hurricane Katrina
APG, Inc	General	\$58,663.06	Emergency cleanup after Hurricane Katrina

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE THE RECEIPT OF MONTHLY BUDGET REPORTS

Motion was made by Council Member Bounds, seconded by Council Member Turnage to acknowledge receipt of the Monthly Budget Report for the month of September 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER AUTHORIZING MAYOR TO SIGN QUITCLAIM DEED

Motion was made by Council Member Bounds, seconded by Council Member Turnage to authorize the Mayor's signature on quitclaim deed for 2002 taxes in the name of Gary Buie, parcel number 518-819-019-02-002-00. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ADVERTISE FOR SEMI-ANNUAL BIDS

Motion was made by Council Member Bounds, seconded by Council Member Turnage to advertise for Semi-Annual Bids. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY PUBLIC RECORD REQUESTS REPORT

Motion was made by Council Member Bounds, seconded by Council Member Turnage to acknowledge receipt of monthly public record requests report for the month of August 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ADOPT BUDGET FOR FISCAL YEAR 2005-2006

Motion was made by Council Member Bounds, seconded by Council Member Turnage to adopt the Budget for the 2005-2006 fiscal year. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ADOPT MILLAGE RATE FOR CITY OF PICAYUNE AND PICAYUNE SEPARATE SCHOOL DISTRICT FOR FISCAL YEAR 2005-2006

Motion was made by Council Member Bounds, seconded by Council Member Turnage to adopt millage rate for the City of Picayune and the Picayune Separate School District for the fiscal year 2005-2006 beginning October 1, 2005 and ending September 30, 2006. The following roll call was taken.

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDINANCE NO. 802

AN ORDINANCE FIXING THE LEVY FOR THE MUNICIPAL TAXES FOR THE CITY OF PICAYUNE, MISSISSIPPI FOR THE FISCAL YEAR 2005-2006, BEGINNING OCTOBER 1, 2005 AND ENDING SEPTEMBER 30, 2006

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PICAYUNE, MISSISSIPPI, AS FOLLOWS:

SECTION 1. That a levy for general and special municipal purposes of 25.50 mills on the dollar upon, real personal and fixed property within the corporate limits of the City of Picayune, Mississippi, taxable according to law, be and the same is hereby fixed and declared for the fiscal year 2005-2006, for the following purposes, to-wit:

GENERAL FUND	23.50
(Authority: Mississippi Code of 1972, Section 27-39-307)	
PEARL RIVER COUNTY LIBRARY SYSTEM	2.00
(Authority: Mississippi Code of 1972, Section 39-3-7)	
TOTAL FOR ALL MUNICIPAL PURPOSES	25.50

SECTION 2. That for good cause therefore, it being necessary to immediately transmit levy for approval of the State Tax Commission, it is ordered that this Ordinance take effect and be in full force and effect from and after its passage, but shall nevertheless be published and enrolled as provided by law.

The foregoing Ordinance, after having been first reduced to writing, was introduced by Council Member Bounds, seconded by Council Member Turnage, and was adopted by the following roll call vote:

VOTING YEA: Mayor Mitchell, Council Members Bounds, Turnage and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Parker and Guy

Whereupon the Mayor declared that the motion was carried and Ordinance adopted, on this 22nd day of September 2005.

Greg Mitchell, Mayor

Deputy City Clerk

ORDINANCE NO. 803

AN ORDINANCE FIXING THE LEVY FOR THE PICAYUNE SEPARATE SCHOOL DISTRICT FOR THE FISCAL YEAR 2005-2006, BEGINNING OCTOBER 1, 2005 AND ENDING SEPTEMBER 30, 2006

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PICAYUNE, MISSISSIPPI, AS FOLLOWS:

SECTION 1. That a levy of 56.50 mills on the dollar upon real, personal and fixed property within the Picayune Municipal Separate School District of Pearl River County and Hancock County, Mississippi, taxable according to law, be and the same is hereby fixed and declared for the fiscal year 2005-2006, for the following purposes, to-wit:

FOR SCHOOL COSTS	55.00
(Authority: Mississippi Code of 1972, Section 37-57-1, et.seq.)	
FOR COLLECTION COST	1.50
(Authority: Mississippi Code of 1972, Section 37-57-1, et. seq.)	
TOTAL FOR ALL SCHOOL PURPOSES	56.50

SECTION 2. That for good cause therefore, it being necessary to immediately transmit levy for approval of the State Tax Commission, it is ordered that this Ordinance take effect and be in full force and effect from and after its passage, but shall nevertheless be published and enrolled as provided by law.

The foregoing Ordinance, after having been first reduced to writing, was introduced by Council Member Bounds, seconded by Council Member Turnage, and was adopted by the following roll call vote:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Bounds and Watkins

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Parker and Guy

Whereupon the Mayor declared that motion was carried and the Ordinance adopted, on the 22nd day of September 2005.

Greg Mitchell, Mayor

Deputy City Clerk

ORDER TO ADOPT THE 2005 TAX ROLLS

Motion was made by Council Member Bounds, seconded by Council Member Watkins to adopt the 2005 tax rolls as prepared by Hancock County Tax Assessor/Collector as presented. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ADOPT THE 2005 TAX ROLLS

Motion was made by Council Member Watkins, seconded by Council Member Turnage to adopt the 2005 tax roll as prepared by Pearl River County Tax Assessor/Collector as presented. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ANNEX PROPERTY

Motion was made by Council Member Bounds, seconded by Council Member Watkins to annex property owned by Blaine E. Mitchell, Mike E. Mitchell, and Richard A. Mitchell. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDINANCE NO. 804

AN ORDINANCE ENLARGING THE CORPORATE LIMITS AND BOUNDARIES OF THE CITY OF PICAYUNE, PEARL RIVER COUNTY, MISSISSIPPI, DEFINING WITH CERTAINTY THE TERRITORY INCLUDED WITHIN THE CORPORATE LIMITS AND DEFINING THE ENTIRE BOUNDARY AS CHANGED BY THIS ORDINANCE, AND DESCRIBING IN GENERAL TERMS THE IMPROVEMENTS TO BE MADE IN THE ANNEXED TERRITORY AND DESCRIBING THE MUNICIPAL OR PUBLIC SERVICES WHICH ARE TO BE RENDERED IN THE ANNEXED TERRITORY

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PICAYUNE, MISSISSIPPI:

SECTION 1. That upon and after this Ordinance takes effect, the Corporate limits of the City of Picayune, Mississippi, shall be enlarged or extended by including therein the adjacent unincorporated territory situated in Pearl River County, Mississippi, described as follows, to-wit:

Beginning at the Northwest corner of Section 1, Township 6 South, Range 17 West, Pearl River County, Mississippi; thence South 00 degrees 44 minutes 56 seconds West a distance of 993.00 feet; thence East a distance of 207.84 feet; thence North 00 degrees 28 minutes 37 seconds East a distance of 663.57 feet; thence North 55 degrees 07 minutes 51 seconds East a distance of 558.82 feet; thence North 64 degrees 28 minutes 42 seconds East a distance of 238.09 feet; thence North 49 degrees 16 minutes 18 seconds East a distance of 393.46 feet; thence North 54 degrees 17 minutes 00 seconds East a distance of 185.24 feet; thence North a distance of 181.88 feet; thence North 00 degrees 08 minutes 31 seconds East a distance of 475.10 feet to the Southern top bank of Mill Creek; thence the next 26 calls approximate the top bank of Mill Creek; North 55 degrees 58 minutes 14 seconds West a distance of 81.37 feet; thence North 14 degrees 22 minutes 00 seconds East a distance of 45.80 feet; thence South 81 degrees 28 minutes 00 seconds West a distance of 123.33 feet; thence South 85 degrees 30 minutes 00 seconds West a distance of 74.84 feet; thence North 16 degrees 40 minutes 00 seconds West a distance of 48.32 feet; thence North 69 degrees 17 minutes 00 seconds West a distance of 93.42 feet; thence South 37 degrees 03 minutes 00 seconds West a distance of 68.02 feet; thence South 09 degrees 22 minutes 00 seconds West a distance of 88.62 feet; thence South 60 degrees 13 minutes 00 seconds West a distance of 28.10 feet; thence North 65 degrees 21 minutes 00 seconds West a distance of 74.95 feet; thence North 53 degrees 18 minutes 00 seconds West a distance of 87.50 feet; thence South 80 degrees 11 minutes 00 seconds West a distance of 40.08 feet; thence North 45 degrees 45 seconds 00 minutes West a distance of 156.62 feet; thence South 84 degrees 45 minutes 00 seconds a distance of 42.00 feet; thence North 14 degrees 34 minutes 00 seconds West a distance of 106.50 feet; thence South 32 degrees 50 minutes 00 seconds West a distance of 132.94 feet; thence North 48 degrees 27 minutes 00 seconds West a distance of 44.68 feet; thence North 48 degrees 24 minutes 00 seconds West a distance of 39.63 feet; thence North 06 degrees 45 minutes 00 seconds West a distance of 54.43 feet; thence South 23 degrees 16 minutes 00 seconds West a distance of 64.25 feet; thence South 54 degrees 28 minutes 00 seconds West a distance of 59.00 feet; thence South 33 degrees 28 minutes 00 seconds West a distance of 54.67 feet; thence North 33 degrees 13 minutes 00 seconds West a distance of 70.18 feet; thence North 38 degrees 56 minutes 00 seconds West a distance of 32.59 feet; thence North 60 degrees 07 minutes 00 seconds West a distance of 70.73 feet; thence South 49 degrees 00 minutes 00 seconds West a distance of 17.19 feet to the East right-of-way of US Highway 11; thence along the East right-of-way line of said highway South 11 degrees 11 minutes 48 seconds West a distance of 226.61 feet; thence South 21 degrees 16 minutes 38 seconds West a distance of 457.06 feet; thence South 11 degrees 11 minutes 48 seconds West a distance of 406.56 feet; thence South 89 degrees 01 minutes 22 seconds East a distance of 29.69 feet; thence South 11 degrees 25 minutes 09 seconds West a distance of 211.74 feet; thence North 89 degrees 01 minutes 22 seconds West a distance of 28.89 feet; thence South 11 degrees 10 minutes 34 seconds West a distance of 91.60 feet; thence North 89 degrees 14 minutes 17 seconds East a distance of 194.90 feet; thence South 02 degrees 27 minutes 21 seconds East a distance of 14.67 feet to the Point of Beginning. Said Parcel contains 42.30 acres, more or less, and being

situated in the Northwest Quarter of the Northwest Quarter of Section 1, the Southwest Quarter of the Southwest Quarter of Section 36, and the Southeast Quarter of the Southeast Quarter of Section 35, all of which being in Township 6 South, Range 17 West, Pearl River County, Mississippi.

LESS AND EXCEPT:

That parcel of land being the right-of-way 30 feet left and right of the centerline of Lakeshore Drive as described on a plat made by Lawrence L. Seal R.L.S. on November 13, 1997, Drawing No 254-97. Said parcel contains 2.31 acres, more or less.

The resulting area herein comprises 39.99 acres, more or less.

SECTION 2. That upon and after the date when this Ordinance takes effect the corporate limits and boundaries of the City of Picayune, Mississippi, as changed by this Ordinance shall be as follows, to-wit:

Beginning at the Southwest corner of the Northeast Quarter of the Southwest Quarter of Section 21, Township 6 South, Range 17 West, Pearl River County, Mississippi; thence South 200 feet, more or less, to the South right-of-way of Jackson Landing road; thence North 51 degrees 45 minutes East along the South side of said road 3360 feet, more or less, to the West right-of-way of the Pearl River Valley Railroad; thence South along said railroad 3250 feet, more or less, to the South line of Section 21, Township 6 South, Range 17 West; thence East along the South line of Section 21, 473.14 feet; thence South 00 degrees 11 minutes 29 seconds West 346.68 feet; thence East 1481.46 feet; thence 77.43 feet South; thence 2104.6 feet East; thence 424.11 feet North to a point on the South section line of Section 22; thence East along the South line of Section 22, 1006.11 feet, more or less, thence South 12 degrees 03 minutes 23 seconds West 1360.38 feet; thence South 89 degrees 12 minutes 12 seconds East 535.16 feet to an iron rod at the intersection with the Eastern margin of U.S. Highway 11; thence South 00 degrees 14 minutes 13 seconds East 655.51 feet to an iron rod; thence North 89 degrees 50 minutes 17 seconds East 248.61 feet to an iron pipe; thence South 00 degrees 08 minutes 05 seconds West 280.45 feet to an iron rod; thence North 89 degrees 46 minutes 50 seconds East 1073.60 feet to an iron rod; thence South 00 degrees 01 minutes 30 seconds East 1500.21 feet to an iron pipe being common to Section 26, 27, 34 and 35, Township 6 South, Range 17 West, then leaving said Southern margin run along section line common to Sections 34 and 35; thence South 00 degrees 01 minutes 30 seconds East 1500.21 feet to an iron pipe thence South 00 degrees 21 minutes 54 seconds East 1229.43 feet to an iron pipe; thence South 00 degrees 32 minutes 39 seconds West 272.41 feet to an iron pipe, then leaving said common section line; thence North 47 degrees 10 minutes 23 seconds East 48.21 feet to an iron rod; thence North 47 degrees 14 minutes 34 seconds East 181.29 feet to an iron rod; thence North 46 degrees 12 minutes 03 seconds East 797.18 feet to an iron rod; thence North 49 degrees 52 minutes 52 seconds East 135.65 feet to an iron rod; thence North 59 degrees 21 minutes 34 seconds East 95.55 feet to an iron rod; thence North 71 degrees 29 minutes 41 seconds East 536.15 feet to an iron rod, thence North 73 degrees 35 minutes 14 seconds East 204.17 feet to an iron rod, thence North 77 degrees 17 minutes 58 seconds East 197.06 feet to an iron rod, thence North 73 degrees 31 minutes 31 seconds East 857.12 feet to an iron rod at the intersection of the Northern margin of Shorty Burgess Road; thence North 15 degrees 24 minutes 51 seconds East 4,084.95 feet more or less to a point at the intersection of the Western margin of U.S. Interstate 59; thence East along the South line of Section 23, 1402.21 feet, more or less, to a point that is 100 feet West of the Southeast corner of said Section 23, which is the East right-of-way of a black-top road; thence Southwesterly along said road 1325 feet, more or less; thence East 220 feet, more or less, to the East section line of Section 26, said Township and Range; thence North 3960.00 feet; thence South 89 degrees 46 minutes 59 seconds East 747.32 feet; thence North 01 degrees 02 minutes 18 seconds West 265.98 feet; thence South 86 degrees 00 minutes 54 seconds West 744.06 feet; thence North 1108.62 feet; thence South 60 degrees 59 minutes 28 seconds East for a distance of 619.45 feet; thence South 29 degrees 00 minutes 32 seconds West for a distance of 145.00 feet; thence South 60 degrees 59 minutes 28 seconds East for a distance of 160.00 feet; thence North 29 degrees 00 minutes 32 seconds East for a distance of 145.00 feet; thence North 28 degrees 51 minutes 05 seconds East for a distance of 484.56 feet; thence South 60 degrees 59 minutes 28 seconds East for a distance of 473.00 feet; thence North for a distance of 180.07 feet, thence East 330.00 feet; thence North 89 degrees 25 minutes 03 seconds West a distance of 660.66 feet to a point and a corner; thence South 00 degrees 53 minutes 11 seconds East a distance of 349.75 feet to a point and corner; thence North 89 degrees 06 minutes 49 seconds West a distance of 50.00 feet to a point and corner; thence South 00 degrees 53 minutes 11 seconds West a distance of 955.21 feet to a point and corner, more or less, to the North boundary of said Section 24 in said Township and Range; thence East 2918.06 feet, more or less, to the Southeast corner of Section 13 in said Township and Range; thence North along the East line of Section 13 and 12 in said Township and Range 1.73 miles to the Southwest corner of the Northwest Quarter of the Northwest Quarter of Section 7, Township 6 south, Range 16 West, Pearl River County, Mississippi, thence North 03 degrees 03 minutes 13 seconds West 160.03 feet on and along said section line to an existing iron pipe in a fence on the North right-of-way of Sycamore Road; thence South 84 degrees 23 minutes 53 seconds East 142.20 feet on and along said right-of-way to an existing right-of-way monument on the North right-of-way of Sycamore Road; thence North 88 degrees 23 minutes 18 seconds East 99.81 feet to a right-of-way monument; thence South 83 degrees 49 minutes 22 seconds East 328.55 feet, on and along said right-of-way; thence North 03 degrees 03 minutes 13 seconds West 446.93 feet to an existing iron pipe; thence North 88 degrees 56 minutes 24 seconds West 565 feet to an existing iron pipe on the Westerly right-of-way of a

Sycamore Road access road; thence North along said Section 12 in said Township 900 feet, more or less, to the Northeast corner of said Section 12, Township 6 South, Range 17 West; thence West along the South line of Section 1 to its intersection with the West right-of-way line to Interstate 59; thence in a Northerly direction along the West right-of-way of Interstate 59 to the point where I-59 now intersects the South line of the North half of the Northwest Quarter of Section 6, Township 6 South, Range 16 West, Pearl River County, Mississippi, thence North 88 degrees 30 minutes West along the forty line 574 feet to a point on the East right-of-way boundary of Cooper Road; thence North 00 degrees 46 minutes 53 seconds West to the North section line of Section 6, Township 6 South, Range 16 West; thence West along the North line of said Section 6, Township 6 South, Range 16 West, to the Northeast corner of Section 1, Township 6 South, Range 17 West; thence North 56.2 feet to a point; thence Southwesterly along a curve having an arc length of 83.25 feet and radius of 144.17 feet, a distance of 41.62 feet; thence North 89 degrees 42 minutes West 1497.87 feet; thence South 42 degrees 42 minutes 49 seconds East 68.38 feet to the North line of Section 1, Township 6 South, Range 17 West; thence West along the North boundary of Section 1, Township 6 South, Range 17 West to a point approximately 658.96 feet from the Northwest corner of Section 1, Township 6 South, Range 17 West; thence North 64 degrees 28 minutes 42 seconds a distance of 233.33 feet to the Western boundary of the right-of-way for U.S. Highway 11, thence North 49 degrees 16 minutes 18 seconds East a distance of 393.46 feet; thence North 54 degrees 17 minutes 00 seconds East a distance of 185.24 feet; thence North a distance of 181.88 feet; thence North 00 degrees 08 minutes 31 seconds East a distance of 475.10 feet to the Southern top bank of Mill Creek; thence the next 26 calls approximate the top bank of Mill Creek; North 55 degrees 58 minutes 14 seconds West a distance of 81.37 feet; thence North 14 degrees 22 minutes 00 seconds East a distance of 45.80 feet; thence South 81 degrees 28 minutes 00 seconds West a distance of 123.33 feet; thence South 85 degrees 30 minutes 00 seconds West a distance of 74.84 feet; thence North 16 degrees 40 minutes 00 seconds West a distance of 48.32 feet; thence North 69 degrees 17 minutes 00 seconds West a distance of 93.42 feet; thence South 37 degrees 03 minutes 00 seconds West a distance of 68.02 feet; thence South 09 degrees 22 minutes 00 seconds West a distance of 88.62 feet; thence South 60 degrees 13 minutes 00 seconds West a distance of 28.10 feet; thence North 65 degrees 21 minutes 00 seconds West a distance of 74.95 feet; thence North 53 degrees 18 minutes 00 seconds West a distance of 87.50 feet; thence South 80 degrees 11 minutes 00 seconds West a distance of 40.08 feet; thence North 45 degrees 45 seconds 00 minutes West a distance of 156.62 feet; thence South 84 degrees 45 minutes 00 seconds a distance of 42.00 feet; thence North 14 degrees 34 minutes 00 seconds West a distance of 106.50 feet; thence South 32 degrees 50 minutes 00 seconds West a distance of 132.94 feet; thence North 48 degrees 27 minutes 00 seconds West a distance of 44.68 feet; thence North 48 degrees 24 minutes 00 seconds West a distance of 39.63 feet; thence North 06 degrees 45 minutes 00 seconds West a distance of 54.43 feet; thence South 23 degrees 16 minutes 00 seconds West a distance of 64.25 feet; thence South 54 degrees 28 minutes 00 seconds West a distance of 59.00 feet; thence South 33 degrees 28 minutes 00 seconds West a distance of 54.67 feet; thence North 33 degrees 13 minutes 00 seconds West a distance of 70.18 feet; thence North 38 degrees 56 minutes 00 seconds West a distance of 32.59 feet; thence North 60 degrees 07 minutes 00 seconds West a distance of 70.73 feet; thence South 49 degrees 00 minutes 00 seconds West a distance of 17.19 feet to the East right-of-way of US Highway 11; thence along the East right-of-way line of said highway South 11 degrees 11 minutes 48 seconds West a distance of 226.61 feet; thence South 21 degrees 16 minutes 38 seconds West a distance of 457.06 feet; thence South 11 degrees 11 minutes 48 seconds West a distance of 406.56 feet; thence South 89 degrees 01 minutes 22 seconds East a distance of 29.69 feet; thence South 11 degrees 25 minutes 09 seconds West a distance of 211.74 feet; thence North 89 degrees 01 minutes 22 seconds West a distance of 28.89 feet; thence South 11 degrees 10 minutes 34 seconds West a distance of 91.60 feet; thence North 89 degrees 14 minutes 17 seconds East a distance of 194.90 feet; thence South 02 degrees 27 minutes 21 seconds East a distance of 14.67 feet to the Northwest corner of Section 2, Township 6 South, Range 17 West; thence West along the North boundary of Section 2, Township 6 South, Range 17 West; thence South 8 degrees 26 minutes 37 seconds West 1334.27 feet along said right-of-way; thence West along the North boundaries of the Southwest Quarter of the Northeast Quarter of the Southeast Quarter of the Northwest Quarter of Section 2, Township 6 South, Range 17 West, to the intersection of the Eastern boundary of the right-of-way for the NO. and N.E. (Southern) Railroad; thence Southwesterly along said right-of-way to the North line of Section 11, Township 6 South, Range 17 West; thence West along the North line of said Section 11 to the Northwest corner of said Section 11; thence South ½ mile, more or less, to the South bank of Hobolochitto Creek; thence follow the meandering of said creek in a Westerly direction to where the West line of the East ¾ of Section 9 in Township and Range (Township 6 South, Range 17 West) intersects same; thence South along the West line of the East ¾ of Sections 9, 16 and 21 in said Township and Range, 2 and 1/8 miles to the Northeast corner of the South half of the Northwest Quarter of the Northwest Quarter of Section 21, Township 6 South, Range 17 West; thence West ¼ mile to the West line of said Section 21; thence south 5/8 of a mile to the Southwest corner of the Northwest Quarter of the Southwest Quarter of said Section 21; thence East 420.00 feet; thence South 420.00 feet; thence South 89 degrees 28 minutes 38 seconds West 395.02 feet to a set ½" iron rod; thence South 734.32 feet along the Eastern right-of-way line of Union School Road to a ½" iron rod; thence North 51 degrees 30 minutes 55 seconds East 888.33 feet along the North right-of-way line of Jackson Landing Road; thence North 01 degree 00 minutes 13 seconds West 607.85 feet to a found ¾" iron pipe; thence East 610.34 feet to the place of beginning.

SECTION 3. The City of Picayune, Mississippi, shall offer immediately the following municipal services in said annexed territory upon the effective date of this Ordinance, to-wit; municipal police and fire protection; animal

control; refuse collection; measures for the control of mosquitoes and other harmful insects; water and sewer services; use of and inclusion of park and recreational programs at the same rates as those within the City of Picayune, Mississippi; and the protection of public health, safety and welfare afforded by the application and enforcement of Ordinances, Codes and Regulations of the City of Picayune, Mississippi.

SECTION 4. This Ordinance shall take effect ten (10) days from date of the Judgment signed by the Chancellor approving the same, as provided by Section 21-1-33, Mississippi Code of 1972, as amended, or otherwise as authorized by law.

The foregoing Ordinance having been reduced to writing and considered, section by section, was introduced by Council Member Roberson, seconded by Council Member Guy, and adopted by the following roll call vote, to-wit:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy and Parker

The motion was declared carried.

The Ordinance was there upon declared carried and adopted this 22nd day of September, 2005.

Greg Mitchell, Mayor

ATTEST:

Michelle Berdux, Deputy City Clerk

Publish:

January 13, 2006

January 20, 2006

ORDER TO ADOPT BUDGET AMENDMENT

Motion was made by Council Member Bounds, seconded by Council Member Turnage to adopt Budget Amendment # 8 for Year ending September 30, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO BID FOR LABOR ASSISTANCE

Motion was made by Council Member Bounds, seconded by Council Member Turnage to bid for labor assistance on new Paul's Pastry. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO BID FOR MATERIAL

Motion was made by Council Member Watkins, seconded by Council Member Turnage to bid for material on new Paul's Pastry. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO CONNECT WATER

Motion was made by Council Member Watkins, seconded by Council Member Turnage to connect property at 276 Jackson Landing Road, owned by Leon Smith to city water. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ADVERTISE CATEGORICAL EXCLUSION DETERMINATION

Motion was made by Council Member Watkins, seconded by Council Member Turnage to authorize Planning and Development to advertise the Categorical Exclusion Determination for the City's Wastewater Facilities Improvement Project funded by US Environmental Protection Agency (EPA). The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Guy and Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Council Member Leavern Guy entered the meeting at this time.

ORDER TO APPROVE AGREEMENT WITH HARTMAN ENGINEERING

Motion was made by Council Member Watkins, seconded by Council Member Turnage to approve the agreement between the City of Picayune and Hartman Engineering, Inc. for assessment of the City's water and wastewater system. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

RECESSED MEETING DATED SEPTEMBER 22, 2005

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE AGREEMENT WITH ALLEN & HOSHALL

Motion was made by Council Member Guy, seconded by Council Member Watkins to approve and authorize Mayor to sign the agreement between the City of Picayune and Allen & Hoshall for professional Engineering Services for the design and construction of T-Hangars at the Picayune Municipal Airport. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACCEPT CAP LOAN

Motion was made by Council Member Guy, seconded by Council Member Bounds to accept CAP loan, to construct T-Hangars at Picayune Municipal Airport, in the amount of \$650,000.00 and authorize Mayor to sign the loan agreement, the note and all related loan documents between Mississippi Development Authority and City of Picayune. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE GRANT

Motion was made by Council Member Watkins, seconded by Council Member Guy to accept grant offer from Mississippi Department of Transportation in the amount of \$8,677.00 to assist in the construction of the City's Aviation Terminal Building. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACCEPT DONATION OF TRAVEL TRAILER

Motion was made by Council Member Bounds, seconded by Council Member Watkins to accept donation of a 1993 Fleetwood Travel Trailer Model #Wilderness 25W, Serial # 1ED1W2524P2865342, valued at \$10,000.00 and place on the Police Department inventory list. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE REQUEST FOR GRANT

Motion was made by Council Member Turnage, seconded by Council Member Bounds to approve application for a mini grant from Wal-Mart to help purchase a dual purpose K-9 protection and narcotic detection. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

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

Motion was made by Council Member Watkins, seconded by Council Member Turnage to enter a closed session to determine the need for an executive session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Watkins, seconded by Council Member Turnage to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matter with PR County/FEMA for debris removal
2. Contractual matter with Government Consultants, Inc.
3. Possible lease of real property
4. Contractual matter with Meter Reading Specialist
5. Contractual matter with underground utilities

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Council Member Bounds exited meeting during Executive Session.

Motion was made by Council Member Watkins, seconded by Council Member Guy to return to regular session. The following roll call was taken;

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Parker and Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPLY FOR EMERGENCY PERMIT

Motion was made by Council Member Guy, seconded by Council Member Watkins to apply for emergency permit and authorize Mayor to execute documents. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Parker and Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE ACQUISITION OF ADDITIONAL OFFICE SPACE

Motion was made by Council Member Guy, seconded by Council Member Turnage to approve lease for acquisition of additional administrative office space and to enter into negotiations for purchase of same as well as authorize City Manager to execute lease and issue manual checks. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Parker and Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE METER READING CONTRACT

Motion was made by Council Member Watkins, seconded by Council Member Turnage to approve Meter Reading Contract and authorize Mayor to execute contract, 5 yr. with annual review. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Parker and Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO RECESS

Motion was made by Council Member Watkins, seconded by Council Member Guy to recess subject to recall until Tuesday, October 4, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Watkins and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Parker and Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Michelle Berdux, Deputy Chief City Clerk

**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 in the Courtroom of the Criminal Justice Center in said City, Tuesday, September 27, 2005, at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Larry Watkins, Anna Turnage, Donald Parker and Jerry Bounds, City Manager Reggie Frierson and City Attorney Nathan Farmer.

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

Opening prayer was given by Glade Woods, followed by the Pledge of Allegiance led by Council Member Jerry Bounds.

- *Brooke Wallace gave an update on debris removal.*

MANUAL CHECK TO INTERNATIONAL PAPER

Motion was made by Council Member Bounds, seconded by Council Member Watkins to authorize a manual check for \$1,000.00, payable to International paper, as earnest money on property at Arizona Chemical. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ADVANCE EXECUTIVE SESSION

Motion was made by Council Member Bounds, seconded by Council Member Turnage to advance executive session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

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

Motion was made by Council Member Bounds, seconded by Council Member Turnage to enter a closed session to determine the need for an executive session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Bounds, seconded by Council Member Turnage to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

- 1. Contractual matter Friendship Park Phase I
- 2. Personnel matter

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Watkins, seconded by Council Member Bounds to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE ORDINANCE 801

Motion was made by Council Member Bounds, seconded by Council Member Turnage to adopt Ordinance 801 to increase water and sewer rates for residential and commercial customers outside City limits by 25%. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDINANCE NO. 801

AN ORDINANCE TO AMEND THE PROVISIONS OF ORDINANCE 794 (AN ORDINANCE TO AMEND ORDINANCE 660 OF THE CODE OF ORDINANCES OF THE CITY OF PICAYUNE.) Be it Ordained by the City Council of the City of Picayune, Pearl River County, Mississippi, In Meeting Duly Assembled:

SECTION 1. That Section 1 of Ordinance No. 794 is amended to read as follows:

INDUSTRIAL TRANSPORTATION SERVICE FOR CUSTOMERS PURCHASING THEIR OWN GAS SUPPLY

AVAILABILITY:

At points on Company's existing facilities of adequate capacity and suitable pressure when natural gas is obtained in sufficient quantities for all requirements of distribution by Company.

APPLICATION:

RECESSED MEETING DATED SEPTEMBER 27, 2005

For transporting natural gas on cities system for others who purchase their own gas.*

*If for any reason customer takes unauthorized volume from the City, customer shall pay all cost, charges, penalties and damages that are assessed or charged to the City for such volume taken.

NET MONTHLY RATE:

For all gas transported	\$.80 per MMBtu
Monthly minimum	\$25.00

WATER RATES

Residential (Inside City Limits):

First 6,000 gallons or less	\$9.00 (Minimum)
All in excess of 6,000 gallons	\$1.22 per 1000 gal.

Residential (Outside City Limits):

First 6,000 gallons or less	\$12.00 (Minimum)
All in excess of 6,000 gallons	\$ 1.53 per 1000 gal.

Commercial Water Rates (Inside City Limits):

A minimum of \$40.00 for the first 50,000 gallons or less used and \$.82 per thousand gallons thereafter.

Commercial Water Rates (Outside City Limits):

A minimum of \$50.00 for the first 50,000 gallons or less used and \$1.03 per thousand gallons thereafter.

RESIDENTIAL AND SMALL COMMERCIAL SEWER CHARGES

Inside City Limits: First 6000 gallons or less	\$13.00
All in excess of 6,000 gallons	\$ 1.96 per 1000 gal

Outside City Limits: First 600 gallons or less	\$16.25
All in excess of 6,000 gallons	\$ 2.45 per 1000 gal.

LARGE INDUSTRIAL SEWER CHARGES

A minimum of \$50.00 for the 50,000 gallons or less used and \$.82 per thousand gallons thereafter.

All other provisions of said Ordinance No. 660, not inconsistent with this amendment, shall remain unchanged

SECTION 2. That any ordinance or section of any ordinance in conflict herewith is hereby repealed.

SECTION 3. Should any section, clause, paragraph, provision, or part of this ordinance for any reason be held invalid or unconstitutional by an Court of competent jurisdiction, this act shall not affect the validity or any other section, clause, paragraph, provision, or provisions, and completely severable from all other portions.

Conflict in any case where a provision of this ordinance is found to be in conflict with the provision of any other ordinance or code of the City of Picayune, Mississippi, existing on the effective date of this ordinance, the provisions of this ordinance shall take precedence.

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, and Bounds

VOTING NAY: None.

ABSENT AND NOT VOTING: Council Member Guy

The motion having received the affirmative vote of the majority of the members present, the Mayor declared the motion carries and the ordinance passes, approved and adopted on this the 27th day of September, 2005..

Greg Mitchell, Mayor

ATTEST:

Deputy City Clerk

APPROVE ORDINANCE 800

RECESSED MEETING DATED SEPTEMBER 27, 2005

Motion was made by Council Member Bounds, seconded by Council Member Watkins to adopt Ordinance 800 to increase water and sewer deposit from \$50.00 to \$75.00 and reconnect fees from \$10.70 to \$30.00 during work hours and \$50.00 after hours call out. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDINANCE NO. 800

AN ORDINANCE TO AMEND THE PROVISIONS OF ORDINANCE 626 (AN ORDINANCE TO SET THE RATE FOR DEPOSITS OF UTILITY SERVICE AND ESTABLISH LATE PAYMENT FEES AND CUT-OFF PROCEDURES FOR THE CITY OF PICAYUNE, MISSISSIPPI BY AMENDING ORDINANCE NO. 521).

Be It Ordained by the City Council of the City of Picayune, Pearl River County, Mississippi, In Meeting Duly Assembled:

- 1. That before any person shall receive any residential utility service from the City of Picayune, the following shall be made for the service desired:

Water and Sewer \$75.00

Gas \$100.00

If only one service is desired, a deposit needs to be made only for that service.

- 2. That a fee of \$75.00 for water and \$175.00 for gas and water is hereby fixed for small commercial; and an estimate of three months bill be fixed on large commercial.
- 3. That customers, residential or commercial, transferring from one place to another, within the City, shall bring their present deposit up to the required amount and that all charges for the old location be paid in full.
- 4. That said deposits shall be returned without interest when a customer vacates premises, provided all utility bills have been paid in full.
- 5. That twenty days after the billing date of a utility bill to a customer and the City has not received payment for said amount from the customer, the City shall notify customer in writing that service shall be terminated in ten days. At the time of said notification, a late payment charge of \$3.00 on residential accounts and one and one-half percent of the total amount past due on commercial accounts shall be added to the amount due and payable. Ten days after notification, service shall be terminated until the total amount owed plus reconnection fee of \$ 30.00 on request made prior to 4:30 pm Monday through Thursday and \$50.00 on reconnection after 4:30 p.m. Monday through Thursday and on Friday is paid.
- 6. That any ordinance or section of any ordinance in conflict herewith are hereby repealed.
- 7. That this ordinance shall be effective thirty (30) days after its adoption by the City Council of the City of Picayune.
- 8. That this ordinance shall be effective and be in force from and after publication according to law.

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

The motion having received the affirmative vote of the majority of the members present, the Mayor declared the motion carries and the ordinance passes, approved and adopted on this the 27th day of September, 2005.

Greg Mitchell, Mayor

Arrest: _____
Deputy City Clerk

FINAL PLAT APPROVAL

RECESSED MEETING DATED SEPTEMBER 27, 2005

Motion was made by Council Member Bounds, seconded by Council member Turnage to approve final plat for Berrywood Phase 3 and to have County Engineer Larry Seals sign said plat. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE WIDTH VARIANCE

Motion was made by Council Member Bounds, seconded by Council Member Turnage to approve a 10' (ten foot) width variance for Collier Construction in order to build 8 (eight) single-family dwellings on South Haugh Avenue. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Council Member Leavern Guy entered the meeting at this time.

MOTION TO RECESS

Motion was made by Council Member Bounds, seconded by Council Member Turnage to recess until Tuesday, October 4, 2005 at 6:00 p.m. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Michelle Berdux, Deputy Chief City Clerk

The Council and Governor of the State of Mississippi have examined the circumstances related to prior Emergency Declarations and concluded that due to the ongoing and resulting effects of hurricane Katrina the said Emergency Declarations should be continued pursuant to applicable law for another 7 (seven) days.

**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 in the Courtroom of the Criminal Justice Center in said City, Tuesday, October 4, 2005, at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Larry Watkins, Donald Parker, Anna Turnage, Leavern Guy and Jerry Bounds, City Manager Reggie Frierson, City Attorney Nathan Farmer, Deputy City Clerk Michelle Berdux, Deputy City Clerk Leann Smith, Fire Chief Keith Brown, Police Chief Jim Luke, Deputy Chief Tom Milar, Barbara McGrew and Johnnie Lou Ingram.

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

Opening prayer was given by Derrick Turnage, followed by the Pledge of Allegiance led by Mayor Greg Mitchell.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Guy, seconded by Council Member Watkins to approve the minutes of the Mayor and City Council dated September 22, 2005.

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: Council Member Turnage

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Guy, seconded by Council Member Watkins to approve the issuance of the following manual checks:

<u>To</u>	<u>Fund</u>	<u>Amount</u>	<u>For</u>
City of Picayune, General Fund	Utility	NTE \$55,000.00	Transfer of Garbage Fees For September 2005
MS State Tax Commission	Utility	NTE \$ 6,000.00	Sales Tax Collections For September 2005
Trustmark National Bank	General	\$12,277.84	Hydraulic Excavator Note Payable Due 10/12/2005
Phillip Stockstill Contracting	General	\$1,450.50	Additional Due for Emergency Cleanup After Katrina
Nick's Dozer & Tractor Service	General	\$1,120.00	Emergency Cleanup After Katrina
Chris Ayers	General	\$3,300.00	Emergency Cleanup After Katrina
J.Bee-R Const-Ronald Willis	General	\$5,697.50	Emergency Cleanup After Katrina
Ashley Westbrook	General	\$196.22	Temporary Employee-Katrina Aftermath-City Hall Annex
D. F. Turnage, LLC	General	\$7,500.00	Transported Fuel to Picayune - Katrina Aftermath
MGAM	Utility	\$113,610.00	Gas Purchases for September
MS Municipal Worker's Comp Grp	General, Utility Airport, Cemetery	\$48,890.00	1 st Workers Comp Pmt Due 10/10/2005

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: Council Member Turnage

The motion was declared carried.

ORDER TO AUTHORIZE MAYOR'S SIGNATURE ON QUITCLAIM DEED

Motion was made by Council Member Guy, seconded by Council Member Watkins to authorize the Mayor to execute a quitclaim deed for 2002 taxes in the name of Johnnie Jett, parcel 617-516-001-03-011-00.

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: Council Member Turnage

The motion was declared carried.

ORDER TO APPROVE DOCKET

Motion was made by Council Member Guy, seconded by Council Member Watkins, to approve the docket for the month of September 2005 in the amount of \$304,415.17 with approval subject to the understanding that the invoice for Waste Management not be paid if it contains debris pickup. This matter was moved to Executive Session, as it is a contractual matter.

The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: Council Member Turnage

The motion was declared carried.

The Picayune Police Department recognized law enforcement officers from Tennessee - Franklin, Fairview, Williamson County, and Brentwood – and presented them with thank you plaques. Also recognized were Mark Thorman and David Comeaux.

CONSIDER REQUEST TO CONDUCT PICAYUNE STREET FAIR

Motion was made by Council Member Guy, seconded by Council Member Turnage to approve request from Picayune Main Street to conduct Picayune Street Fair Saturday, November 5th, and Sunday, November 6th, 2005, with street closure from 7:30 p.m. Friday, November 4 to 7:00 p.m. Sunday, November 6, 2005.

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONSIDER REQUEST TO CONDUCT HELICOPTER SERVICE

Motion was made by Council Member Parker, seconded by Council Member Guy to approve request from Picayune Main Street to conduct Commercial Helicopter Service, for the Picayune Street Fair, on property located on Main Street and owned by Jamie Boe.

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Report from Brooks Wallace on FEMA.

Also, should finish first pass by the end of week in the City. Two weeks to finish first pass on whole County. There are 94 crews working throughout the County, 7 a.m. – 6 p.m., 7 (seven) days a week.

CONSIDER REQUEST TO CONNECT CITY WATER

Motion was made by Council Member Bounds, seconded by Council Member Turnage to connect city water to property owned by Joseph Lashley and located at 118 Hickory Ridge Road.

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONSIDER REQUEST FOR MDA GRANT

Motion was made by Council Member Guy, seconded by Council Member Parker, to approve application for an MDA Grant for 2006 HomeTown Grant in the amount of \$3,800.00 with the City's portion being 50%.

Hometown Mississippi Retirement Marketing Match Grants Program

Mississippi Development Authority

Post Office Box 849 • Jackson, Mississippi 39205-0849 • Telephone (601) 359-3297 • Telefax (601) 359-5757
www.visitmississippi.org • email: rebner@mississippi.org

Application Form

Fiscal Year 2006

INSTRUCTIONS: Please follow the Hometown Mississippi Retirement Marketing Match Grants Guidelines when completing this application. Attachments are welcome. Incomplete applications will be returned.

Organization Name: Picayune Retirement Development

(Legal Name as listed on Tax ID form, only if different from above): City of Picayune

Mailing Address: 203 Goodyear Blvd.

City, State, Zip: Picayune, Mississippi 39466

County: Pearl River County

Contact Name: Carol Fitzwilliam

Title: Picayune Retirement Development Director

Telephone: 601-798-9079 Telefax: 601-799-0607

Email: picretdev@bellsouth.net WWW: picayune.ms.us

Project Title: New Brochure design - 8 1/2 X 11 inch trifold - 5000 colored and printed

Project Beginning Date: January 2006 Project Ending Date: September 2006

Describe Project: Brochures will be updated with new visuals to appeal to a younger hipper retiree using brighter eye-catching colors. 5000 revised "Come Home to Picayune" brochures will be produced.

Total Project Budget: \$ 1500.00 (Include only eligible expenses)

Amount Requested: \$ 750.00 (Up to 50% of eligible project costs)

Source of Local Funds: City of Picayune's Retirement Development Advertising Budget

Hometown Mississippi Retirement Marketing Match Grants Program

Mississippi Development Authority

Post Office Box 849 - Jackson, Mississippi 39205-0849 - Telephone (601) 359-3297 - Telefax (601) 359-5757
www.visitmississippi.org - email: rebner@mississippi.org

Application Form

Fiscal Year 2006

INSTRUCTIONS: Please follow the Hometown Mississippi Retirement Marketing Match Grants Guidelines when completing this application. Attachments are welcome. Incomplete applications will be returned.

Organization Name: Picayune Retirement Development

(Legal Name as listed on Tax ID form, only if different from above): City of Picayune

Mailing Address: 203 Goodyear Blvd.

City, State, Zip: Picayune, Mississippi 39466

County: Pearl River County

Contact Name: Carol Fitzwilliam

Title: Picayune Retirement Development Director

Telephone: 601-798-9079 Telefax: 601-799-0607

Email: picretdev@bellsouth.net WWW: picayune.ms.us

Project Title: Magazine Advertisement

Project Beginning Date: January 2006 Project Ending Date: September 2006

Describe Project: Ad insert in the Where to Retire magazine's "Retirement Planning Guide" which is 1/12th of the page. The ad will include a visual of the "Come Home to Picayune" brochure and a 30 word descriptive text.

Total Project Budget: \$ 870.00 (Include only eligible expenses)

Amount Requested: \$ 435.00 (Up to 50% of eligible project costs)

Source of Local Funds: City of Picayune's Retirement Development Advertising Budget

Hometown Mississippi Retirement Marketing Match Grants Program

Mississippi Development Authority
Post Office Box 849 - Jackson, Mississippi 39205-0849 - Telephone (601) 359-3297 - Telefax (601) 359-5757
www.visitmississippi.org - email: rebner@mississippi.org

Application Form Fiscal Year 2006

INSTRUCTIONS: Please follow the Hometown Mississippi Retirement Marketing Match Grants Guidelines when completing this application. Attachments are welcome. Incomplete applications will be returned.

Organization Name: Picayune Retirement Development

(Legal Name as listed on Tax ID form, only if different from above): City of Picayune

Mailing Address: 203 Goodyear Blvd.

City, State, Zip: Picayune, Mississippi 39466

County: Pearl River County

Contact Name: Carol Fitzwilliam

Title: Picayune Retirement Development Director

Telephone: 601-798-9079 Telefax: 601-799-0607

Email: picretdev@bellsouth.net WWW: picayune.ms.us

Project Title: Magazine Advertisement

Project Beginning Date: January 2006 Project Ending Date: September 2006

Describe Project: Ad insert in the Where to Retire magazine's "Retirement Planning Guide" which is 1/12th of the page. The ad will include a visual of the "Come Home to Picayune" brochure and a 30 word descriptive text.

Total Project Budget: \$ 870.00 (Include only eligible expenses)

Amount Requested: \$ 435.00 (Up to 50% of eligible project costs)

Source of Local Funds: City of Picayune's Retirement Development Advertising Budget

4 of 4

Hometown Mississippi Retirement Marketing Match Grants Program

Mississippi Development Authority

Post Office Box 849 - Jackson, Mississippi 39205-0849 - Telephone (601) 359-3297 - Telefax (601) 359-5757
www.visitmississippi.org - email: rebner@mississippi.org

Application Form

Fiscal Year 2006

INSTRUCTIONS: Please follow the Hometown Mississippi Retirement Marketing Match Grants Guidelines when completing this application. Attachments are welcome. Incomplete applications will be returned.

Organization Name: Picayune Retirement Development

(Legal Name as listed on Tax ID form, only if different from above): City of Picayune

Mailing Address: 203 Goodyear Blvd.

City, State, Zip: Picayune, Mississippi 39466

County: Pearl River County

Contact Name: Carol Fitzwilliam

Title: Picayune Retirement Development Director

Telephone: 601-798-9079 Telefax: 601-799-0607

Email: picretdev@bellsouth.net WWW: picayune.ms.us

Project Title: Where to Retire Insert - 2006

Project Beginning Date: December 2005 Project Ending Date: May 2006

Describe Project: Hometown Mississippi Retirement is placing an ad insert in the Where to Retire magazine's Jan/Feb 2006 issue. Picayune will submit its own ad to participate with the other Certified Retirement Cities to promote Mississippi's certified hometowns.

Total Project Budget: \$ 560.00 (Include only eligible expenses)

Amount Requested: \$ 280.00 (Up to 50% of eligible project costs)

Source of Local Funds: City of Picayune's Retirement Development Advertising Budget

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONTINUANCE OF STATE OF EMERGENCY

Motion was made by Council Member Bounds, seconded by Council Member Watkins, to approve the continuance of the State of Emergency for the City of Picayune due to Hurricane Katrina.

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

BID FOR UNDERGROUND BORING

Motion was made by Council Member Parker, seconded by Council Member Turnage to approve request to advertise for bid for underground boring to install steel water lines for Walgreens on Highway 43 South across from Home Depot.

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO AMEND AGENDA

Motion was made by Council Member Guy, seconded by Council Member Parker to amend agenda to consider Jonathan Pearson's offer of location for emergency temp housing.

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins and Guy

VOTING NAY: Council Member Bounds

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONSIDER LOCATION FOR EMERGENCY TEMP HOUSING

Motion was made by Council Member Guy, seconded by Council Member Turnage to take this matter under advisement with right to reconvene with regard to this matter when more information is available.

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins and Guy

VOTING NAY: Council Member Bounds

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONSIDER JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT

Motion was made by Council Member Bounds, seconded by Council Member Turnage to accept Juvenile Accountability Incentive Block Grant (JAIBC) from the MS Department of Public Safety in the amount of \$6,198.00 with a cash match of \$689.00 and authorize Mayor to sign Acceptance and other related grant documents.

Division of Public Safety Planning
SUBGRANT SIGNATURE SHEET
Office of Justice Programs
3750 I-55 North Frontage Rd.
Jackson, Mississippi 39211
(601) 987-4990

1. Subgrantee's Name, Address, & Phone Number City of Picayune 203 Goodyear Boulevard Picayune, Mississippi 39466 (601) 798-9770		2. Effective Date: 06/01/05 3. Subgrant Number: 03JB2291 4. Grant Identifier: (Funding Source & Year): 2003-JB-BX-0038 5. Beginning & Ending Dates: 06/01/05-05/31/06 6. Subgrant Payment Method: <input checked="" type="checkbox"/> Cost Reimbursement <input type="checkbox"/> Other				
7. The following funds are obligated:						
Budget Category	Source of Funds				Total Program Budget	
	Federal	%	State/Local Cash	%	In-Kind	%
Personnel	\$3,296.00		\$366.00			
Fringe Benefits	\$287.00		\$32.00			
Equipment						
Travel						
Operating Expenses	\$1,995.00		\$222.00			
Contractual Services						
Miscellaneous	\$620.00		\$69.00			
Indirect Costs						
TOTAL	\$6,198.00		\$689.00			\$6,887.00
8. The Subgrantee agrees to operate the program outlined in this subgrant in accordance with all provisions of this subgrant as included herein. The following sections are attached and incorporated into this agreement. Attachment A - Statement of Special Conditions Attachment C - Certification Regarding Debarment, etc. Attachment B - Standard Assurances Attachment D - Certification Regarding Lobbying Attachment E - Drug-Free Workplace Certification (When Applicable)						
AGENCY APPROVAL				SUBGRANTEE ACCEPTANCE		
9. Typed Name & Title of Approving DPSP Official: Billy V. White, Jr. Executive Director				10. Typed Name & Title of Authorized Subgrantee Official:		
11. Signature:  Date:				12. Signature: _____ Date: _____		

BUDGET SUMMARY

1. Applicant Agency: City of Picayune						
2. Subgrant Number	3. Grant Identification Number	4. Beginning Date	Ending Date			
03JB2291	2003-JB-BX-0038	06/01/05	05/31/06			
6. Submitted as part of (Check One):	A. Funding Request: X	B. Modification Number:	C. Modification Effective Date:			
Funding Sources						
8. For DPSP Use Only	9. Activity	Federal	State	Program Income	Other (Local-Private)	Total
	Juvenile Justice, JAIBG	\$6,198.00			\$689.00	\$6,887.00
TOTAL		\$6,198.00			\$689.00	\$6,887.00

**PUBLIC SAFETY PLANNING
COST SUMMARY SUPPORT SHEET**

1. Applicant Agency: City of Picayune

Page 1 of 1

2. Subgrant Number 03JB2291	3. Grant Identifier Number 2003-JB-BX-0038	4. Beginning Date 06/01/06	5. Ending Date 05/31/06
--------------------------------	-----------------------------------------------	-------------------------------	----------------------------

6. Activity: Juvenile Justice, JAIBG

7. DPSP Use Only	8. Category	9. Line Item	10. Description of item and/or Basis for Valuation	11. Budget			
				Federal	All Other	Total	
	PERSONNEL:		P/T Teen Court Administrator (\$305.17/mo x 12 mos.)	3,662	\$3,296.00	\$366.00	\$3,662.00
	FRINGES:		Social Security	280	\$287.00	\$32.00	\$319.00
			Workers Comp	18			
			Unemployment	21			
	OPERATING EXPENSES:		Judge's Robe and Gavel Set	500	\$1,995.00	\$222.00	\$2,217.00
			Office Supplies	1,330			
			Teen Court Training Program Software	387			
	MISCELLANEOUS:		Administrative Costs (10% of the Federal Grant Amount)	689	\$620.00	\$69.00	\$689.00

TOTALS	\$6,198.00	\$689.00	\$6,887.00
---------------	------------	----------	------------

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONSIDER CHANGE ORDER NO. THREE (3)

Motion was made by Council Member Parker, seconded by Council Member Guy to approve Change Order No. Three (3) for Lift Station Improvements Contract by and between GM&R Construction Co. and the City of Picayune.

CHANGE ORDER NO. 3

Change Order No.: Three
Date: August 1, 2005
Agreement Date: April 13, 2005

NAME OF PROJECT: Lift Station Improvements

OWNER: City of Picayune

CONTRACTOR: GM&R Construction Company, Inc.

The following changes are hereby made to the CONTRACT DOCUMENTS:

See attached sheet

Justification:

The quantities are being adjusted to reflect the asbuilt quantities for the Final Payment.

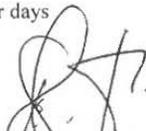
Original CONTRACT PRICE \$	<u>\$ 459,250.88</u>
Current CONTRACT PRICE adjusted by previous CHANGE ORDER	<u>\$ 473,218.88</u>
The CONTRACT PRICE due to this CHANGE ORDER will be decreased by	<u>\$13,853.18</u>
The new CONTRACT PRICE including this CHANGE ORDER will	<u>\$ 459,365.70</u>

Change to CONTRACT TIME

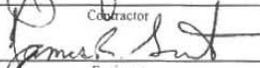
The original Notice to Proceed for this contract was April 26, 2004 with a contract time of 180 days and a final completion dated of October 23, 2004. On September 20, 2004 the time on this project was stopped to allow for the ordering and fabrication of Groman-Rupp package lift station as requested by the City and approved in Change Order No. 2. The Contractor received delivery of the new package lift stations and resumed work on April 1, 2005 with a new completion date of April 21, 2005. On April 20, 2005 the Contractor requested a time extension because of the additional time required by the City to obtain the necessary servitudes along Hwy 11 for Lift Station No. 5. The servitudes were acquired and the Project was substantially completed on May 18, 2005. This will require an increase in contract time from April 21, 2005 to May 18, 2005 or 27 days

The CONTRACT TIME will be increased by 27 calendar days

Requested by:


Contractor

Approved by:


Engineer

Accepted by:


Owner

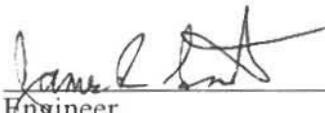
CERTIFICATE OF COMPLETION

PROJECT: Lift Station Improvements
OWNER: City of Picayune
CONTRACTOR: GM&R Construction Company, Inc.
DATE OF COMPLETION: May 18, 2005

The work performed under this contract has been inspected by an authorized representative of the Owner, Contractor and Engineer, and the Project is hereby declared complete.

Construction is in substantial conformance with the approved plans and specifications and no known material or construction deficiencies exist.

All required tests and measurements have been made in accordance with the specifications, to establish the quality and quantity of material and construction.



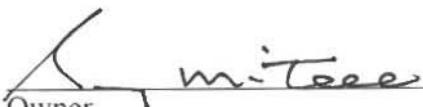
Engineer

The Contractor accepts the above CERTIFICATE OF COMPLETION



Contractor

APPROVED:



Owner

00806-1

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Police Chief Jim Luke recognized and presented a thank you to the Fire Department, including Fire Chief Keith Brown, John Mark Mitchell, and Darrin Dennis, for their efforts in the aftermath of Hurricane Katrina.

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

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

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Turnage, Watkins, Bounds and Guy

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 Watkins, seconded by Council Member Turnage to return to regular session.

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Turnage, Watkins, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matter with GEO
2. Contractual matter with Centraplex – JJ Eengeran
3. Contractual matter with Friendship Park Phase I
4. Personnel matter
5. Contractual matter with Head Start
6. Contractual matter with MDA
7. Contractual matter with Waste Management

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Turnage, Watkins, Bounds and Guy

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 Bounds, seconded by Council Member Parker to return to regular session.

The following roll call was taken;

VOTING YEA: Mayor Mitchell, Council Members Parker, Turnage, Watkins, Bounds and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AUTHORIZE CONTRACT FOR MDA LOAN

Motion was made by Council Member Guy, Seconded by Council Member Turnage to authorize Mayor and Chief Deputy City Clerk to sign contract for MDA loan.

RESOLUTION OF THE CITY COUNCIL OF CITY OF PICAYUNE, MISSISSIPPI (THE "CITY") AUTHORIZING A LOAN FROM THE MISSISSIPPI DEVELOPMENT BANK UNDER ITS HURRICANE KATRINA RELIEF PROGRAM; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT, A NOTE AND AN INTERCEPT AGREEMENT FOR THE LOAN; AND AUTHORIZING THE OFFICERS OF THE CITY TO DO ALL THINGS NECESSARY TO EFFECTUATE THIS RESOLUTION.

WHEREAS, the Mississippi Development Bank, a public body corporate and politic of the State of Mississippi (the "Bank"), is authorized and empowered by the provisions of the Mississippi Code of 1972, Sections 31-25-1 et seq., as from time to time amended (the "Act") to issue bonds for the purpose of making loans to Local Governmental Units (as defined in the Act), including the City; and

WHEREAS, on August 29, 2005, Hurricane Katrina ("Katrina") made landfall in the coastal region of the States of Mississippi and Louisiana causing unprecedented damage and destruction to the State of Mississippi (the "State"); and

WHEREAS, due to the effects of Katrina, the City recognizes that substantial financial help will be required to allow the City to recover and to reestablish normal governmental operations and that, through the Act, the Bank may be able to provide financial assistance to Local Governmental Units such as City;

WHEREAS, by resolutions dated September 14, 2005 and September 22, 2005, after study and investigation by the Bank, in furtherance of the Act, the Bank authorized the issuance of its Special Obligation Bonds (Hurricane Katrina Relief Program) (the "Bonds") to finance the Mississippi Development Bank Hurricane Katrina Relief Program (the "Program") to be used to provide funds to loan to Local Governmental Units (such as the City) for the purpose of, and in order to assist Local Governmental Units in financing and/or refinancing the costs of, any capital project of such Local Governmental Unit (including, without limitation, the construction of public works and infrastructure and the acquisition of equipment and rolling stock) and providing working capital or deficit financings (including, without limitation, tax anticipation notes, bond anticipation notes and revenue anticipation notes), as well as to fund other items in connection with the issuance of the Bonds, including, without limitation, a debt service reserve fund therefor and costs in connection therewith (the "Project"); and

WHEREAS, the City is authorized under the provisions of Mississippi Code Annotated Section 31-25-28, as amended, to borrow funds from the Bank under the Program in such amounts as it may find necessary and proper in order to provide funds for the Project; and

WHEREAS, it is necessary, proper and economically feasible that the City borrow money by entering into a loan with the Bank secured by a Note pursuant to the Act, the purposes herein stated and under the procedures hereinafter set forth and as provided by law to provide funds for the Project; and

WHEREAS, the Mayor and City Council of the City now finds it necessary to approve (1) the loan from the Bank in the amount not to exceed \$2,250,000.00, (2) the form of and execution of the Loan Agreement, to be dated the date of delivery, between the Bank and the City (the "Loan Agreement") in connection with the loan, (3) the form of and execution and delivery of the Note of the City in connection with said Loan Agreement, and (3) the form of and execution of the Intercept Agreement, to be dated the date of delivery, between the Bank and the City (the "Intercept Agreement") as security for the loan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL (THE "GOVERNING BODY") OF CITY OF PICAYUNE, MISSISSIPPI:

Section 1. The Loan Agreement, including the form of the Note, are hereby approved, and the Mayor of the City (the "Mayor"), the President of the Governing Body (the "President") and the City Clerk (the "Clerk") are hereby authorized and directed to execute said Loan Agreement and Note for and on behalf of the City. All provisions of the Loan Agreement, including the Note, when executed as authorized herein, shall be incorporated herein, and shall be deemed to be a part of this Resolution fully and to the same extent as if separately set out verbatim herein, which said Loan Agreement and Note to be in substantially the form attached hereto, with such completions, changes, insertions and modifications and shall be approved by the officers executing and delivering the same. The Mayor and Clerk are hereby authorized to enter into said Loan Agreement in an amount not to exceed \$2,500,000.00 to provide for the Project. The term of the loan shall not exceed twenty (20) years. The Governing Body of the City hereby authorizes the Mayor or Clerk to approve the principal amortization schedule for the loan within the requirements set forth in this Section 1. The execution of the Loan Agreement by the Mayor and Clerk shall be deemed to be conclusive evidence of such approval of the terms of the loan by these officers under this Section 1.

Section 2. The Mayor and Clerk shall be, and they are hereby authorized and directed for and on behalf of the City, to enter into the Intercept Agreement (as defined in the Loan Agreement) whereby the City shall covenant, agree and authorize the Mississippi State Tax Commission, the Office of the Treasurer of the State or any other state agency, department or commission to (a) withhold all or any part of moneys (including, without limitation, any moneys paid by the Federal Emergency Management Agency of the United States of America ("FEMA") which moneys are dedicated by FEMA to be paid to the City) which the City is entitled to receive from time to time pursuant to any law and which is in possession of the Mississippi State Tax Commission, the Office of the Treasurer of the State or any other state agency, department or commission and (b) pay same over to the Trustee for the Bonds (on behalf of the Bank) to satisfy any delinquent payments under the Loan Agreement. Said Intercept Agreement shall be in accordance with the provisions set forth in the Loan Agreement and as authorized by the Act.

Section 3. The Mayor and Clerk be, and they are hereby authorized and directed for and on behalf of the Governing Body to take any and all such action as may be required by the City to carry out and to give effect to the aforesaid documents authorized pursuant to this Resolution and to execute all papers, documents, certificates and other instruments that may be required for the carrying out of the authority conferred by this Resolution in order to evidence said authority.

Leavern Guy moved and Anna Turnage seconded the motion to adopt the foregoing resolution and, the question being put to a roll call vote, the result was as follows:

Council Member Larry Watkins	voted: <u>Yeah</u>
Council Member Anna Turnage	voted: <u>Yeah</u>
Council Member Kathy Harris Watts	voted: <u>Yeah</u>
Council Member Leavern Guy	voted: <u>Yeah</u>
Council Member Jerry Bounds	voted: <u>Yeah</u>

The motion having received the affirmative vote of a majority of the members present, the President of the Governing Body declared the motion carried and the resolution adopted, on this the _____ day of September, 2005.

GREG MITCHELL
MAYOR, PICAYUNE, MISSISSIPPI

ATTEST:

CITY CLERK

JACKSON 1080797v1

INTERCEPT AGREEMENT

This **INTERCEPT AGREEMENT**, dated _____, 2005 (this "**Agreement**"), is by and between the **MISSISSIPPI DEVELOPMENT BANK**, a public body corporate and politic (the "**Bank**"), created pursuant to the provisions of Sections 31-25-1 *et seq.*, Mississippi Code of 1972, as amended (hereinafter referred to as the "**Act**") having its principal place of business in the City of Jackson, Mississippi and _____ (hereinafter referred to as the "**Borrower**"), a local governmental unit under the Act.

WITNESSETH

WHEREAS, pursuant to the Act, the Bank is authorized to loan money (as set forth in the Act) to local governmental units (as defined in the Act) including the Borrower; and

WHEREAS, the Borrower and the Bank have duly authorized a loan between the Bank and the Borrower (the "**Loan**") pursuant to the terms of a loan agreement by and between the Borrower and the Bank (the "**Loan Agreement**") secured by a Promissory Note (Hurricane Katrina Relief Program), dated the date of delivery thereof, of the Borrower, in the principal amount of _____ Million Dollars (\$____,000,000) (the "**Note**") and the Bank expects to provide the funds for the Loan from the proceeds of the Bonds of the Bank (as hereinafter defined); and

WHEREAS, pursuant to the Trust Indenture dated the date of delivery thereof (the "**Indenture**"), by and between the Bank and Hancock Bank, Gulfport, Mississippi, as Trustee (the "**Trustee**"), the Bank has duly authorized the issuance of its bonds designated the \$____,000,000 Mississippi Development Bank Special Obligation Bonds, Series 2005____ (Hurricane Katrina Relief Program), dated the date of delivery thereof (the "**Bonds**"), a portion of the proceeds of which will be used to provide the funds for the Loan; and

WHEREAS, any local governmental unit is authorized under Section 31-25-28(5) of the Act to agree in writing with the Bank that the Mississippi State Tax Commission ("**MSTC**"), the Mississippi State Treasurer (the "**Treasurer's Office**") or any other State agency, department or commission created pursuant to State law shall (a) withhold all or any part (as agreed by the local governmental unit) of any monies which such local governmental unit is entitled to receive from time to time pursuant to any law and which is in the possession of any state agency, department or commission created pursuant to State law, including funds held by the Treasurer's Office, and (b) pay the same over to the Trustee to satisfy any delinquent payments on any loan made to such local governmental unit under provisions of the Act and any other delinquent payments due and owing the Bank by such local governmental unit, all as the same shall occur.

NOW, THEREFORE, the Bank and the Borrower agree as follows:

1. As authorized by the Act, the Borrower hereby covenants, agrees and authorizes the MSTC, the Treasurer's Office or any other State agency, department or commission created pursuant to State law to (1) withhold all or any part of any monies which the Borrower is entitled or becomes entitled to receive from time to time pursuant to any law (including, without limitation, any moneys paid by the Federal Emergency Management Agency of the United States of America ("**FEMA**") and which has been designated by FEMA to be paid to the Borrower) and

which is in possession of the MSTC, the Treasurer's Office or any other State agency, department or commission created pursuant to State law (the "Intercept Monies") and (2) pay same over to the Trustee to satisfy any delinquent payment (the "Delinquent Payment") under Sections 4.2, 4.4(e), 4.4(f) and/or 4.4(g) of the Loan Agreement.

2. If there are not sufficient amounts to make the payments under Sections 4.2, 4.4(e), 4.4(f) and/or 4.4(g) of the Loan Agreement, when due under the provisions of the Loan Agreement, the Bank hereby authorizes and directs the Trustee under the provisions of this Agreement to file this Agreement and a statement of deficiency setting forth the amount of any Delinquent Payment with the MSTC, the Treasurer's Office or any other State agency, department or commission created pursuant to State law, thereby directing the MSTC, the Treasurer's Office or any other State agency, department or commission created pursuant to State law to pay any Intercept Monies directly to the Trustee, on behalf of the Bank, to satisfy any Delinquent Payment, all as permitted under the Act. In any event, if the Borrower fails to make timely payments required under the Loan Agreement and the Note, as provided in Sections 4.2, 4.4(e), 4.4(f) and 4.4(g) of the Loan Agreement, the Trustee is hereby further directed to file this Agreement with the MSTC, the Treasurer's Office or any other State agency, department or commission created pursuant to State law and take further action to recover Intercept Monies under this Agreement and the Indenture. This paragraph 2 includes requirements in addition to the requirements under paragraph 1 and this paragraph 2 in no way limits the rights of the Trustee or the Bank.

3. The Trustee is directed under the Indenture to deposit any Intercept Monies it receives into the Interest Account or the Principal Account, as applicable, of the Debt Service Fund (as such terms are defined in the Indenture) in accordance with the Indenture, except for any Delinquent Payment under Section 4.4(e), 4.4(f) or 4.4(g) of the Loan Agreement which shall be applied in accordance with the provisions thereof.

4. This Agreement may be executed in one or more counterparts, any of which shall be regarded for all purposes as an original and all of which constitute one and the same instrument. The Bank and Borrower each agree that it will execute any and all documents or other instruments and take such other actions as may be necessary to give effect to the terms of this Agreement.

5. No waiver of either the Bank or the Borrower of any term or condition of this Agreement shall be deemed or construed as a waiver of any other terms or conditions, nor shall a waiver of any breach be deemed to constitute a waiver of any subsequent breach, whether of the same or of a different section, subsection, paragraph, clause, phrase or other provision of this Agreement.

6. This Agreement merges and supersedes all prior negotiations, representations, and agreements between the Bank and the Borrower relating to the subject matter hereof and constitutes the entire Agreement between the Bank and the Borrower in respect hereof.

[The Remainder of this Page is Intentionally Left Blank.]

IN WITNESSETH WHEREOF, we have hereunto set our hands as of the date first above written.

MISSISSIPPI DEVELOPMENT BANK

BY: _____
Executive Director

ATTEST:

Secretary

BY: _____

ATTEST:

ACCEPTED BY:

HANCOCK BANK, as Trustee

BY: _____
Susan Tsimortos, Senior Vice President and Trust Officer

LOAN AGREEMENT

By and Between

MISSISSIPPI DEVELOPMENT BANK

AND

DATED _____, 2005

Secured by:

\$ _____
PROMISSORY NOTE
(HURRICANE KATRINA RELIEF PROGRAM)
DATED _____, 2005

**The interest of the Mississippi Development Bank in this Loan Agreement,
except for certain rights retained by the Issuer pursuant to Section 4.6 hereof,
has been assigned to Hancock Bank, as Trustee**

This instrument was drafted by:
BUTLER, SNOW, O'MARA, STEVENS & CANNADA, PLLC
Attorneys At Law
17th Floor, AmSouth Plaza
210 East Capitol Street
Jackson, Mississippi 39201

TABLE OF CONTENTS

Page No.

ARTICLE I DEFINITIONS, EXHIBITS AND MISCELLANEOUS	2
Section 1.1 Definitions.....	2
Section 1.2 Borrower's Acts.....	8
Section 1.3 Rules of Interpretation.....	8
ARTICLE II REPRESENTATIONS OF ISSUER AND BORROWER.....	9
Section 2.1 Representations by the Issuer.....	9
Section 2.2 Representations and Warranties of the Borrower.....	10
Section 2.3 Survival.....	12
ARTICLE III APPLICATION OF LOAN PROCEEDS.....	12
Section 3.1 Application of Loan Proceeds.....	12
Section 3.2 Disbursement of Loan Proceeds from the Project Fund.....	12
Section 3.3 Payment of Costs by Borrower.....	12
Section 3.4 Issuance of Bonds.....	13
ARTICLE IV THE LOAN, LOAN REPAYMENTS AND ADDITIONAL CHARGES.....	13
Section 4.1 The Loan.....	13
Section 4.2 Loan Repayments.....	13
Section 4.3 Pledge of Revenues of the Borrower.....	14
Section 4.4 Additional Charges.....	15
Section 4.5 Borrower's Obligations Unconditional.....	16
Section 4.6 Assignment of Issuer's Rights.....	16
Section 4.7 Borrower's Remedies.....	17
ARTICLE V RESERVED.....	17
Section 5.1 Reserved.....	17
ARTICLE VI PROJECT COVENANTS.....	17
Section 6.1 Affirmative Covenants of the Borrower.....	17
Section 6.2 Covenants in Bond Documents.....	17
Section 6.3 Conduct of Governmental Operations.....	17
Section 6.4 Payment of Indebtedness.....	18
Section 6.5 Performance of Obligations.....	18
Section 6.6 Covenant Against Additional Indebtedness.....	18
ARTICLE VII BORROWER'S COVENANTS.....	18
Section 7.1 Covenant for the Benefit of the Trustee and the Bondholders.....	18

Section 7.2	Certificate of Compliance and Other Reports.....	19
Section 7.3	Tax Covenants.....	19
Section 7.4	Agreement Withholding Borrower Monies to Satisfy Delinquent Payments.....	20
ARTICLE VIII BORROWER'S OPTIONS.....		20
Section 8.1	Prepayment of the Participant Note and Termination of the Loan Agreement.....	20
Section 8.2	Direction of Investments.....	21
ARTICLE IX EVENTS OF DEFAULT AND REMEDIES.....		22
Section 9.1	Events of Default.....	22
Section 9.2	Remedies.....	22
Section 9.3	Disposition of Funds.....	23
Section 9.4	Nonexclusive Remedies.....	23
Section 9.5	Attorneys' Fees and Expenses.....	23
Section 9.6	Effect of Waiver.....	23
Section 9.7	Waiver of Stay or Extension.....	24
Section 9.8	Issuer May File Proofs of Claim.....	24
Section 9.9	Restoration of Positions.....	24
Section 9.10	Suits to Protect Project.....	24
Section 9.11	Performance by Third Parties.....	25
Section 9.12	Exercise of the Issuer's Remedies by Trustee.....	25
ARTICLE X GENERAL.....		25
Section 10.1	Amounts Remaining in Funds.....	25
Section 10.2	Notices.....	25
Section 10.3	Binding Effect.....	26
Section 10.4	Severability.....	26
Section 10.5	Amendments, Changes, and Modifications.....	26
Section 10.6	Execution Counterparts.....	26
Section 10.7	Required Approvals.....	26
Section 10.8	Limitation on Issuer Liability.....	26
Section 10.9	Representations of Borrower.....	27
Section 10.10	Survivorship of Obligations.....	27
Section 10.11	Administrative Fees, Attorneys' Fees and Costs.....	27
Section 10.12	Release.....	28
Section 10.13	Choice of Law; Venue.....	28

EXHIBIT A - DEFINITIONS FROM INDENTURE

EXHIBIT B - FORM OF NOTE

LOAN AGREEMENT

THIS LOAN AGREEMENT, dated _____, 2005 (the "Loan Agreement"), is by and between the **MISSISSIPPI DEVELOPMENT BANK**, a public body corporate and politic of the State of Mississippi (the "State"), exercising essential public functions (the "Bank" or "Issuer") and organized under the provisions of Mississippi Code of 1972, Section 31-25-1 *et seq.*, as from time to time amended (the "Act"), and the _____ (the "Borrower"), a political subdivision of the State and a Local Governmental Unit under the Act.

RECITALS:

WHEREAS, the Bank was duly created under and pursuant to the provisions of the Act as a political subdivision of the State (the "State"); and

WHEREAS, the Bank is authorized by the Act, among other things, to assist in (1) financing and/or refinancing the construction of public works and infrastructure and the acquisition of equipment and rolling stock and (2) working capital or deficit financings, including, but not limited to, tax anticipation notes, bond anticipation notes, and revenue anticipation notes ("Projects") for Local Governmental Units (as defined in the Act) in the State; and

WHEREAS, pursuant to the Act, and in order to encourage financing such Projects, which the Issuer believes to be in the public interest and for the benefit of the health and safety of the citizens of the State, the Issuer may issue its revenue bonds and loan the proceeds of such revenue bonds to Local Governmental Units in the State which have been directly or indirectly impacted by the August 27, 2005 landfall of Hurricane Katrina (the "Program"); and

WHEREAS, in order to establish the Program to assist Local Governmental Units which have been directly or indirectly impacted by the August 27, 2005 landfall of Hurricane Katrina in financing Projects, the Issuer has agreed to authorize, issue and deliver its \$ _____ Special Obligation Bonds, Series 2005__ (Hurricane Katrina Relief Program) which are to be issued pursuant to this Indenture (the "Bonds"); and

WHEREAS, the Issuer shall loan the proceeds of the Bonds to the Borrower pursuant to the terms and provisions of this Loan Agreement authorized, executed and delivered by the Borrower; and

WHEREAS, to further secure the payment of the Bonds pursuant to this Loan Agreement, the Borrower has authorized, executed and delivered a promissory note, which promissory note and this Loan Agreement (except certain rights retained by the Issuer) the Issuer has assigned or will assign to the Trustee under the Indenture; and

WHEREAS, to further secure the payment of the Bonds, the Borrower will provide for the payment of debt service on the Bonds from any lawfully available revenues of the Borrower, as hereinafter defined.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, THIS LOAN AGREEMENT WITNESSETH:

That the parties hereto, intending to be legally bound hereby and in consideration of the mutual covenants hereinafter contained, do hereby agree as follows:

ARTICLE I
DEFINITIONS, EXHIBITS AND MISCELLANEOUS

Section 1.1 Definitions.

The terms used herein, unless the context hereof shall require otherwise, shall have the following meanings, and any other terms defined in Section 1.1 of the Indenture shall have the same meanings when used herein as assigned them in the Indenture, unless the context or use thereof indicates another or different meaning or intent.

“Act” means together Section 31-25-1 *et seq.* of the Mississippi Code of 1972, as amended and supplemented, Section 31-15-21 *et seq.* of the Mississippi Code of 1972, as amended and/or Section 31-27-1 *et seq.*, 17-21-51, 19-11-21, 21-35-19, 21-35-21, and 33-15-17 of the Mississippi Code of 1972, as amended.

“Additional Charges” means the payments required by Section 4.4 of this Loan Agreement.

“Administrative Expenses” means the reasonable and necessary fees, costs or expenses incurred or payable by the Borrower to the Issuer pursuant to this Loan Agreement or the Indenture, including, compensation and expenses paid to or incurred by the Trustee or any paying agent under this Loan Agreement or the Indenture, and the fees and expenses incurred by the Issuer or the Borrower under the Administration Agreement in connection with the Bonds.

“Administrator” means Government Consultants, Inc., as Administrator under the Administration Agreement.

“Administration Agreement” means that certain Administration Agreement, dated as of October ____, 2005, by and among the Issuer, the Borrower, the Administrator, and as accepted by the Trustee.

“Annual Budget” means the budget or amended budget in effect as provided in or adopted pursuant to Section 6.6 hereof.

“Authorized Representative” means (a) in the case of the Bank, the Executive Director or Secretary or Assistant Secretary of the Bank, as well as the President and Vice President of the Issuer’s Board of Directors and when used with reference to any act or document also means any officer of the Bank authorized by resolution of the Bank to perform such act or execute such document; (b) in the case of a Local Governmental Unit (i.e., the Borrower), any person or persons authorized pursuant to the charter, an ordinance, or a resolution of the governing body of such Local Governmental Unit to perform such act or execute such document; and (c) in the case of the Trustee, the Chairman of the Board, the President, any Vice President, any Assistant Vice President, any Trust Officer or any Assistant Trust Officer thereof, and with respect to this subparagraph (c) when used with reference to any act or document also means any other person

authorized to perform such act or execute such document by or pursuant to the by-laws or a resolution of the governing board thereof.

“Bank” or **“Issuer”** shall mean the Mississippi Development Bank, a public body corporate and politic of the State, exercising essential public functions and organized under the provisions of the Act.

“Bond” or **“Bonds”** shall mean the Bank's \$ _____ Special Obligation Bonds, Series 2005__ (Hurricane Katrina Relief Program) issued pursuant to the Indenture, including such Bonds issued in exchange for other such Bonds pursuant to the Indenture, or in replacement for mutilated, destroyed, lost or stolen Bonds pursuant to the Indenture.

“Bond Closing” means the date on which there is delivery by the Issuer of, and payment for, the Bonds.

“Bond Counsel” means the firm of Butler, Snow, O’Mara, Stevens & Cannada, PLLC, Jackson, Mississippi, or its respective successors, or any other firm of nationally recognized bond counsel experienced in tax exempt bond financing selected by the Borrower and acceptable to the Issuer and the Trustee.

“Bond Documents” means collectively, to the extent applicable, this Indenture, each Loan Agreement, each Participant Note, each Intercept Agreement, the Standby Purchase Agreement, the Remarketing Agreement and the Bond Insurance Policy.

“Bond Insurance Policy” means a municipal bond insurance policy issued by a Bond Insurer guaranteeing the scheduled payment of principal of and interest on the Bonds.

“Bond Insurer” means any entity approved by the Bank which issues any Bond Insurance Policy for any or all of the Bonds.

“Bond Register” means the registration records of the Bank kept by the Trustee to evidence the registration and transfer of the Bonds.

“Bondholder” or **“Holder”** shall mean the Person in whose name a Bond is registered in the Bond Register.

“Borrower” means the Local Governmental Unit executing and delivering this Loan Agreement as identified in the heading hereof.

“Certificate” shall mean, as the case may be, either (i) a signed document attesting to or acknowledging the circumstances, representations or other matters therein stated or set forth or (ii) a signed document setting forth matters to be determined by an Authorized Representative of the Borrower pursuant to this Loan Agreement.

“Code” or **“Internal Revenue Code”** shall mean the Internal Revenue Code of 1986, as amended, and all applicable Treasury Regulations promulgated thereunder.

“Date of this Loan Agreement” means the date provided in the heading of this Loan Agreement.

“Debt Service Payment” means the aggregate of the interest and principal payable on the Participant Note and any Parity Indebtedness for the specific period designated under this Loan Agreement.

“Debt Service Reserve Fund” means the fund by that name created by Section 4.1 of the Indenture.

“Debt Service Reserve Requirement” means the lesser of the following: (i) the maximum amount of principal and interest becoming due in the current or any future bond year (meaning each one (1) year period beginning on July 1 of year one and ending on June 30 of the following year) on all Bonds then Outstanding; (ii) 125% of average annual debt service on the Bonds; or (iii) 10% of the stated principal amount of the Bonds, which Debt Service Reserve Requirement may be funded with cash or Reserve Fund Credit Facility.

“Default Rate” means, following an Event of Default when acceleration of the Bonds has been declared pursuant to Section 8.4 of the Indenture (the "date of declaration"), (a) LIBOR plus .15% for the first six (6) months following the date of declaration; (b) LIBOR plus 1.00% for the six (6) month period immediately succeeding the first six (6) months following the date of declaration; (c) LIBOR plus 2.00% for the twelve (12) month period commencing the date twelve (12) months following the date of declaration; (d) LIBOR plus 3.00% for the twelve (12) month period commencing the date twenty-four (24) months following the date of declaration; and (e) LIBOR plus 4.00% commencing the date thirty-six (36) months following the date of declaration; provided, however, that the Default Rate shall never exceed the Maximum Rate.

“Depository” means any bank, trust company or national banking association selected by the Borrower and approved by the Trustee as a depository of moneys and securities held under the provisions of this Loan Agreement, and its successor or assign or successors or assigns.

“Discharge Date” means the date on which all Outstanding Bonds are discharged under Article XII of the Indenture.

“Event of Default” means any of the events set forth in Section 9.1 hereof.

“Fiduciary” or **“Fiduciaries”** shall mean the Trustee, the paying agent, the Depository or any or all of them, as may be appropriate.

“Fiscal Year”, when used with respect to the Borrower, shall mean a period beginning on July 1 in any year and ending on June 30 of the following year or such other twelve month period as may be adopted by the Borrower in accordance with law.

“Fund” means any fund described in Article IV of the Indenture.

“Guaranty” means any Guaranty Agreement by and between the Bank and any Reserve Fund Credit Facility Issuer under which the Bank agrees to reimburse such Reserve Fund Credit Facility Issuer for all draws under any Reserve Fund Credit Facility.

“Holder” or **“Bondholder”** shall mean the person in whose name a Bond is registered in the Bond Register.

“Independent Accountant” means the Audit Department of the State of Mississippi or a certified public accountant or firm of certified public accountants registered and qualified to practice as such under the laws of the State of Mississippi and reasonably acceptable to the Trustee, and not regularly employed by the Issuer or the Borrower, except to perform independent audits of the books and records of either or both of them or other similar periodic reviews.

“Indenture” means the Trust Indenture, dated October ____, 2005, by and between the Issuer and Trustee, as the same may from time to time be amended or supplemented as therein provided.

“Intercept Agreement” means the Intercept Agreement, dated the date hereof, by and between the Borrower and the Bank, as set forth in Section 7.4 to this Loan Agreement, securing the Bonds.

“Interest Payment Date” means a Weekly Interest Rate Payment Date, a Term Rate Interest Payment Date and an Index Rate Interest Payment Date, as applicable, as such Interest Payment Dates are more fully described in the Indenture.

“Internal Revenue Code” or **“Code”** shall mean the Internal Revenue Code of 1986, as amended, and all applicable Treasury Regulations.

“Issuer” means the Bank.

“Loan” means the loan of Net Proceeds by the Issuer to the Borrower described in Section 4.1 of this Loan Agreement.

“Loan Agreement” means this Loan Agreement by and between the Issuer and the Borrower, as the same may from time to time be amended or supplemented as provided herein and in the Indenture.

“Loan Proceeds” means the Net Proceeds of the issuance and delivery of the Bonds and investment earnings thereon held by the Trustee.

“Loan Repayments” means the payments required by Section 4.2 of this Loan Agreement.

“Net Bond Proceeds” means proceeds from issuance and delivery of the Bonds, including interest earnings thereon.

“Net Proceeds” means Net Bond Proceeds, including any interest earnings thereon, less (i) accrued interest, (ii) such Net Bond Proceeds used to pay or reimburse for the payment of Costs of Issuance and any other neutral costs and (iii) funds used to fund the Debt Service Reserve Fund.

“Note Year” means the period from Closing Date through June 30, 2006, and thereafter each twelve (12) month period from each July 1 to and including June 30 of the following year.

“Outstanding” or **“outstanding”** when used with reference to Bonds, shall mean all Bonds which have been authenticated and issued under the Indenture except:

- (a) Bonds canceled by the Trustee pursuant to the Indenture;
- (b) Bonds for the payment of which moneys or Defeasance Obligations shall be held in trust for their payment by the Trustee as provided in the defeasance provisions of the Indenture;
- (c) Bonds which have been duly called for redemption and for which the redemption price thereof is held in trust by the Trustee as provided in the Indenture;
- (d) Bonds in exchange for which other Bonds shall have been authenticated and delivered by the Trustee as provided in the Indenture; and
- (e) for all purposes regarding consents and approvals or directions of Bondholders under the Indenture, Bonds held by or for the Bank, the Borrower or any person controlling, controlled by or under common control with either of them.

Any Bonds the principal of or interest on which have been paid by the Bond Insurer shall specifically remain Outstanding under the Indenture.

“Participant Note” means that certain Promissory Note (Hurricane Katrina Relief Program) dated of even date herewith delivered by the Borrower payable to the order of the Issuer in the original principal amount of \$ _____ in the form of **Exhibit B**, attached hereto.

“Participant Rate” shall mean, at any point in time, the applicable rate of interest on the Local Governmental Unit’s Participant Note.

“Persons” means an individual, a corporation, an association, a joint stock company, a business trust, a partnership, a joint venture, an unincorporated organization, or any other entity or organization, including a government or political subdivision or an agency or instrumentality thereof.

“Project” means providing funds for (1) any capital project or projects of the Borrower (including, without limitation, the construction of public works and infrastructure and acquisition of equipment and rolling stock), all or a portion of the Costs of which are financed or refinanced by the Issuer pursuant to the Indenture and this Loan Agreement and (2) working capital or deficit financings, including, but not limited to, tax anticipation notes, bond anticipation notes and revenue anticipation notes.

“Project Fund” means the Project Fund established in Section 5.1 of this Loan Agreement.

“Purchaser” means Morgan Stanley & Co. Incorporated, as the original purchaser of the Bonds.

“Redemption Date”, when used with respect to any Bond to be redeemed, shall mean the date on which it is to be redeemed pursuant to the Indenture.

“Redemption Price”, when used with respect to any Bond to be redeemed, shall mean the price at which it is to be redeemed pursuant to the Indenture.

“Repayment” means Loan Repayment.

“Reserve Fund Credit Facility” means an irrevocable and unconditional letter of credit, insurance policy or surety bond, including the Surety Bond, the terms of which have been approved by the Borrower, the Bank, the Purchaser (but only if the Purchaser is then a Bondholder) and any Bond Insurer, issued by a bank or other financial institution, which is acceptable to the Borrower, the Bank, the Purchaser (but only if the Purchaser is then a Bondholder) and any Bond Insurer having a long-term credit rating of “A” or better, as determined by Standard & Poor’s Ratings Group which credit facility names the Trustee as the beneficiary thereunder; provided, that any such credit facility must (a) be renewable or extendable on an annual basis; (b) have an initial term of not less than three (3) years; (c) provide that the bank or other financial institution providing such credit facility must notify the Trustee and the Borrower, no less than 30 days in advance of the expiration of the credit facility of its intention not to renew or extend such credit facility; (d) permit the Trustee to make a drawing thereunder to fund the Debt Service Reserve Fund no later than five (5) business days prior to the earlier of (1) the expiration date of such credit facility and (2) the date the proceeds of such drawing will be needed to fund the Debt Service Reserve Fund.

“State” means the State of Mississippi.

“Swap Agreement” means a written agreement approved as to form and substance by the Bond Insurer between the Bank and a Swap Counterparty whereby the Bank is entitled to receive a floating interest rate payment on a notional amount equal to the principal amount of the Bonds outstanding at the time the Swap Agreement is executed (as such notional amount shall be reduced from time to time in accordance with the terms of the Swap Agreement), on each Swap Payment Date at a floating rate calculated in accordance with the Confirmation of the Swap Agreement, and the Bank is obligated to pay to the Swap Counterparty the Swap Payments.

“Swap Counterparty” means a financial institution with debt rated, or its obligations under the Swap Agreement are guaranteed or insured by a financial institution with debt or claims paying ability which is rated, “AA” category or better by S&P or “Aa” category or better by Moody’s on the date the Swap Agreement is executed by the Bank and the Swap Counterparty and that is acceptable to the Bond Insurer.

“Swap Payment” means, with respect to a notional principal amount as established pursuant to the Swap Agreement (as reduced from time to time in accordance therewith), an amount payable to the Swap Counterparty equal to the amount of interest accruing on such notional amount at a fixed interest rate computed in accordance with the Swap Agreement, but excluding any Termination Payments.

“Swap Payment Date” means the date upon which each Swap Payment is due to the Swap Counterparty or each Swap Receipt is due to the Issuer, which shall be the dates set forth in the Confirmation to the Swap Agreement.

“Swap Receipts” means the amounts payable by the Swap Counterparty in respect of the notional principal amount pursuant to the terms of the Swap Agreement, including any Termination Payments.

“Termination Payment” means an amount payable by the Bank or the Swap Counterparty upon termination or partial termination of a Swap Agreement.

“Term of this Loan Agreement” shall mean the period of time commencing on the Date of this Loan Agreement and terminating on the final maturity date of the Bonds or upon earlier termination of this Loan Agreement under Section 8.1, whichever date occurs sooner, but in no event earlier than the date when all amounts under Sections 4.2 and 4.4 hereof have been paid in full.

“Treasury Regulations” means all proposed, temporary or permanent federal income tax regulations then in effect and applicable.

“Trustee” means Hancock Bank or any successor trustee appointed, qualified and then acting as such under the provisions of the Indenture.

Section 1.2 Borrower’s Acts.

Where the Borrower is permitted or required to do or accomplish any act or thing hereunder, the Borrower may cause the same to be done or accomplished by a third party selected by the Borrower with the same force and effect as if done or accomplished by the Borrower.

Section 1.3 Rules of Interpretation.

(1) The words “herein” and “hereof” and “hereunder” and words of similar import, without reference to any particular section or subdivision, refer to this Loan Agreement as a whole rather than to any particular section or subdivision of this Loan Agreement.

(2) References in this Loan Agreement to any particular article, section or subdivision hereof are to the designated article, section or subdivision of this Loan Agreement as originally executed.

(3) All accounting terms not otherwise defined herein have the meanings assigned to them in accordance with generally accepted accounting principles; and all computations provided for herein shall be made in accordance with generally accepted accounting principles consistently applied and applied on the same basis as in prior years.

(4) The Table of Contents and titles of articles and sections herein are for convenience only and are not a part of this Loan Agreement.

(5) Unless the context hereof clearly requires otherwise, the singular shall include the plural and vice versa and the masculine shall include the feminine and vice versa.

(6) Articles, sections, subsections and clauses mentioned by number only are those so numbered which are contained in this Loan Agreement.

(7) For purposes of this Loan Agreement and the Indenture, a petition in bankruptcy shall be deemed dismissed only if either (a) the petition is dismissed by order of a court of competent jurisdiction and no further appeal rights exist from such order or (b) the Borrower notifies the Trustee that such a dismissal has occurred.

(8) Any opinion of counsel required hereunder shall be a written opinion of such counsel.

ARTICLE II REPRESENTATIONS OF ISSUER AND BORROWER

Section 2.1 Representations by the Issuer.

The Issuer makes the following representations as the basis for the undertakings on the part of the Borrower herein contained:

(1) The Issuer is a public body corporate and politic of the State, exercising essential public functions and organized under the provisions of the Act.

(2) The Issuer has full power and authority to enter into the transactions contemplated by this Loan Agreement, the Indenture and the other Bond Documents to which it is a party and to perform its obligations hereunder and thereunder.

(3) The Issuer is not in default under any provisions of the laws of the State material to the performance of its obligations under this Loan Agreement.

(4) The Issuer has been duly authorized to execute and deliver this Loan Agreement, the Indenture and the assignment of the Participant Note to the Trustee and by proper action has duly authorized the execution and delivery hereof and thereof and as to the Issuer, this Loan Agreement, the Indenture, the assignment of the Participant Note to the Trustee and the other Bond Documents to which it is a party are valid and legally binding and enforceable in accordance with their terms, except to the extent that the enforceability thereof may be limited (a) by bankruptcy, reorganization, or similar laws limiting the enforceability of creditors' rights generally or (b) by the availability of any discretionary equitable remedies.

(5) The Loan of the Net Proceeds of the Bonds to the Borrower for the Project, as provided by this Loan Agreement, will further the purposes of the Act, to wit: to assist local governmental units in obtaining financing for those purposes set forth under the Act in furtherance of its governmental purpose.

(6) Under existing statutes and decisions no taxes on income or profits are imposed on the Issuer.

(7) There is not pending any suit, action or proceeding against the Issuer before or by any court, arbitrator, administrative agency or other governmental authority which materially and adversely affects the validity, as to the Issuer, of this Loan Agreement or the Indenture, any of its obligations hereunder or thereunder or any of the transactions contemplated hereby or thereby.

(8) No public official of the Issuer has either a direct or indirect financial interest in this Loan Agreement nor will any public official either directly or indirectly benefit financially from this Loan Agreement.

Section 2.2 Representations and Warranties of the Borrower.

The Borrower represents, covenants and warrants as follows:

(1) The Borrower is a political subdivision or public corporate body or agency of the State duly organized and validly existing under the Constitution and the laws of the State and the Borrower is a Local Governmental Unit within the meaning of the Act.

(2) The execution, delivery and performance by the Borrower of this Loan Agreement and the Participant Note and each of the other Bond Documents to which it is a party are (i) within the Borrower's governmental powers, and (ii) have been duly authorized by all necessary actions of the governing body of the Borrower.

(3) No authorization, approval or other action by, and no notice to or filing with, any governmental authority or regulatory body is required for the due execution, delivery and performance by the Borrower of this Loan Agreement, the Participant Note and the other Bond Documents to which the Borrower is a party.

(4) To the best of the Borrower's knowledge, as of the date hereof, the use of the Project, if applicable, as designed and proposed to be operated complies, in all material respects, with all presently applicable rules and ordinances of the federal government and the State and the respective agencies thereof.

(5) The Borrower has reviewed and approved the provisions of the Indenture.

(6) To the best of Borrower's knowledge, no public official of the Borrower has either a direct or indirect financial interest in this Loan Agreement nor will any public official either directly or indirectly benefit financially from this Loan Agreement.

(7) This Loan Agreement, the Participant Note and the other Bond Documents to which the Borrower is a party are legal, valid and binding obligations of the Borrower, and are enforceable against the Borrower, in accordance with their respective terms, except as such enforceability may be limited by bankruptcy, insolvency, reorganization, moratorium or other laws relating to or limiting creditors' rights or equitable principles generally.

(8) There is no pending action or proceeding before any court, governmental agency or arbitrator against or directly involving the Borrower and, to the best of the Borrower's knowledge, there is no threatened action or proceeding affecting the Borrower or any of its assets before any court, governmental agency or arbitrator (i) which, in any case, may materially and

adversely affect the financial condition or operations of the Borrower, (ii) which seeks to restrain or would otherwise have a material adverse effect on the transactions contemplated herein, or (iii) which would affect the validity or enforceability of this Loan Agreement, the Participant Note or the other Bond Documents.

(9) The Borrower is not in default in the payment or performance of any of its obligations or in the performance of any mortgage, indenture, lease, contract or other agreement, instrument or undertaking to which it is a party or by which it or any of its assets may be bound, which default would have a material and adverse effect on the governmental functions, operations, assets or condition, financial or otherwise, of the Borrower, either individually or taken as a whole. No Event of Default hereunder or under the Participant Note or any other Bond Document has occurred and is continuing. The Borrower is not in default under any order, award or decree of any court, arbitrator, or governmental authority binding upon or affecting it or by which any of its assets may be bound or affected which default would have a material adverse effect on the governmental functions, operations, assets or condition, financial or otherwise, of the Borrower, either individually or taken as a whole, and no such order, award or decree adversely affects the ability of the Borrower to carry on its governmental functions as currently conducted or the ability of the Borrower to perform its obligations under this Loan Agreement, the Participant Note and the other Bond Documents to which it is a party.

(10) The Borrower is not a party to any contract or agreement or subject to any restriction which materially and adversely affects its governmental functions, its property or assets, or financial condition. The Borrower is not a party to, or otherwise subject to any provision contained in, any instrument evidencing indebtedness of the Borrower, any agreement relating thereto or any other contract or agreement which restricts or otherwise limits the incurring of the indebtedness to be represented by this Loan Agreement, the Participant Note and the other Bond Documents.

(11) The Borrower is in compliance with all laws, orders, regulations and ordinances of all federal, foreign, state and local governmental authorities binding upon or affecting the governmental functions, operation or assets of the Borrower, except for laws, orders, regulations and ordinances the violation of which would not, in the aggregate, have a material and adverse effect on the Borrower's financial condition.

(12) Except for the effects of Hurricane Katrina, there is no fact known to the Borrower which materially adversely affects or in the future may (so far as the Borrower can now foresee) materially adversely affect the property, assets or financial condition of the Borrower which has not been set forth in this Loan Agreement, the Participant Note or in the other Bond Documents, prior to the date hereof in connection with the transactions contemplated hereby.

(13) The Borrower hereby incorporates herein and makes each of the representations and warranties contained in the other Bond Documents to which it is a party, operative and applicable for the benefit of Issuer and the Trustee as if the same were set forth at length herein.

Section 2.3 Survival.

The foregoing representations, covenants and warranties of the Borrower shall be continuing and shall survive the execution and delivery of this Loan Agreement, the Participant Note and the other Bond Documents. The disbursement of Loan Proceeds from the Project Fund shall constitute a certification by the Borrower that the aforesaid representations, covenants and warranties are true and correct in all material respects as of the date of such disbursement.

**ARTICLE III
APPLICATION OF LOAN PROCEEDS**

Section 3.1 Application of Loan Proceeds.

Simultaneously with the delivery of the Bonds by the Trustee, Net Proceeds of the Bonds in the amount of \$_____ will be deposited in the Project Fund and disbursed as provided in Section 3.2 hereof.

Section 3.2 Disbursement of Loan Proceeds from the Project Fund.

There is hereby established the Project Fund which shall be maintained by the Borrower with a qualified depository. Any income received from investment of monies in the Project Fund shall be deposited in the Project Fund and shall be used for the cost of the Project and, if necessary, may be used by the Borrower to provide for the payment of debt service on the Participant Note. From Project Fund there shall be held and disbursed moneys for any and all purposes of the Project, as authorized by the Act. Any amounts which remain in the Project Fund after the use of such amounts toward completion of the Project shall be transferred to the Trustee for deposit in to the Interest Account of the Debt Service Fund under the Indenture.

Funds on deposit in the Project Fund may be invested in Permitted Investments, as defined in the Indenture, to the extent they are authorized by the Act and applicable provisions of State law.

Section 3.3 Payment of Costs by Borrower.

The Borrower agrees that it will provide any and all money (whether from the proceeds of the Bonds or otherwise) required for the prompt and full payment of:

(1) All legal (including Bond Counsel and counsel to the Issuer, the Borrower and Trustee), financial advisor and accounting fees and expenses, administrative and rating agency fees (if any), printing and engraving costs and other expenses incurred and to be incurred with respect to (i) the authorization, sale and issuance of the Bonds, or (ii) the preparation of this Loan Agreement, the Indenture, the Participant Note and all other documents necessary to the Bond Closing or required by this Loan Agreement or the Indenture;

(2) Premiums on all insurance; and

(3) reasonable fees and expenses of the Trustee and paying agent under the Indenture.

Section 3.4 Issuance of Bonds.

The Issuer has contracted for the sale of the Bonds authorized by the Indenture, and the Borrower has and does approve the terms of the Indenture. Forthwith upon execution of this Loan Agreement and the Indenture, or as soon thereafter as practicable, the Issuer will execute the Bonds and cause them to be authenticated by the Trustee and delivered to the Purchaser in accordance with the Bond Purchase Agreement for the purchase of the Bonds upon payment of the purchase price and filing with the Trustee of the opinion of Bond Counsel as to the legality of the Bonds and the furnishing of all other documents required by this Loan Agreement and the Indenture to be furnished before delivery. The Issuer will then cause the proceeds of the Bonds to be transmitted to the Trustee.

**ARTICLE IV
THE LOAN, LOAN REPAYMENTS AND ADDITIONAL CHARGES**

Section 4.1 The Loan.

The Issuer agrees, upon the terms and conditions herein specified, to lend to the Borrower the Net Proceeds received by the Issuer from the sale of the Bonds, by causing such Net Proceeds to be deposited with the Trustee for disposition as provided herein and in the Indenture. The amount of the Loan shall also be deemed to include "discount," "premium," if any, or any other amount by which the aggregate price at which the Issuer sells the Bonds to the Purchaser is different from the aggregate principal amount of the Bonds, plus accrued interest, if any. The obligation of the Issuer to make the Loan shall be deemed fully discharged upon so depositing the Net Proceeds of the Bonds with the Trustee as set forth herein.

Section 4.2 Loan Repayments.

The principal and interest portions of Loan Repayments are due in the form of payments on the Participant Note, in accordance with the terms thereof. Payment of all other amounts due under this Loan Agreement are payable by the Borrower directly, upon receipt by the Borrower of a statement thereof. The Borrower shall make Loan Repayments due under this Loan Agreement in lawful money of the United States of America to the Trustee. Payment by the Borrower of principal, premium, if any, and interest on the Participant Note shall constitute Loan Repayments of principal, premium and interest hereunder.

The Loan shall be repaid in installments, consisting of (1) principal payments on the Participant Note, payable in such amounts on such dates as set forth in the Participant Note, as shown in **Exhibit A** hereto; and (2) interest on the Participant Note at the Participant Rate. Interest on any past-due Loan Repayment shall accrue at a rate equal to the Default Rate. All Loan Repayments shall be due as set forth in the Participant Note unless the Participant Note is prepaid in whole or the due date on the Loan Repayments is accelerated pursuant to Section 9.2 hereof.

In addition to the foregoing, the Borrower shall pay to the Trustee for the account of the Issuer, its pro rata share of any rebate payable to the United States of America as provided in the

Indenture to the extent such payments cannot be made from the Funds established for the payment thereof under the Indenture.

As payment on the Participate Note, the Borrower shall remit to the Trustee for deposit into the Interest Account and the Principal Account of the Debt Service Fund under the Indenture (i) all amounts due under the Participant Note and required for the payment of the principal of and the interest due on the Outstanding Bonds at least five (5) days prior to any Interest Payment Date or Maturity Date, and (ii) the amounts required for the payment of the purchase or Redemption Price including accrued interest on Outstanding Bonds being redeemed or purchased for retirement, and in each such case, such amounts shall be applied by the Trustee to such payments. The Borrower shall receive a credit for amounts due under this paragraph to the extent of the Borrower's pro rata share of my any amount then on deposit in the Interest Account and/or the Principal Account, as applicable, or the Debt Service Fund.

Whenever the Borrower shall fail to pay the full amount of any installment of Loan Repayments payable as set forth above by the date on which such installment is due, the Trustee shall give immediate telephonic notice thereof, promptly confirmed in writing, to an Authorized Borrower Representative and the Borrower shall immediately make payment to the Trustee in an amount that, together with any amounts already paid by the Borrower and received by the Trustee, will equal the full amount of the installment of Loan Repayments then payable.

Section 4.3 Pledge of Revenues of the Borrower.

The Participant Note will be an obligation of the Borrower payable solely from the moneys, rights and interests pledged under this Loan Agreement as set forth in the immediately succeeding paragraph. The Participant Note initially issued under this Loan Agreement shall be issued for the purposes of providing funds to finance the Project, fund a Debt Service Reserve Fund for the Bonds and to pay related costs of issuance for the Bonds and the Participant Note.

Pursuant to the terms of this Loan Agreement, the principal of and interest on the Participant Note and other amounts due under this Loan Agreement are to be paid from lawfully available revenues of the Borrower. The Borrower has covenanted in this Loan Agreement to take such action as may be necessary to include all the Loan Repayments and other amounts due under this Loan Agreement in its annual budget, including principal and/or interest. However, the Act and this Loan Agreement provide for the intercept of monies of the Borrower which may be held by the Mississippi State Tax Commission, the Mississippi Office of the State Treasurer or any other State agency, department or commission of the State if the Borrower is deficient in its payments, as provided in Section 7.4 hereof.

The obligation of the Borrower to make Loan Repayments and pay amounts due under this Loan Agreement constitutes a binding obligation of the Borrower in accordance with the terms of the Participant Note and this Loan Agreement, respectively. The Borrower, in its sole discretion, may make said payments with any legally available revenues. Except as stated in the Indenture, nothing in this Loan Agreement or the Participant Note creates a lien of any kind or character whatsoever upon any funds, income or revenue now existing or hereafter held, collected, received, anticipated by, or available to the Borrower, or prevents or restricts the Borrower at any time from pledging, obligating or creating specific liens upon funds, income or

revenues, to or for the payment of any bonds, notes or certificates of the Borrower or for any other purpose whatsoever. The Borrower has not pledged or levied any form of taxation for the payment of the Participant Note or amounts due under this Loan Agreement.

The obligations of the Borrower under the Participant Note and this Loan Agreement are not general obligations and do not constitute a pledge of the full faith and credit of the Borrower, the State of Mississippi or any political subdivision or agency thereof within the meaning of any constitutional or statutory provision or limitation.

Section 4.4 Additional Charges.

The Borrower agrees to pay as additional charges, when due, each and all of the following:

(a) Costs of Issuance;

(b) to or upon the order of the Trustee, upon demand, all fees of the Trustee for services rendered under the Indenture and all fees and charges of the paying agent, registrars, legal counsel, accountants, public agencies and others incurred in the performance on request of the Trustee of services required under the Indenture for which the Trustee and such other persons are entitled to payment or reimbursement; provided that after payment in full thereof the Borrower may, without creating a default hereunder, contest in good faith the necessity or reasonableness of any such services, fees or expenses other than the Trustee's fees for ordinary services as set forth in the Indenture, paying agent fees and any fees or charges of public agencies;

(c) to the Issuer, the Administrator, and the Trustee, the Administrative Expenses, and all other reasonable expenses incurred by the Issuer in relation to the Project which are not otherwise required to be paid by the Borrower under the terms of this Loan Agreement and all indemnity payments required to be made under Section 7.3 hereof;

(d) any and all out-of-pocket costs and expenses (including, without limitation, the reasonable fees and expenses of any counsel, accountants or other professionals) incurred by Trustee or the Issuer at any time, in connection with (a) the preparation, negotiation and execution of this Loan Agreement, the Indenture, the Participant Note, and all other Bond Documents, any amendment of or modification of this Loan Agreement, the Indenture, the Participant Note or the other Bond Documents (including in connection with any sale, transfer, or attempted sale or transfer of any interest herein to a participant or assignee); (b) any litigation, contest, dispute, suit, proceeding or action, whether instituted by Issuer, the Trustee, the Borrower or any other person in any way relating to the Project, the Participant Note, the other Bond Documents, or the Borrower's affairs; (c) any attempt to enforce any rights of the Trustee or the Issuer against the Borrower or any other person which may be obligated to the Trustee and/or Issuer by virtue of the Participant Note or the other Bond Documents; (d) any action to protect, collect, sell, liquidate or otherwise dispose of any portion of any Project; and (e) performing any of the obligations relating to or payment of any obligations of the Borrower hereunder in accordance with the terms hereof or any other Bond Document;

(e) if there is on deposit in the Debt Service Reserve Fund an amount less than the Debt Service Reserve Requirement as of any Interest Payment Date based on the Trustee's valuation under Section 4.1(c) of the Indenture, the Borrower will pay directly to the Trustee an amount for deposit into the Debt Service Reserve Fund which, when added to the amount already on deposit in the Debt Service Reserve Fund, equals the Debt Service Reserve Requirement, such payment to be made within thirty (30) days after the applicable Interest Payment Date;

(f) upon notice by the Trustee that any event described in the last paragraph of Section 4.1(c) of the Indenture has occurred, the Borrower will make or cause to be made the required payments to replenish the Debt Service Reserve Fund within five (5) days of such notice. Said payments may be made from proceeds of a drawing under a Reserve Fund Credit Facility and in the event of a drawing under the Reserve Fund Credit Facility, the Borrower agrees to reimburse the Debt Services Reserve Fund Credit Facility Issuer amounts required to be paid by the Bank under the Guaranty; and

(g) The Borrower further agrees to pay to the Trustee for the account of the Issuer an amount equal to Swap Payments, Termination Payments and any other obligations of the Issuer under a Swap Agreement, in the amounts and in the manner provided in such Swap Agreement and the Indenture, all in order that the Issuer can cause amounts to be deposited in the Swap Account of the Debt Service Fund under the Indenture for the payment of Swap Payments, any Termination Payment under a Swap Agreement and to pay any other amounts due under such Swap Agreement. Any payment to be made by the Borrower under this Paragraph (7) shall be deemed to be an additional charge under this Loan Agreement and shall be an obligation of the Borrower to be paid in accordance with Section 4.3 of this Loan Agreement.

Section 4.5 Borrower's Obligations Unconditional.

The Borrower will not suspend or discontinue any Loan Repayments or Additional Charges, and will perform and observe all of its other agreements in this Loan Agreement, and, except as expressly permitted in Section 8.1 hereof, will not terminate this Loan Agreement for any cause, including but not limited to the invalidity or unenforceability or lack of due authorization or other infirmity of this Loan Agreement or the Participant Note, or lack of right, power or authority of the Issuer to enter into this Loan Agreement, eviction by paramount title, commercial frustration of purpose, bankruptcy or insolvency of the Issuer or the Trustee, change in the tax or other laws or administrative rulings or actions of the United States of America or of the State or any political subdivision thereof, or failure of the Issuer to perform and observe any agreement, whether express or implied or any duty, liability or obligation arising out of or connected with this Loan Agreement or the Participant Note, or for any other cause whether similar or dissimilar to the foregoing, any present or future law to the contrary notwithstanding, it being the intention of the parties hereto that the Loan Repayments and other amounts payable by the Borrower hereunder shall be paid in full when due without any delay or diminution whatever.

Section 4.6 Assignment of Issuer's Rights.

As security for the payment of the Bonds, the Issuer will pledge the amounts payable hereunder and under the Participant Note and assign, without recourse or liability, to the Trustee,

the Issuer's rights under this Loan Agreement and under the Participant Note. The rights pledged and assigned by the Issuer hereunder will include the right to receive payments hereunder (except the right to receive payments, if any, under Section 4.4, 6.7, 7.3, 9.5, 10.8 and 10.11 hereof) and the Issuer hereby directs the Borrower to make said payments directly to the Trustee. The Borrower herewith assents to such assignment and will make payments under this Loan Agreement directly to the Trustee without defense or setoff by reason of any dispute between the Borrower and the Trustee.

Section 4.7 Borrower's Remedies.

Nothing contained in this Article shall be construed to release the Issuer from the performance of any of its agreements herein, and if the Issuer should fail to perform any such agreements, the Borrower may institute such action against the Issuer as the Borrower may deem necessary to compel the performance so long as such action for specific performance shall not violate the Borrower's agreements in Section 4.5 or diminish or delay the amounts required to be paid by the Borrower pursuant to Section 4.2 of this Loan Agreement. The Borrower acknowledges however and agrees that any pecuniary obligation of the Issuer created by or arising out of this Loan Agreement shall be payable solely out of the proceeds derived from this Loan Agreement or the sale of the Bonds upon a default by the Borrower or otherwise.

**ARTICLE V
RESERVED**

Section 5.1 Reserved.

**ARTICLE VI
PROJECT COVENANTS**

Section 6.1 Affirmative Covenants of the Borrower.

Until the termination date and thereafter until no amount is due or owing to the Issuer hereunder, the Borrower shall comply with each of the covenants, undertakings and agreements set forth in this Article VI unless the Trustee and Issuer shall otherwise consent in writing which consent may be withheld in their sole and absolute discretion.

Section 6.2 Covenants in Bond Documents.

The Borrower shall keep and perform all covenants and agreements set forth in the Indenture and each and every other Bond Document, which covenants are incorporated herein by reference as if fully set forth herein.

Section 6.3 Conduct of Governmental Operations.

The Borrower shall maintain its existence as a public corporate body which is an agency of the State organized and validly existing under the Constitution and laws of the State. The Borrower will comply with all applicable laws and regulations of any federal, State or local governmental authority, except for such laws and regulations, the violation of which would not, in the aggregate, have a material adverse effect on the Borrower's financial condition.

Section 6.4 Payment of Indebtedness.

The Borrower shall pay any indebtedness for which it is liable when due and shall use its best efforts to not permit any default to occur under any document evidencing or securing any such indebtedness.

Section 6.5 Performance of Obligations.

The Borrower shall observe and perform its obligations under this Loan Agreement, the Participant Note, the other Bond Documents and the other agreements relating to the transaction contemplated hereby to which it is a party or by which it is bound and shall not suffer or permit any default or Event of Default to exist hereunder or thereunder. The Borrower shall use its good faith efforts to cause the other parties to the other Bond Documents to deliver notices and documents required to be delivered to the Issuer and cause such parties to observe and perform those obligations and covenants contained in the Bond Documents required to be observed and performed thereunder.

Section 6.6 Covenant Against Additional Indebtedness.

The Borrower hereby covenants and agrees that during the Term of this Loan Agreement and so as long as the Borrower maintains any principal or interest obligation hereunder, not to issue or be liable for any additional indebtedness, whether senior, parity or subordinate to its obligations hereunder or under the Participant Note; provided, however, that the foregoing limitation and restriction on additional indebtedness shall not apply to any additional general obligation indebtedness issued by the Borrower which is secured by the Borrower's full faith and credit.

**ARTICLE VII
BORROWER'S COVENANTS**

Section 7.1 Covenant for the Benefit of the Trustee and the Bondholders.

The Borrower recognizes the authority of the Issuer to assign its interest in and pledge monies receivable under this Loan Agreement (other than certain payments required to be made to the Issuer under Sections 4.4, 9.5, 10.8 and 10.11) to the Trustee as security for the payment of the principal of and interest and redemption premiums, if any, on the Bonds, and the payment of all fees and expenses of the Trustee; and hereby agrees to be bound by, and joins with the Issuer in the grant of a security interest to the Trustee in any rights and interest the Borrower may have in sums held in the Funds described in Article IV pursuant to the terms and conditions of the Indenture, all as to secure payment of the Bonds. Each of the terms and provisions of this Loan Agreement is a covenant for the use and benefit of the Trustee and the Holders of the Bonds, so long as any thereof shall remain Outstanding; but upon payment in full of the Bonds in accordance with Article XII of the Indenture and of all fees and charges of the Trustee and paying agent and all payments due under the Swap Agreement, all references in this Loan Agreement to the Bonds, the Holders thereof and the Trustee shall be ineffective, and neither the Trustee nor the Holders of any of the Bonds shall thereafter have any rights hereunder, save and except those that shall have theretofore vested or that arise from provisions hereunder which survive termination of this Loan Agreement.

Section 7.2 Certificate of Compliance and Other Reports.

The Borrower will at the request of the Trustee, and at the Borrower's expense, furnish to the Trustee and Issuer at such times and in such form as the Trustee may reasonably require a copy of reports containing such information as is necessary to comply with any lawful reporting or continuing registration requirements imposed by any agency of the State under the Act, the Mississippi Blue Sky Laws or any other applicable State law as it now exists or may hereafter be amended or any agency of any other state in which the Bonds have been sold, or such information as necessary to comply with federal securities law.

Section 7.3 Tax Covenants.

(a) In order to maintain the exclusion from gross income for Federal income tax purposes of interest on the Bonds, and for no other purpose, the Borrower covenants to comply with each applicable requirement of the Code.

(b) The Borrower covenants and agrees with the Trustee and the Bondholders that the Borrower shall not take any action or omit to take any action, which action or omission, if reasonably expected on the date of initial issuance and delivery of the Bonds, would cause the Bonds to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 141(a) and 148(a), respectively, of the Code, or any successor provisions.

(c) The Borrower shall make any and all payments required to be made to the United States Department of the Treasury in connection with Bonds pursuant to Section 148(f) of the Code from amounts available therefore.

(d) Upon the authentication and delivery of the Bonds, the Borrower shall furnish to the Trustee certificates of the Authorized Borrower Representative of the Borrower to the effect that, on the basis of the facts, estimates and circumstances in existence on the date of such authentication and delivery, it is not expected that the proceeds of the Bonds will be used in a manner that would cause such Bonds to be "arbitrage bonds" within the meaning of Section 148(a) of the Code and Treasury Regulations thereunder, and in such certificates the Borrower shall set forth such facts and circumstances which may be in brief and summary terms, and shall state that to the best of the knowledge and belief of such Authorized Borrower Representative, there are no other facts or circumstances that would materially change the expectations expressed in such certificate.

(e) Notwithstanding any other provisions of this Loan Agreement to the contrary, so long as necessary in order to maintain the exclusion from gross income for Federal income tax purposes under Section 103(a) of the Code of interest on the Bonds, the covenants contained in this Section 7.3 shall survive the payment of the Participant Note and the Bonds and the interest thereon, including any payment or defeasance thereof pursuant to Section 8.1 of this Loan Agreement and Article XII of the Indenture, respectively.

Section 7.4 Agreement Withholding Borrower Monies to Satisfy Delinquent Payments.

(a) As provided for in the Act, the Borrower and the Issuer have entered into and the Trustee has accepted the Intercept Agreement, whereby the Borrower has covenanted, agreed and authorized the Mississippi State Tax Commission ("MSTC"), the Mississippi Office of the State Treasurer or any other State agency, department or commission created pursuant to State law to (1) withhold all or any part of any monies which the Borrower is entitled or becomes entitled to receive from time to time (including, without limitation, any monies paid by the Federal Emergency Management Agency of the United States of America ("FEMA") and which has been designated by FEMA to be paid to the Borrower) pursuant to any law and which is in possession of the MSTC, the Mississippi Office of the State Treasurer or any other State agency, department or commission created pursuant to State law (the "Intercept Monies"), and (2) pay the same over to the Trustee to satisfy any delinquent payment ("Delinquent Payment") under Sections 4.2, 4.4(e), 4.4(f) and/or 4.4(g) hereof.

(b) If there are insufficient revenues of the Borrower to make the deposits required to provide the payments under Section 4.2, 4.4(e), 4.4(f) and/or 4.4(g) of this Loan Agreement, the Issuer has authorized and directed the Trustee under the Intercept Agreement to file the Intercept Agreement and a statement of deficiency setting forth the amount of any Delinquent Payment with the MSTC, the Mississippi Office of the State Treasurer or any other State agency, department or commission created pursuant to State law, thereby directing the MSTC, the Mississippi Office of the State Treasurer or any other State agency, department or commission created pursuant to State law to pay any Intercept Monies directly to the Trustee on behalf of the Issuer to satisfy any Delinquent Payment, all as permitted under the Act. In any event if the Borrower fails to make timely payments under the Loan Agreement and the Participant Note as provided in Sections 4.2, 4.4(e), 4.4(f), and/or 4.4(g) hereof, the Trustee is hereby further directed to file the Intercept Agreement with the MSTC, the Mississippi Office of the State Treasurer or any other State agency, department or commission created pursuant to State law and take further action to recover Intercept Monies under the Intercept Agreement. The Trustee is hereby directed to pay any Intercept Monies into the Interest Account and the Principal Account of the Debt Service Fund, as applicable, to be applied in accordance with the Indenture, except for any Delinquent Payment under Section 4.4(e), 4.4(f), or 4.4(g) which shall be applied in accordance with the provisions hereof.

**ARTICLE VIII
BORROWER'S OPTIONS**

Section 8.1 Prepayment of the Participant Note and Termination of the Loan Agreement.

(1) Unless an Event of Default has occurred and is continuing, the Borrower shall have the option to direct the Trustee to call for redemption the Outstanding Bonds, in whole or in part, as provided in Section 3.4 of the Indenture. Provided, however, with respect to any optional redemption of Bonds in part under Section 3.4(a)(1) of the Indenture, any written notice to the Paying Agent by the Borrower shall provide that such partial redemption shall be prorated among separate series of Bonds in a ratio equal to the total principal amount of Bonds

Outstanding for each series on the date of redemption as to the total principal amount of all Bonds Outstanding on the date of such redemption. The Bonds to be redeemed shall be redeemed at a price equal to their principal amount, plus a premium, if any, and accrued interest as set forth in Section 3.4 of the Indenture upon receipt of notice by the Trustee from the Borrower in the manner as set forth in the Indenture. In the event the Bonds are called for redemption in whole or in part under the Indenture, a Loan Repayment shall be made by the Borrower in the amount of principal plus the premium, if any, and accrued interest and all other fees due hereunder and under the Indenture to effectuate said redemption.

(2) If, after the Borrower exercises its option to redeem Bonds, no Bonds remain Outstanding, the Indenture is discharged, and the Borrower has satisfied all of its obligations hereunder and under the Participant Note, the Trustee and the Issuer shall execute and deliver to the Borrower such instruments as the Borrower reasonably determines are necessary to terminate this Loan Agreement. All further obligations of the Borrower hereunder, except as set forth in Sections 7.3 and 10.10, shall thereupon terminate.

(3) The Borrower shall pay to the Trustee at least five (5) days prior to the Discharge Date, an amount equal to the Trustee's and paying agent's fees and expenses under the Indenture, accrued and to accrue until final payment and redemption of the Bonds and all other advances, fees, costs and expenses reasonably incurred and to be incurred on or before the Discharge Date by the Trustee and paying agent under the Indenture and by the Issuer under this Loan Agreement.

(4) So long as any Swap Agreement is in effect, no optional redemption of Bonds pursuant to Section 3.4(a)(1) of the Indenture shall be effected unless any Termination Payment due in respect of such termination of the Swap has been paid by the Borrower as a payment under this Loan Agreement in accordance with the provision of Section 3.4(a)(1) of the Indenture and in accordance with the provisions of the Swap Agreement.

Upon termination of this Loan Agreement as provided for in this Section 8.1, the Issuer will cause the Trustee to deliver a release of the Indenture and the estate created by this Loan Agreement and the Participant Note, and all further obligations of the Borrower hereunder, except under Sections 6.7, 7.3, 9.5, 10.8 and 10.11, shall thereupon terminate, provided, however, that the Borrower shall also remain obligated to pay or reimburse the Issuer and Trustee for the payment of all other fees, costs and expenses unaccounted for in the sum paid in accordance with subsection (3) above and reasonably incurred before or subsequent to such closing in connection with the Bonds.

Section 8.2 Direction of Investments.

Only the Issuer shall have the right during the Term of this Loan Agreement to direct the Trustee to invest or reinvest all monies held for the credit of the Funds established by Article IV of the Indenture and held by the Trustee, in such securities as are authorized by law for such funds, subject, however, to the further conditions of Section 4.3 of the Indenture.

**ARTICLE IX
EVENTS OF DEFAULT AND REMEDIES**

Section 9.1 Events of Default.

Any one or more of the following events is an Event of Default under this Loan Agreement, and the term “Event of Default,” wherever used herein, means any one of the following events, whatever the reason for such default and whether it shall be voluntary or involuntary or be effected by operation of law or pursuant to any judgment, decree or order of any court or any order, rule or regulation of any administrative or governmental body:

(1) if the Borrower shall fail to pay any Loan Repayments due under this Loan Agreement;

(2) if the Borrower shall fail to pay any Additional Charges on or before the date that the payment is due and shall continue to be in arrears for five (5) days after the due date thereof;

(3) if the Borrower shall fail to observe and perform or shall breach any other covenant, condition or agreement on its part under this Loan Agreement for a period of fifteen (15) days after mailing of a notice to it by the Issuer or the Trustee, specifying such default or breach and requesting that it be remedied; provided that if the failure stated in the notice cannot be corrected within fifteen (15) days, the Issuer and Trustee will not unreasonably withhold their consent to an extension of such time if corrective action is instituted by the Borrower within said fifteen (15) days and is diligently pursued for an additional thirty (30) days;

(4) if the Borrower shall be dissolved;

(5) if any representation or warranty made by the Borrower herein, or by an officer or representative of the Borrower in any document or certificate furnished the Trustee or the Issuer in connection herewith or therewith or pursuant hereto or thereto, shall prove at any time to be, in any material respect, incorrect or misleading as of the date made; and

(6) the occurrence of an event of default under any other Bond Document which is not cured within the time period provided therefor, if any.

Section 9.2 Remedies.

(1) Whenever any Event of Default specified in Section 9.1(1) above shall have happened and be continuing, the Trustee shall declare all the Loan Repayments payable for the remainder of the Term of this Loan Agreement (an amount equal to that necessary to pay in full the Participant Note and the interest thereon assuming acceleration of the Bonds under the Indenture and to pay all other indebtedness thereunder) to be immediately due and payable whereupon the same shall become immediately due and payable by the Borrower but only if the acceleration of payment of Bonds has been declared by the Trustee under Section 8.4 of the Indenture.

(2) Whenever any Event of Default shall have occurred and be continuing any one or more of the following remedial steps may also be taken to the extent permitted by law:

(A) the Trustee or the Issuer may take whatever action at law or in equity may appear necessary or appropriate to collect all sums then due and thereafter to become due, or to enforce performance and observance of any obligation, agreement, covenant, representation or warranty of the Borrower, under this Loan Agreement, the Participant Note or any related instrument; or to otherwise compensate the Issuer, Trustee or Bondholders for any damages on account of such Event of Default; and

(B) the Issuer (without the prior written consent of the Trustee if the Trustee is not enforcing the Issuer's right in a manner to protect the Issuer or is otherwise taking action that brings adverse consequences to the Issuer) may take whatever action at law or in equity may appear necessary or appropriate to enforce its rights of indemnification under Section 7.3 hereof and to collect all sums then due and thereafter to become due to the Issuer under Section 4.4, 7.3, 9.5, 10.8 and 10.11 of this Loan Agreement. Notwithstanding the foregoing, the Issuer is not precluded from exercising any of its rights reserved to it as set forth in this Section, even if the Trustee is exercising the rights of the Issuer hereunder.

Section 9.3 Disposition of Funds.

Any amounts collected pursuant to action taken under Section 9.2 above (other than sums collected for the Issuer on account of its rights to indemnification and certain direct payments to be made to the Issuer under Sections 4.4, 7.3 and 9.5 hereof) shall be applied in accordance with the provisions of the Indenture.

Section 9.4 Nonexclusive Remedies.

No remedy herein conferred upon or reserved to the Issuer or Trustee is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Loan Agreement or now or hereafter existing at law or in equity or by statute. No delay or omission to exercise any right or power accruing upon any Event of Default shall impair any such right or power or shall be construed to be a waiver thereof, but any such right and power may be exercised from time to time and as often as may be deemed expedient. In order to entitle the Issuer (or the Trustee) to exercise any remedy reserved to it in this Article, it shall not be necessary to give any notice, other than such notice as may be herein expressly required or be required by law.

Section 9.5 Attorneys' Fees and Expenses.

If an Event of Default shall exist under this Loan Agreement and the Issuer or the Trustee should employ attorneys or incur other expenses for the collection of any amounts due hereunder, or the enforcement of performance of any obligation or agreement on the part of the Borrower, the Borrower will upon demand pay to the Issuer or the Trustee the reasonable fees of such attorneys and such other expenses so incurred.

Section 9.6 Effect of Waiver.

In the event any agreement contained in this Loan Agreement should be breached by either party and thereafter waived by the other party, such waiver shall be limited to the particular breach so waived and shall not be deemed to waive any other breach hereunder.

Section 9.7 Waiver of Stay or Extension.

The Borrower covenants (to the extent that it may lawfully do so) that it will not at any time insist upon, or plead, or in any manner whatsoever claim or take the benefit or advantage of, any appraisal, valuation, stay, or extension law wherever enacted, now or at any time hereafter in force, which may affect the covenants or the performance of this Loan Agreement; and the Borrower (to the extent that it may lawfully do so) hereby expressly waives all benefit or advantage of any such law, and covenants that it will not hinder, delay or impede the execution of any power herein granted to the Issuer or the Trustee, but will suffer and permit the execution of every such power as though no such law had been enacted.

Section 9.8 Issuer May File Proofs of Claim.

In case of the pendency of any receivership, insolvency, liquidation, bankruptcy, reorganization, arrangement, adjustment, composition or other judicial proceeding relative to the Borrower or the Project, the Trustee or the Issuer with the prior consent of the Trustee shall be entitled and empowered, by intervention in such proceeding or otherwise,

(1) to file and prove a claim and to file such other papers or documents as may be necessary or advisable in order to have the claims of the Issuer and the Trustee (for themselves and on behalf of Bondholders) (including any claim for the reasonable compensation, expenses, disbursements and advances of the Issuer and Trustee, their agents and counsel) allowed in such judicial proceeding, and

(2) to collect and receive any monies or other property payable or deliverable on any such claims and to distribute the same.

Section 9.9 Restoration of Positions.

If the Issuer or the Trustee have instituted any proceeding to enforce any right or remedy under this Loan Agreement or the Participant Note, and such proceeding has been discontinued or abandoned for any reason, or has been determined adversely to the Issuer or the Trustee, then and in every such case the Borrower and the Issuer shall, subject to any determination in the proceeding, be restored to the positions they held prior to commencement of such proceedings, and thereafter all rights and remedies of the Issuer shall continue as though no such proceeding had been instituted.

Section 9.10 Suits to Protect Project.

If the Borrower shall fail to do so after thirty (30) days' prior written notice from the Issuer or the Trustee, the Issuer shall have power to institute and to maintain such proceedings as it may deem expedient to prevent any impairment of any portion of the Project, by any acts which may be unlawful or in violation of this Loan Agreement, and such suits and proceedings as the Issuer may deem expedient to protect its interests in any portion of the Project, including power to institute and maintain proceedings to restrain the enforcement of or compliance with any governmental enactment, rule or order that may be unconstitutional or otherwise invalid, if the enforcement of, or compliance with, such enactment, rule or order would impair or adversely affect the Project or be prejudicial to the interests of the Bondholders.

Section 9.11 Performance by Third Parties.

The Issuer may permit third parties to perform any and all acts or take such action as may be necessary for and on behalf of the Borrower to cure any Event of Default hereunder. The acceptance by the Issuer or the Trustee of any such performance by third parties shall not in any way diminish or absolve the Borrower of primary liability hereunder.

Section 9.12 Exercise of the Issuer's Remedies by Trustee.

Whenever any Event of Default shall have happened and be subsisting the Trustee may, but except as otherwise provided in the Indenture shall not be obliged to, exercise any or all of the rights of the Issuer under this Article IX.

**ARTICLE X
GENERAL**

Section 10.1 Amounts Remaining in Funds.

Except during the continuance of an Event of Default, any amounts remaining in the Funds created under Article VI of the Indenture and held by the Trustee, upon expiration or earlier termination of this Loan Agreement, as provided herein, and after adequate provision has been made for payment in full of the Bonds, in accordance with Article XII of the Indenture, any Additional Charges payable to the Trustee and the Issuer, including paying agent's fees and expenses, and all other amounts required to be paid under this Loan Agreement, the Indenture and the other Bond Documents, shall forthwith be paid to the Borrower by the Trustee except as provided for in Section 4.1(f) of the Indenture and except for any monies appropriated by the State pursuant to Section 11.8 of the Indenture which will be paid to the State. Provided, however, in no event shall any amounts remaining in such Funds be paid to the Borrower by the Trustee until all amounts owed under the Reserve Fund Credit Facility and under the Swap Agreement have been paid in full.

Section 10.2 Notices.

All notices, certificates or other communications hereunder shall be in writing and shall be sufficiently given and shall be deemed given when mailed by registered or certified mail or commercially expedited delivery service, with proper address as indicated below. The Issuer, the Borrower and the Trustee may, by written notice given by each of them to the others, designate any address or addresses to which notices, certificates or other communications to them shall be sent when required as contemplated by this Loan Agreement. Until otherwise provided by the respective parties, all notices, certificates and communications to each of them shall be addressed as follows:

To the Issuer: Mississippi Development Bank
735 Riverside Drive, Suite 300
Jackson, Mississippi 39202
Attn: Executive Director

To the Borrower: _____

To the Trustee: Hancock Bank
1855 Lakeland Drive, Suite Q-230
Jackson, MS 39216
Attention: Corporate Trust

Section 10.3 Binding Effect.

This Loan Agreement shall inure to the benefit of and shall be binding upon the Issuer and the Borrower and their respective successors and assigns.

Section 10.4 Severability.

In the event any provisions of this Loan Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

Section 10.5 Amendments, Changes, and Modifications.

Except as otherwise provided in this Loan Agreement or in the Indenture, subsequent to the issuance of the Bonds and before the lien of the Indenture is satisfied and discharged in accordance with its terms, this Loan Agreement may not be effectively amended, changed, modified, altered or terminated without the written consent of the Trustee, the Borrower, the Bond Insurer and Issuer. The Borrower will not enter into any amendment to the Intercept Agreement without the prior consent of the Bond Insurer.

Section 10.6 Execution Counterparts.

This Loan Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

Section 10.7 Required Approvals.

Consents and approvals required by this Loan Agreement to be obtained from the Borrower, the Issuer or the Trustee shall be in writing.

Section 10.8 Limitation on Issuer Liability.

It is understood and agreed by the Borrower and the Holders that no covenant, provision or agreement of the Issuer herein or in the Bonds or in any other document executed by the Issuer in connection with the issuance, sale and delivery of the Bonds, or any obligation herein or therein imposed upon the Issuer or breach thereof, shall give rise to a pecuniary liability of the Issuer or a charge against its general credit or taxing powers or shall obligate the Issuer financially in any way except with respect to this Loan Agreement and the Participant Note and the application of revenues therefrom and the proceeds of the Bonds. No failure of the Issuer,

unless wrongful, to comply with any term, condition, covenant or agreement herein or therein shall subject the Issuer to liability for any claim for damages, costs or other financial or pecuniary charges except to the extent that the same can be paid or recovered from this Loan Agreement and the Participant Note or revenues therefrom or proceeds of the Bonds. No execution on any claim, demand, cause of action or judgment shall be levied upon or collected from the general credit, general funds or taxing powers of the Issuer. In making the agreements, provisions and covenants set forth herein, the Issuer has not obligated itself except with respect to this Loan Agreement and the application of revenues hereunder as hereinabove provided. The Bonds constitute special obligations of the Issuer, payable solely from the certain revenues of the Borrower pursuant to this Loan Agreement and the Indenture, and do not now and shall never constitute an indebtedness or a loan of the credit of the Issuer, the State or any political subdivision thereof or a charge against general taxing powers within the meaning of any constitutional or statutory provision whatsoever. It is further understood and agreed by the Borrower and the Holders that the Issuer shall incur no pecuniary liability hereunder and shall not be liable for any expenses related hereto. If, notwithstanding the provisions of this Section, the Issuer incurs any expense, or suffers any losses, claims or damages or incurs any liabilities, the Borrower will indemnify and hold harmless the Issuer from the same and will reimburse the Issuer for any legal or other expenses incurred by the Issuer in relation thereto, and this covenant to indemnify, hold harmless and reimburse the Issuer shall survive delivery of and payment for the Bonds. All references to the Issuer under this Section 10.8 shall include its employees, directors, attorneys and/or agents as applicable.

Section 10.9 Representations of Borrower.

All representations made in this Loan Agreement by the Borrower are based on the Borrower's independent investigation of the facts and law, and accordingly no such representations are made in reliance upon any representations made or legal advice given by the Issuer, its Bond Counsel, or any of its agents, officers or employees.

Section 10.10 Survivorship of Obligations.

All obligations of the Borrower under Sections 4.4, 6.7, 7.3, 9.5, 10.8 and 10.11 hereof shall survive payment of the Bonds or earlier termination of this Loan Agreement.

Section 10.11 Administrative Fees, Attorneys' Fees and Costs.

The Borrower shall reimburse the Issuer, upon demand, for all costs and expenses, including without limitation attorneys' fees, paid or incurred by the Issuer in connection with (i) the discussion, negotiation, preparation, approval, execution and delivery of the Bonds, the Indenture, this Loan Agreement, the Intercept Agreement, the Participant Note and the documents and instruments related hereto or thereto; (ii) any amendments or modifications to any of the foregoing documents, instruments or agreements and the discussion, negotiation, preparation, approval, execution and delivery of any and all documents necessary or desirable to effect such amendments or modifications; (iii) the servicing and administration of the Loan during the term hereof or thereafter; and (iv) the enforcement by the Issuer during the term hereof or thereafter of any of the rights or remedies of the Issuer hereunder or under the foregoing documents, or any document, instrument or agreement related hereto or thereto,

including, without limitation, costs and expenses of collection in the Event of Default, whether or not suit is filed with respect thereto.

Section 10.12 Release.

The Borrower hereby acknowledges and agrees that the Issuer shall not be liable to the Borrower, and hereby releases and discharges the Issuer from any liability, for any and all losses, costs, expenses (including attorneys' fees), damages, judgments, claims and causes of action, paid, incurred or sustained by the Borrower as a result of or relating to any action, or failure or refusal to act, on the part of the Issuer, Trustee or any other party with respect to the Bonds, the Indenture, this Loan Agreement, the Intercept Agreement, the Participant Note, or the documents and transactions related hereto or thereto or contemplated hereby or thereby, including, without limitation, the exercise by the Trustee or any third party of any of its rights or remedies pursuant to any of such documents.

Section 10.13 Choice of Law; Venue.

This Loan Agreement has been delivered in Jackson, Mississippi. The provisions of this Loan Agreement and all rights and obligations of the parties hereunder shall be governed by and construed in accordance with the laws of the State and to the extent they preempt such laws, the laws of the United States.

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

IN WITNESS WHEREOF, the Issuer and the Borrower have caused this Loan Agreement to be executed by their duly authorized officers.

MISSISSIPPI DEVELOPMENT BANK

(SEAL)

By: _____
Its: Executive Director

ATTEST:

By: _____
Its: Secretary

(SEAL)

By: _____

Its: _____

ATTEST:

By: _____

Its: _____

Signature page of Loan Agreement, dated _____, 2005, by and between the Mississippi Development Bank and _____

EXHIBIT A

FORM OF NOTE

\$ _____

PROMISSORY NOTE

(HURRICANE KATRINA RELIEF PROGRAM)

Date: _____, 2005

\$ _____

_____, a political subdivision of the State of Mississippi organized and validly existing under the Constitution and laws of the State of Mississippi ("**Borrower**"), for value received, hereby promises to pay, in immediately available funds, to the order of the Mississippi Development Bank (the "**Issuer**") or its assigns, the aggregate principal sum equal to that portion of the outstanding principal amount of the Bonds (as hereinafter defined) outstanding up to a maximum principal amount of \$ _____ together with interest on the unpaid principal balance thereof from the date hereof until fully and finally paid, premium, if any, together with all taxes levied or assessed on this Note or the debt evidenced hereby against the holder hereof and all other amounts payable by the Borrower under the Loan Agreement (as hereinafter defined). This Note shall bear interest at the Index Rate, Weekly Rate, the Term Rate or the Purchased Rate (as such terms are defined in the Indenture) on the Bonds except as otherwise provided hereunder.

The principal sum to be paid by the Borrower hereunder is established on **Schedule I** attached hereto, with interest on the principal amount at the rate or rates per annum on the unpaid balance until paid as described in the Indenture. Principal installments and interest shall be paid five (5) Business Days prior to the first Business Day of each month (the "**Loan Repayment Date**") unless otherwise provided in the Indenture. Notwithstanding the foregoing sentence, if (a) any payment of principal and interest (a "**Debt Service Repayment**") shall not be paid within ten (10) calendar days of the Loan Repayment Date, accrued but unpaid interest on the principal portion of said Debt Service Repayment shall be calculated at the Default Rate (as defined in the Loan Agreement) or (b) if all Debt Service Repayments are declared to be immediately due and payable, accrued but unpaid interest on the outstanding principal amount of this Note shall be calculated at the Default Rate.

This Note has been executed under and pursuant to a Loan Agreement dated the date hereof, by and between the Issuer and the Borrower (the "**Loan Agreement**") which Loan Agreement is incorporated herein in its entirety by reference. This Note is issued to evidence the obligation of the Borrower under the Loan Agreement to repay the loan made by the Issuer to the Borrower from a portion of the proceeds of its \$ _____ Mississippi Development Bank Special Obligation Bonds, Series 2005__ (Hurricane Katrina Relief Program) (together the "**Bonds**"), together with interest thereon at the interest rate or rates as defined and set forth in the Indenture (as hereinafter defined), premium, if any, and all other amounts, fees, penalties, premiums, adjustments, expenses, counsel fees and other payments of any kind required to be paid by the Borrower under the Loan Agreement. The Loan Agreement includes provisions permitting the Borrower, at its election, to prepay this Note, in whole or in part, all as more particularly described in the Indenture. The Loan Agreement includes provisions permitting the Trustee, at the direction of the Bondholders, to require mandatory prepayment of this Note at

certain times and under certain circumstances, all as set forth in the Indenture. In the event that the terms of this Note conflict with the terms of the Indenture or the Loan Agreement, the terms of the Indenture or the Loan Agreement, as applicable, shall control.

If the Borrower shall fail to pay on the due date therefor, whether by acceleration or otherwise, any principal, premium, if any, or interest owing hereunder, then interest shall accrue on such unpaid amounts from the date due until and including the date on which such amounts are paid in full.

The Loan Agreement and this Note have been assigned to Hancock Bank, as Trustee (the "Trustee") pursuant to a Trust Indenture, dated the date hereof, by and between the Issuer and the Trustee (the "Indenture"). Such assignment is made as security for the payment of the Bonds issued by the Issuer pursuant to the Indenture.

As provided in the Loan Agreement and subject to the provisions thereof, payments hereon are to be made at the Gulfport, Mississippi corporate trust office of the Trustee as shown in the Loan Agreement (or such other office as the Trustee shall name) in an amount which, together with other moneys available therefor pursuant to the Indenture, will equal the amount payable as principal of, premium, if any, and interest on the Bonds outstanding on such due date.

The Borrower shall make payments on this Note on the dates and in the amounts specified herein and in the Loan Agreement and in addition shall make such other payments as are required pursuant to the Loan Agreement, the Indenture and the Bonds. Upon the occurrence of an Event of Default, as defined in the Indenture or the Loan Agreement, as applicable, the principal of, premium, if any, and interest on this Note may be declared immediately due and payable as provided in the Loan Agreement. Upon any such declaration the Borrower shall pay all costs, disbursements, expenses and reasonable counsel fees of the Issuer and the Trustee in seeking to enforce their rights under the Loan Agreement and this Note.

The Borrower waives diligence, demand, presentment for payment, notice of nonpayment, protest and notice of protest, notice of any renewals or extension of this Note, and all rights under any statute of limitations. Any delay on the part of the Issuer or the Trustee in exercising any right hereunder shall not operate as a waiver of any such right, and any waiver granted with respect to one default shall not operate as a waiver in the event of any subsequent or continuing default.

All notices, certificates or other communications hereunder shall be in writing and shall be sufficiently given and shall be deemed given when mailed by registered or certified mail or commercially expedited delivery service, with proper address as indicated below. The Issuer, the Borrower and the Trustee may, by written notice given by each of them to the others, designate any address or addresses to which notices, certificates or other communications to them shall be sent when required as contemplated by this Note. Until otherwise provided by the respective parties, all notices, certificates and communications to each of them shall be addressed as follows:

To the Issuer: Mississippi Development Bank
735 Riverside Drive, Suite 300
Jackson, Mississippi 39202
Attn: Executive Director

To the Borrower: _____

To the Trustee: Hancock Bank
1855 Lakeland Drive, Suite Q-230
Jackson, MS 39216
Attention: Corporate Trust

This Note has been delivered in Jackson, Mississippi. The provisions of this Note and all rights and obligations of the parties hereunder shall be governed by and construed in accordance with the laws of the State of Mississippi and to the extent they preempt such laws, the laws of the United States.

The Borrower agrees that Trustee shall have the right to proceed against the Borrower or its property in a court in any location to enable the Trustee to realize on such property, or to enforce a judgment or other court order entered in favor of Trustee. The Borrower agrees that it shall not assert any permissive counterclaims in any proceeding brought in accordance with this provision by the Trustee or the Bank to realize on such property, or to enforce a judgment or other court order in favor of Trustee. The Borrower waives any objection that it may have to the location of the court in which the Trustee has commenced a proceeding described in this paragraph.

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

IN WITNESS WHEREOF, the undersigned has caused this Note to be executed in its name and, if applicable, its corporate seal to be hereunto affixed and attested to by its duly authorized officers all as of the day and year first above written.

(SEAL)

By: _____
Title: _____

ATTEST:

By: _____
Title: _____

ASSIGNMENT OF NOTE

FOR VALUE RECEIVED, the Mississippi Development Bank hereby assigns and transfers, without recourse, this Note to Hancock Bank, as Trustee under the Indenture herein mentioned, provided, however, that the rights pledged and assigned hereunder do not include unassigned rights reserved by the Mississippi Development Bank in Sections 4.4, 6.7, 7.3, 9.5, 10.8 or 10.11 of the Loan Agreement dated _____, 2005, by and between the Mississippi Development Bank and _____.

(SEAL)

MISSISSIPPI DEVELOPMENT BANK

By: _____
Executive Director

Attest:

By: _____
Secretary

A-5

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE WASTE MANAGEMENT INVOICE

Motion was made by Council Member Guy, seconded by Council Member Parker to pay Waste Management invoice for August 2005 as presented.

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO RECESS

Motion was made by Council Member Guy, seconded by Council Member Parker to recess with right to reconvene when necessary.

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Michelle Berdux, Chief Deputy City Clerk

The Council and Governor of the State of Mississippi have examined the circumstances related to prior Emergency Declarations and concluded that due to the ongoing and resulting effects of hurricane Katrina the said Emergency Declarations should be continued pursuant to applicable law for another 7 (seven) days.

**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 in the Courtroom of the Criminal Justice Center in said City, Tuesday, October 11, 2005, at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Larry Watkins, Anna Turnage, Donald Parker, Leavern Guy and Jerry Bounds, City Manager Reggie Frierson, City Attorney Nathan Farmer, Chief Deputy City Clerk Michelle Berdux, Deputy City Clerk Leann Smith, Fire Chief Keith Brown, and Police Chief Jim Luke.

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

Opening prayer was given by Council Member Leavern Guy, followed by the Pledge of Allegiance led by Council Member Jerry Bounds.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Guy, seconded by Council Member Turnage to approve the minutes of the Mayor and City Council date October 4, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Guy, seconded by Council Member Turnage to approve the issuance of the following manual check:

<u>TO</u>	<u>FUND</u>	<u>AMOUNT</u>	<u>FOR</u>
Circuit Court of Pearl River Co.	General	\$285.00	Filing Fees for Mem Blvd Expansion Project
Larry Albritton	General	\$2,858.75	Add'l Requested for Emergency Cleanup After Katrina
Burge Construction, Inc	General	\$5,556.00	Add'l Requested for Emergency Cleanup After Katrina
Leavern Guy	General	\$461.60	Travel to Tunica 9/20-9/22/05
Greg Mitchell	General	\$461.60	Travel to Tunica 9/20-9/22/05
Utility Management	General	\$431.92	August 2005 Invoice
Gulf South Pipeline	General	\$7,373.95	August Purchase of Gas for Resale

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY BUDGET REPORTS

Motion was made by Council Member Guy, seconded by Council Member Turnage to acknowledge receipt of the Monthly Budget Report for the month of October 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER AUTHORIZING MAYOR TO SIGN QUITCLAIM DEED

Motion was made by Council Member Guy, seconded by Council Member Turnage to authorize the Mayor's signature on quitclaim deed for 2002 taxes for parcels #091-0-12-009.00 and #096-0-08-001.00. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE LIONS CAN SHAKE FUNDRAISER

Motion was made by Council Member Parker, seconded by Council Member Bounds to approve a request by the Lions Club to conduct "Can Shake" on Saturday, October 22, 2005 at the intersections of Highway 43 North and Highway 11 North, and also Highway 43 South and Highway 11 South. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE CHRISTMAS PARADE

Motion was made by Council Member Guy, seconded by Council Member Turnage to approve request to conduct Christmas Parade on Monday, December 12, 2005 at 6:00 p.m., using the same route as last year. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE USE OF SNYDER PARK

Motion was made by Council Member Guy, seconded by Council Member Bounds to approve the use of Snyder Park for Picayune Youth Soccer Season with approval based on coordinating use with Rose of Sharon Church. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Dungan Engineering – Update on Debris Removal

As of October 10, 2005 660,000 cubic yards of debris have been moved.

Started FAU routes today, October 11, 2005.

Almost completed first pass of City, not responsible for 43 North, as that is a different contract. Large stumps will be left until last. Most of what is left now is mixed debris and will soon begin to pick that up.

Dungan Engineering will make determination about going onto individual's private property. Ex: Elderly

There has been no word of an extension yet.

CONSIDER REQUEST FROM HAPPY CAMPER, LLC

Motion was made by Council Member Bounds, seconded by Council Member Watkins to deny request from Happy Camper LLC to be connected to City water and sewer for property located at 40 Howell Road. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO CONTINUE STATE OF EMERGENCY

Motion was made by Council Member Guy, seconded by Council Member Parker to continue State of Emergency for the City of Picayune due to Hurricane Katrina. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO PURCHASE EMERGENCY PIPE/MATERIAL FOR WALGREENS

Motion was made by Council Member Parker, seconded by Council Member Turnage to purchase emergency pipe/material for Walgreens South due to recent Hurricane Katrina. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO AMEND AGENDA

Motion was made by Council Member Guy, seconded by Council Member Parker to amend agenda to pass issue concerning variance from Jon Pearson to end of agenda section. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO ALLOW TEMPORARY HOUSING

Motion was made by Council Member Watkins, seconded by Council Member Turnage to take under advisement, being subject to recall, a request for variance from Deborah Avery Williams allowing temporary housing on property located on Highway 43 South and Lakewood Subdivision. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO ALLOW TEMPORARY HOUSING

Motion was made by Council Member Watkins, seconded by Council Member Turnage to take under advisement, being subject to recall, a request for variance from Richard Teague allowing temporary housing on property located on Central Avenue. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE VARIANCE FOR JON PEARSON

Motion was made by Council Member Guy, seconded by Council Member Parker to approve request for variance from Jon Pearson to allow temporary housing on property located in Ridgecrest II Subdivision. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACCEPT BID FROM HARLEY-DAVIDSON

Motion was made by Council Member Bounds, seconded by Council Member Parker to accept lower quote of \$14,120.00 from Harley-Davidson of Jackson to purchase a 2006 Harley-Davidson Police Motorcycle. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

[Insert bid sheet here?](#)

ORDER TO ACCEPT DONATION OF FIRE ENGINE

Motion was made by Council Member Bounds, seconded by Council Member Parker to accept donation of a 1991 Fire Engine bearing VIN: 1K9AF4282MN058401 from Newark Delaware valued at \$90,000.00. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO AMEND AGENDA

Motion was made by Council Member Watkins, seconded by Council Member Parker to amend the agenda to allow correction of the following two items which should read Barbara McGrew instead of Chief Keith Brown. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONSIDER ADOPTION OF APPLICANT AGENT

Motion was made by Council Member Watkins, seconded by Council Member Parker to adopt resolution appointing Barbara McGrew as applicant agent for Hurricane Katrina Disaster. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONSIDER DESIGNATION OF APPLICANT AGENT FOR ASSISTANCE FROM FEMA

Motion was made by Council Member Watkins, seconded by Council Member Parker to designate Barbara McGrew as applicant agent for the City of Picayune for the purpose of obtaining and administering federal financial assistance from FEMA following Hurricane Katrina. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

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

Motion was made by Council Member Parker, seconded by Council Member Watkins to enter a closed session to determine the need for an executive session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matter with J J Engeran/Mississippi Mall
2. Contractual matter with Tom Sanders
3. Contractual matter MS Action for Progress/Head Start
4. Personnel matter

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Council Member Jerry Bounds exited meeting during discussion of Execution Session

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Guy, seconded by Council Member Parker to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO RECESS

Motion was made by Council Member Watkins, seconded by Council Member Turnage to recess until Tuesday, October 18, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Michelle Berdux, Chief Deputy City Clerk

The Council and Governor of the State of Mississippi have examined the circumstances related to prior Emergency Declarations and concluded that due to the ongoing and resulting effects of hurricane Katrina the said Emergency Declarations should be continued pursuant to applicable law for another 7 (seven) days.

**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 in the Courtroom of the Criminal Justice Center in said City, Tuesday, October 18, 2005, at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Larry Watkins, Anna Turnage, Donald Parker, Leavern Guy and Jerry Bounds, City Manager Reggie Frierson, City Attorney Nathan Farmer, Chief Deputy City Clerk Michelle Berdux, Deputy City Clerk Leann Smith, Fire Chief Keith Brown, and Police Chief Jim Luke.

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

Opening prayer was given by Councilman Donald Parker, followed by the Pledge of Allegiance led by Mayor Greg Mitchell.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Bounds, seconded by Council Member Turnage to approve the minutes of the Mayor and City Council date October 11, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE MINUTES OF THE PLANNING COMMISSION

Motion was made by Council Member Bounds, seconded by Council Member Turnage to approve the minutes of the Planning Commission dated August 11, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE MINUTES OF THE PLANNING COMMISSION

Motion was made by Council Member Bounds, seconded by Council Member Turnage to approve the minutes of the Planning Commission dated October 11, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY PUBLIC RECORDS REQUEST

Motion was made by Council Member Bounds, seconded by Council Member Turnage to acknowledge receipt of monthly Public Record Requests report for the month of September 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY PRIVILEGE LICENSE REPORT

Motion was made by Council Member Bounds, seconded by Council Member Turnage to acknowledge receipt of the Privilege License reports for August and September 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO REMOVE REQUEST

Motion was made by Council Member Bounds, seconded by Council Member Turnage to remove request from Picayune High School Varsity Cheerleaders to advertise Resources for the City to help attend National Cheerleading Competition February 26, 2006 by said's own request as they did not raise enough money to go to Competition. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONTINUANCE OF STATE OF EMERGENCY

Motion was made by Council Member Parker, seconded by Council Member Turnage, to approve the continuance of the State of Emergency for the City of Picayune due to Hurricane Katrina. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Decision was made to separate the following request into two motions

CONSIDER REQUEST FOR VARIANCE AT LAKEWOOD

Motion was made by Council Member Bounds, seconded by Council Member Parker to deny the variance request from Deborah Avery Williams to allow temporary housing on property located in Lakewood Subdivision. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONSIDER REQUEST FOR VARIANCE AT HIGHWAY 43 SOUTH

Motion was made by Council Member Parker, seconded by Council Member Watkins to table the variance request from Deborah Avery Williams to allow temporary housing on property located at Highway 43 South, referring request to the Planning Commission for their approval or disapproval with justification of their decision. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONSIDER REQUEST FOR VARIANCE ON CENTRAL AVENUE

Motion was made by Council Member Parker, seconded by Council Member Watkins to deny the variance request from Richard Teague to allow temporary housing on property located on Central Avenue. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONSIDER REQUEST TO APPOINT/RE-APPOINT ELECTION COMMISSIONERS

Motion was made by Council Member Turnage, seconded by Council Member Watkins to table the appointment/re-appointment of three election commissioners to the October 25th meeting. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONSIDER REQUEST TO APPOINT/RE-APPOINT MEMBERS OF PLANNING COMMISSION

Motion was made by Council Member Watkins, seconded by Council Member Parker to table the appointment/re-appointment of three members to the Planning Commission to the October 25th meeting. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONSIDER REQUEST TO APPOINT/RE-APPOINT MEMBER OF PICAYUNE HOUSING AUTHORITY

Motion was made by Council Member Bounds, seconded by Council Member Guy to appoint Pearl Ducre to the Picayune Housing Authority for a term of five years. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONSIDER REQUEST FOR HOME OCCUPATION LICENSE

Motion was made by Council Member Bounds, seconded by Council Member Guy to approve home occupation license for Anthony Jackson, 1005 Clover Circle for Construction Service. No stock in trade. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONSIDER REQUEST TO RELOCATE OFFICE IN I-1 ZONE

Motion was made by Council Member Guy, seconded by Council Member Parker to table request to allow Steven Stanford to relocate his mobile home office from Hunt Street and I-1 zone to South Main Street. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE ADVERTISEMENT FOR BIDS FOR T-HANGARS

Motion was made by Council Member Bounds, seconded by Council Member Turnage to authorize Grant Administration to advertise for bids to construct T-Hangars at the Picayune Municipal Airport. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE SURPLUS OF CITY PROPERTY

Motion was made by Council Member Watkins, seconded by Council Member Guy to approve surplus of the following City of Picayune Police Department property and donation of said property to area law enforcement agencies who lost items due to Hurricane Katrina; car inmate cages, one non-working emergency light bar with control box, one siren control box, eight expired body armor, eight rain coats (unserviceable for regular use), numerous uniforms that were donated to Picayune Police Dept during Katrina. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE SURPLUS OF CITY PROPERTY

RECESSED MEETING DATED OCTOBER 18, 2005

Motion was made by Council Member Guy, seconded by Council Member Watkins to approve surplus of City of Picayune Fire Department property and donation of said property to local Pearl River County Volunteer Fire Departments. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

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

Motion was made by Council Member Watkins, seconded by Council Member Turnage to enter a closed session to determine the need for an executive session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matter/office space
2. Contractual matter with MS State Health Dept
3. Personnel matter – City Clerk Position
4. Contractual matter with Dixie Utilities
5. Contractual matter with MAFP/Head Start
6. Contractual matter sale of real property/Roberson
7. Contractual matter sale of real property/Farmer

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Guy, seconded by Council Member Watkins to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO RESCIND CONTRACT

Motion was made by Council Member Guy, seconded by Council Member Watkins to rescind contract for purchase of Lots 3 and 5 Westside Red and return property to surplus. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO SELL REAL PROPERTY

Motion was made by Council Member Guy, seconded by Council Member Parker to establish Fair Market Value of City owned land located on Doug Lee Road, 1 acre more or less in Sections 8 and 17, Township 6S, Range 17W, Pearl River County, Picayune, Mississippi in the amount of \$8,420.00, authorize sale of said land to Nathan Farmer, Jr. and Carmen Y. Farmer, and also the City of Picayune agrees to pay one half of total appraisal costs. Mayor is also authorized to sign any documents needed for said sale. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins, Guy and Bounds

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 Parker, seconded by Council Member Turnage to recess until Tuesday, October 25, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Leann Smith, Deputy City Clerk

The Council and Governor of the State of Mississippi have examined the circumstances related to prior Emergency Declarations and concluded that due to the ongoing and resulting effects of hurricane Katrina the said Emergency Declarations should be continued pursuant to applicable law for another 7 (seven) days.

**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 in the Courtroom of the Criminal Justice Center in said City, Tuesday, October 25, 2005, at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Larry Watkins, Anna Turnage, Donald Parker and Jerry Bounds, City Manager Reggie Frierson, City Attorney Nathan Farmer, Chief Deputy City Clerk Michelle Berdux, Deputy City Clerk Leann Smith, Deputy Fire Chief John Mark Mitchell and Police Chief Jim Luke.

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

Opening prayer was given by Council Member Larry Watkins, followed by the Pledge of Allegiance led by Mayor Greg Mitchell.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Bounds, seconded by Council Member Turnage to approve the issuance of the following manual check:

<u>TO</u>	<u>FUND</u>	<u>AMOUNT</u>	<u>FOR</u>
City of Picayune, General Fund	Utility	\$455.44	Additional transfer of garbage fees for September

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACCEPT SEMI-ANNUAL BIDS

Motion was made by Council Member Bounds, seconded by Council Member Turnage to accept Semi-Annual Bids for 10/01/2005 to 03/31/2006. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

REQUEST TO RELOCATE OFFICE BUILDING IN I-1 ZONE

Motion was made by Council Member Bounds, seconded by Council Member Parker to table request from Stanford Mobile Homes to approve relocation of office and inventory from Hunt Street to South Main Street until the meeting on November 1, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONSIDER REQUEST TO APPOINT/RE-APPOINT ELECTION COMMISSIONERS

Motion was made by Council Member Watkins, seconded by Council Member Parker to table the appointment/re-appointment of three election commissioners to the November 1st meeting. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONSIDER REQUEST TO APPOINT/RE-APPOINT MEMBERS OF PLANNING COMMISSION

Motion was made by Council Member Parker, seconded by Council Member Watkins to table the appointment/re-appointment of three members to the Planning Commission to the November 1st meeting. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONTINUANCE OF STATE OF EMERGENCY

Motion was made by Council Member Watkins, seconded by Council Member Parker, to approve the continuance of the State of Emergency for the City of Picayune due to Hurricane Katrina. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE ANNUAL TAX SALE

Motion was made by Council Member Watkins, seconded by Council Member Turnage to approve annual tax sale to be held Monday, October 31, 2005, due to postponing the original August sale date for Hurricane Katrina. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE OBSERVANCE DATE OF HALLOWEEN

Motion was made by Council Member Watkins, seconded by Council Member Turnage to approve request to observe Halloween in the City of Picayune on Monday, October 31, 2005 between the hours of 5:30 p.m. and 8:00 p.m. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE BUDGET AMENDMENT

Motion was made by Council Member Bounds, seconded by Council Member Turnage to accept budget amendment #9 for Year ending 09/30/2005 as presented. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO SURPLUS GAS METERS

Motion was made by Council Member Watkins, seconded by Council Member Parker to approve request to sell surplus natural gas meters for scrap to Neal's Measurement. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

REQUEST TO APPROVE TEMPORARY HOUSING SITE

Motion was made by Council Member Watkins, seconded by Council Member Turnage to table request by Steven Sanford to allow temporary housing at the site where he first sold mobile homes and to take the matter under advisement until the meeting on November 1st. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Turnage, Parker, Watkins and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

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

Motion was made by Council Member Parker, seconded by Council Member Watkins to enter a closed session to determine the need for an executive session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matter with MS State Health Department
2. Personnel matter – City Clerk Position
3. Contractual matter with Dixie Utilities
4. Contractual matter with MAFP/Head Start
5. Possible litigation/Allen Hoshall
6. Contractual matter with Alliance Windows
7. Contractual matter with PPRC
8. Contractual matter with Glade Woods
9. Possible purchase of real property

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

RECESSED MEETING DATED OCTOBER 25, 2005

At the conclusion of executive session, motion was made by Council Member Watkins, seconded by Council Member Bounds to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO CONDUCT WATER CHLORINATION STUDY

Motion was made by Council Member Bounds, seconded by Council Member Turnage to hire Neel Schaffer to do a water chlorination study. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ADJOURN

Motion was made by Council Member Parker, seconded by Council Member Watkins to adjourn. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Leann Smith, Deputy City Clerk

The Council and Governor of the State of Mississippi have examined the circumstances related to prior Emergency Declarations and concluded that due to the ongoing and resulting effects of hurricane Katrina the said Emergency Declarations should be continued pursuant to applicable law for another 7 (seven) days.

**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 the former Arizona Chemical building, 815 North Beech Street, in said City, Tuesday, November 1, 2005, at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Larry Watkins, Anna Turnage, Donald Parker, Leavern Guy and Jerry Bounds, City Manager Reggie Frierson, City Attorney Nathan Farmer, Chief Deputy City Clerk Michelle Berdux, Deputy City Clerk Leann Smith, Deputy Fire Chief John Mark Mitchell and Deputy Police Chief Tom Milar.

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

Opening prayer was given by Council Member Donald Parker, followed by the Pledge of Allegiance led by Mayor Greg Mitchell.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Bounds, seconded by Council Member Guy to approve the minutes of the Mayor and City Council dated October 18, and October 25, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE THE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Bounds, seconded by Council Member Guy to approve the issuance of the following manual checks:

<u>To</u>	<u>Fund</u>	<u>Amount</u>	<u>For</u>
City of Picayune, General Fund	Utility	NTE \$60,000.00	Transfer of garbage fees for October 2005
MS State Tax Commission	Utility	NTE \$6,000.00	Sales tax collections for October 2005

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER AUTHORIZING MAYOR TO SIGN QUITCLAIM DEED

Motion was made by Council Member Bounds, seconded by Council Member Guy to authorize the Mayor's signature on quitclaim deed for 1999 Hancock County taxes in the name of Wilmac Coffman, parcel number 036U-0-23-022.00. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

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 Bounds, seconded by Council Member Turnage, to approve the docket for the month of October 2005 in the amount of \$547,763.54. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO UPDATE FLOOD PROGRAM

Motion was made by Council Member Parker, seconded by Council Member Guy to authorize the Mayor to execute the following documents concerning property located at 400 North Abrams Ave and owned by Ellis and Ruby Whitehead:

1. Cost Share Agreement
2. Updated Voluntary Transaction Agreement
3. Grant Agreement with MEMA

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

REQUEST TO RELOCATE OFFICE BUILDING IN I-1 ZONE

Motion was made by Council Member Watkins, seconded by Council Member Parker to table request from Stanford Mobile Homes to approve relocation of office and inventory from Hunt Street to South Main Street until the meeting on November 8, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins and Turnage

VOTING NAY: Council Member Guy

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONSIDER REQUEST TO APPOINT/RE-APPOINT ELECTION COMMISSIONERS

Motion was made by Council Member Watkins, seconded by Council Member Parker to table the appointment/re-appointment of three election commissioners to the November 8th meeting. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPOINT MEMBERS OF THE PLANNING COMMISSION

Motion was made by Council Member Watkins, seconded by Council Member Guy to reappoint Lud Pierce to serve on the Planning Commission for a term of three years. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Bounds, seconded by Council Member Watkins to reappoint Steve Gordon to serve on the Planning Commission for a term of three years. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Turnage, seconded by Council Member Bounds to appoint Penny Warshauer to serve on the Planning Commission conditional upon review. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

REQUEST TO CONSIDER TEMPORARY HOUSING

Motion was made by Council Member Guy, seconded by Council Member Parker to deny request to approve temporary housing site by Steven Sanford for the area where he first sold mobile homes. The following roll call was taken:

VOTING YEA: Council Members Turnage, Guy and Parker

VOTING NAY: Mayor Mitchell, Council Members Bounds and Watkins

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion did not carry.

Council Member Watkins renewed the motion because there was a misunderstanding as to the stating of the previous motion.

A renewed motion was made by Council Member Watkins, seconded by Council Member Parker to deny temporary housing site request by Steven Sanford for the area where he first sold mobile homes. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONTINUANCE OF STATE OF EMERGENCY

Motion was made by Council Member Bounds, seconded by Council Member Watkins, to approve the continuance of the State of Emergency for the City of Picayune due to Hurricane Katrina. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO AMEND AGENDA

Motion was made by Council Member Watkins, seconded by Council Member Parker to amend agenda to include a request to accept Central Pipe and Supply Co as low bidder for materials required for the Hwy 11 North to I-59 water line up-grade project (Paul's Pastry). The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACCEPT BID

Motion was made by Council Member Watkins, seconded by Council Member Guy to accept Central Pipe and Supply Co., Pearl, MS, as best and lowest bidder for materials required for the Hwy 11 North to I-59 water line up-grade project (Paul's Pastry). The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO AMEND AGENDA

Motion was made by Council Member Bounds, seconded by Council Member Turnage to amend agenda to include audit report with Alexander Van Loon to the end of Executive Session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO CORRECT MINUTES

Motion was made by Council Member Turnage, seconded by Council Member Watkins to approve correction to the minutes of the Council meeting held on October 4, 2005, to reflect approval of the Resolution of the City Council of the City of Picayune authorizing a loan from the MS Development Bank under its Hurricane Katrina Relief Program: approving the form of and authorizing the execution and delivery of a loan agreement, a note and an intercept agreement for the loan; and authorizing the officers of the city to do all things necessary to effectuate the resolution, and at this time to proceed with an initial request in an amount not to exceed \$500,000.00. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO AMENDA AGENDA

Motion was made by Council Member Guy, seconded by Council Member Parker to amend the agenda, tabling discussion of the following requests until after Executive Session:

Consider parking of temporary trailer – Gregory A. Fried for property located at 2601 Hickman Drive

Consider parking of temporary trailer – Mr. & Mrs. David Brumfield for property located at the corner of Palestine Road

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AUTHORIZE MAYOR'S SIGNATURE ON SAFE COMMUNITIES GRANT APPLICATION

Motion was made by Council Member Guy, seconded by Council Member Bounds to authorize Mayor to sign a resubmission of a Safe Communities Grant Application to the MS Department of Public Safety for the Safe Communities Program in the amount of \$156,836.61, with a Cash Match of \$80,092.20 Resubmission due to Retirement rate increasing to 10.75%. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO SUBMIT FEDERAL AVIATION ADMINISTRATION APPLICATION

Motion was made by Council Member Guy, seconded by Council Member Watkins to authorize submission of an application to the Federal Aviation Administration for funding to repair damage at the Picayune Airport caused by Katrina. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO AMENDA AGENDA

Motion was made by Council Member Guy, seconded by Council Member Bounds to amend agenda adding a request from Norfolk Southern to the end of the agenda. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO PURCHASE DUAL PURPOSE DOG

Motion was made by Council Member Watkins, seconded by Council Member Bounds to approve request to purchase dual purpose dog "Bullet" trained in criminal apprehension, tracking, building search, vehicle search and handler protection. Also narcotic detection of marijuana, cocaine, heroine and crystal meth at a cost of ten

REGULAR MEETING DATED NOVEMBER 1, 2005

thousand dollars (\$10,000.00), which includes handler training. Most of expense will come from donated monies \$8,000.00; the remaining \$2,000.00 will come from narcotic fund. No taxpayer money will be used. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO AMEND AGENDA

Motion was made by Council Member Bounds, seconded by Council Member Watkins to amend agenda to accept \$200.00 donation from the community of Hurley, Wisconsin made payable to the Picayune Police Department for Hurricane Katrina relief. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACCEPT DONATION

Motion was made by Council Member Watkins, seconded by Council Member Parker to accept \$200.00 donation from the community of Hurley, Wisconsin made payable to the Picayune Police Department for Hurricane Katrina relief. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACCEPT DONATION

Motion was made by Council Member Watkins, seconded by Council Member Parker to accept donation checks of \$750.00 from Wal-Mart, Safe Neighborhood Hero's Grant, and \$500.00 from International Association of Fire Chiefs Katrina Relief Fund presented to the Picayune Fire Department. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Police Chief Jim Luke entered meeting.

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

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

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

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 Parker, seconded by Council Member Watkins to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matter with MAFP/Head Start
2. Contractual matter with Alliance Windows
3. Contractual matter with East Jerusalem Street
4. Contractual matter with temporary housing
5. Audit Report from Alexander Van Loon

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Mayor Mitchell exited.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Guy, seconded by Council Member Bounds, to return to regular session. The following roll call was taken:

VOTING YEA: Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ALLOW TEMPORARY HOUSING FOR NORFOLK SOUTHERN EMPLOYEES

Motion was made by Council Member Guy, seconded by Bounds allow Norfolk Southern to set up temporary housing for their employees on 12 acres they own, located adjacent to the Police Department, for a period of 18 months. The following roll call was taken:

VOTING YEA: Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Mayor Mitchell returned.

ORDER TO ALLOW TEMPORARY HOUSING

Motion was made by Council Member Guy, seconded by Council Member Turnage to approve request by Gregory A. Fried for the temporary placement of two FEMA trailers at 2601 Hickman Drive, with the following stipulations:

1. Trailers must be located in back
2. Proper or appropriate hook ups must be in place
3. Trailers cannot be rented to other parties
4. The City reserves the right to review situation in three months time
5. The City can have the trailers removed at any time
6. Cannot violate Federal, State, or Local Laws

These stipulations are in regard to an ordinance which is to be adopted.

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Watkins to approve request by Mr. & Mrs. David Brumfield for the temporary placement of a FEMA trailer on a lot located at the corner of Palestine Road and Clark Street, with the following stipulations:

1. Trailers must be located in back
2. Proper or appropriate hook ups must be in place
3. Trailers cannot be rented to other parties
4. The City reserves the right to review situation in three months time
5. The City can have the trailers removed at any time
6. Cannot violate Federal, State, or Local Laws

These stipulations are in regard to an ordinance which is to be adopted.

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

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 Bounds, seconded by Council Member Turnage to recess until Tuesday, November 8, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Parker, Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

REGULAR MEETING DATED NOVEMBER 1, 2005

ATTEST:

Michelle Berdux, Chief Deputy City Clerk

The Council and Governor of the State of Mississippi have examined the circumstances related to prior Emergency Declarations and concluded that due to the ongoing and resulting effects of hurricane Katrina the said Emergency Declarations should be continued pursuant to applicable law for another 7 (seven) days.

**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 the former Arizona Chemical building, 815 North Beech Street, in said City, Tuesday, November 8, 2005, at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Larry Watkins, Anna Turnage, Leavern Guy and Jerry Bounds, City Manager Reggie Frierson, City Attorney Nathan Farmer, Chief Deputy City Clerk Michelle Berdux, Deputy City Clerk Leann Smith, Fire Chief Keith Brown and Police Chief Jim Luke.

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

Opening prayer was given by Council Member Larry Watkins, followed by the Pledge of Allegiance led by Mayor Greg Mitchell.

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

Motion was made by Council Member Bounds, seconded by Council Member Turnage to enter a closed session to determine the need for an executive session.

VOTING YEA: Mayor Mitchell, Council Members Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Bounds, seconded by Council Member Turnage to return to regular session

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matter with Dixie Utilities
2. Contractual matter with SPCA
3. Contractual matter with MAFP/Head Start
4. Contractual matter with East Jerusalem Street
5. Contractual matter with Old Armory/Eddie Young

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Watkins, seconded by Council Member Turnage, to return to regular session.

The following roll call was taken:

VOTING YEA: Council Members Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE CONTRACT WITH SPCA

Motion was made by Council Member Bounds, seconded by Council Member Watkins to enter into contract with SPCA for \$30,000.00, as stated in the budget, issue appropriate change to the contract to reflect appropriate dollar amount and allow Mayor to sign.

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER

(FY 2006)

ANIMAL SHELTER AGREEMENT

This Animal Shelter Agreement made and entered into upon this, the ____ day of _____, A.D., 2005, by and between the Pearl River County Society for the Prevention of Cruelty to Animals, a non-profit Mississippi corporation, hereinafter called "SPCA," and the City of Picayune, a Municipal corporation of the State of Mississippi, hereinafter called "City."

WHEREAS, the Mayor and Council of the City of Picayune find that it would be in the best interest and welfare of the City of Picayune, and its citizens, that a contract be entered into with the Pearl River County SPCA for the purpose of housing and providing shelter for stray and unwanted animals picked up by the Animal Control Officer, and for the other purposes provided by Ordinance for care, maintenance, and, as needed, the humane disposal of such animals, and

WHEREAS, the City of Picayune is the owner of an animal shelter and is willing to make said animal shelter available to the SPCA for the purposes hereinafter set forth.

NOW THEREFORE, in the furtherance thereof the parties agree, each with the other, as follows, to-wit:

1 Duties and obligations of the City:

a) The City shall make available to the SPCA for such period of time as the SPCA shall use said premises in conformity with the agreement, the Picayune Animal Shelter building and incidental grounds thereabout, for a term ending on September 30, 2005; further, the City shall maintain the heat, air conditioning, plumbing, freezer and roof. Insofar as it may lawfully do so, the City has and does by these presents hereby release and discharge the SPCA from any cause of action for personal injury occurring in the building.

b) For the services to be performed under this agreement, the City shall pay into a bank account to be known as the Animal Shelter Account, which account is subject to audit by City auditors, the sum of \$2,503.33 per month, commencing on October 1, 2005. This bank account shall be under the control and supervision of the SPCA.

c) From time to time, the Animal Control Officer shall deliver to the SPCA at said animal shelter building such animals as may be taken into custody in violation of the Ordinance of the City of Picayune, and the Animal Control Officer shall be responsible for unloading such animal or animals into a mutually agreeable holding area or pen, and shall receive a receipt for each such animal delivered into the holding area or pen.

d) The Animal Control Officer shall make timely disclosure to the SPCA personnel any information that has come to his attention concerning the ownership of any such animal or the health or behavior of such animal.

e) The Animal Control Officer shall not deliver to the SPCA any animal which is readily determined to be rabid or which otherwise presents a clear and present danger to the public safety. Such animals shall be treated, on a case basis, under guidelines agreed upon by the City, the SPCA, and the Mississippi State Health Department.

2. Duties and obligations of the SPCA:

a) The SPCA shall staff and man the facility.

b) The SPCA shall make every reasonable effort to locate the owner of animals delivered to the animal shelter.

c) The SPCA shall care for the animals, maintain the facility in a clean and orderly condition, pay for all utilities, and conduct the day-to-day operation of the facility in conformity with all applicable federal, state and local laws or ordinances, to include but not limited to the disposal of animals in accordance with applicable laws and ordinances.

d) The SPCA shall operate the Animal Shelter on a continuous basis, with the actual hours which the shelter is open to the public to be determined by the SPCA. However, the hours which the shelter is open to the public shall not be less than thirty (30) hours per week, said hours to be set by a Letter Agreement between the SPCA and the City Manager. Likewise, procedure for receipt of animals after hours shall be established by Letter of Agreement between the SPCA and the City Manager.

e) All records of operation or funds received and expended by the SPCA under the provisions of this agreement are available to the City, or its auditors, upon reasonable notice. The SPCA shall provide an annual financial report to City.

3. Special provisions:

a) This agreement may be terminated by either party upon 60 days written notice to the other party.

b) Provisions not covered by this agreement, or renegotiation of any part of this agreement, may be undertaken by mutual consent of the parties.

c) The parties agree that medical evaluation of said animals is not the responsibility of the SPCA, and the City agrees to indemnify the SPCA, its agents, volunteers, employees, board of directors, officers, successors, and assigns from any responsibility or liability resulting from the physical condition and/or actions of said animals, both during the holding period and after their release, if any.

d) Court Animals. Those animals that are ordered held, seized or otherwise retained by a court of law will be accepted by the SPCA from the Animal Control Officer as provided in this Agreement. For every such animal delivered, the City agrees to deliver to the SPCA within seventy-two (72) hours of delivery of the animal the pertinent court documentation evidencing the court's intent to hold, seize or otherwise retain such animal. If such documentation is not forthcoming within seventy-two (72) hours of delivery of the animal, disposition of the animal is left to the sole discretion of the SPCA. The cost per day on animals held in court cases shall be as set forth below.

e) If it is determined by a City judge or other City authority that the animal shall be held for a greater period than 72 hours, the City agrees to reimburse the SPCA Animal Shelter at the rates listed below for the total amount of time the SPCA is required to hold the animal. It shall be the responsibility of the City to recover the cost from the animal's owner.

1) FOR CATS IMPOUNDED DURING ONE (1) CALENDAR YEAR:

- a) First Offense-----\$ 5.00 plus \$1.00 for each day of impoundment
- b) Second Offense-----\$15.00 plus \$1.00 for each day of impoundment
- c) Third Offense-----\$25.00 plus \$1.00 for each day of impoundment
- d) Fourth or Subsequent Offense---\$100.00 plus \$1.00 for each day of impoundment.

2) FOR DOGS IMPOUNDED DURING ONE (1) CALENDAR YEAR:

- a) First Offense-----\$10.00 plus \$2.00 for each day of impoundment
- b) Second Offense-----\$20.00 plus \$2.00 for each day of impoundment
- c) Third Offense-----\$40.00 plus \$2.00 for each day of impoundment
- d) Fourth or Subsequent Offense---\$100.00 plus \$2.00 for each day of impoundment.

- 3) FOR LIVESTOCK IMPOUNDED DURING ONE (1) CALENDAR YEAR:
- a) First Offense-----\$ 40.00 plus \$5.00 for each day of impoundment
 - b) Second Offense-----\$ 75.00 plus \$5.00 for each day of impoundment
 - c) Third Offense-----\$100.00 plus \$5.00 for each day of impoundment
 - d) Fourth or Subsequent Offense---\$200.00 plus \$5.00 for each day of impoundment.
- 4) RABIES VACCINATION CHARGE:
- All charges for rabies vaccination, if required, while in the care of the Picayune Animal Shelter.
- 5) These fees are exclusive of any fines, cost of court, etc., which may result from any violation of any section of this ordinance.

WITNESS our signatures, in duplicate copies, for the purposes herein above set forth and on the date herein above first written in the City of Picayune, Pearl River County, Mississippi.

Pearl River County Society for the
Prevention of Cruelty to Animals

BY: _____
Maria Diamond, President

City of Picayune

BY: _____
Greg Mitchell, Mayor

ATTEST:

City Clerk

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Maria Diamond, President of the Pearl River County Society for the Prevention of Cruelty to Animals, who acknowledged to me that she signed, executed, and delivered the foregoing Animal Shelter Agreement for and on behalf of said corporation, on the day, in the year, and for the purposes therein contained, she having first been duly authorized so to do.

GIVEN under my hand and official seal of office, the _____ day of _____, A.D., 2005.

Notary Public

My Commission Expires: _____

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Greg Mitchell and _____ Mayor and City Clerk, respectively, of the City of Picayune, Mississippi, who acknowledged to me that they signed, executed, and delivered the foregoing Animal Shelter Agreement for and on behalf of said City, on the day, in the year, and for the purposes therein contained, they having first been duly authorized so to do.

GIVEN under my hand and official seal of office, the _____ day of _____, A.D., 2005.

Notary Public

My Commission Expires: _____

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE PURCHASE OF WATER SYSTEM

Motion was made by council Member Bounds, seconded by Council Member Turnage to approve purchase of water system from Dixie Utilities for the amount of \$15,000.00 which is to be paid within 90 days; said purchase is contingent upon receiving grant.

Dixie Utilities, Inc.
P.O. Drawer 998 Ph. 601-798-8997
Prayune, Ms 39466

- 1- Dixie's Water Systems.
Located south of Miss Hwy 43
No of water Customers 137
No of Sewer Customers 119
175 gpm Water Well and Hydro-pneumatic storage
and 4 arto wells to supply water during storms tank.
2. Dixie's Water system Located North
of Miss Highway and includes
No of Water Customers 145
no Sewer customers.
560 gpm. water well and 3 ~~ea.~~ 4" artesian wells
20,000 gallon Hydro-pneumatic Storage Tank.
This system covers Virginia Manor subdivision
Timbertane subdivision
Eagle Heights subdivision and all areas
between.

Nicholas L. Smith, President of Dixie
Utilities, Inc.

Hartman Engineering, Inc.

Consulting Engineers

October 14, 2005

Mr. Reggie Frierson
City Manager
203 Goodyear Blvd
Picayune MS. 39466

RE: Westchester Subdivision

Dear Mr. Frierson:

As you have requested, I have evaluated the existing infrastructure in the Westchester Subdivision. The subdivision is located north of the city along Beech Road. On October 11, 2005 Mr. Joey Wilson, the Supervisor of the Picayune Sewer Department and I drove through the subdivision and assessed the condition of the sewer and water utilities. It is the opinion of Mr. Wilson and myself that the utilities are in extremely poor condition.

There is a treatment plant that does not appear to be working properly. The sewage appears to be discharged into a nearby ditch. There was sewage standing in several back yards because a lift station was not working properly.

The subdivision, and its utilities, is approximately forty years in age. To perform a full assessment of the sewer and water pipes, the lines should be pressure tested and/or a TV camera pulled through the lines. I think it is likely that these old pipes would not withstand the pressure test. All of the utilities in this subdivision should be replaced.

Attached to this letter is a map of the subdivision. There are approximately 128 houses in the subdivision. Also attached is my opinion of probable cost to replace the water and sewer lines. The WWTP should be abandoned and the sewage pumped to connect to the existing Picayune sewer collection system along Beech Road. It was also assumed that an asphalt overlay would be done on the streets after the utility installation.

If you have any questions concerning this matter please do not hesitate to call our office at 601-799-4989.

Sincerely,



Sid Trouard, P.E.
Project Manager
Hartman Engineering

Attachment

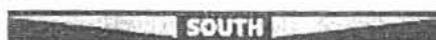
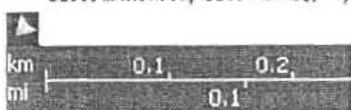
The City of Picayune, Mississippi
Opinion of Probable Cost for Utility Replacement
For Westchester Subdivision

Item	Quantity	Unit	Unit Cost	Total
8" PVC gravity sewer	9500	LF	\$50	\$475,000
concrete manholes	30	each	\$2,500	\$75,000
sewer service connections	128	each	\$500	\$64,000
6" PVC water line	9500	LF	\$25	\$237,500
water service connections and meters	128	each	\$500	\$64,000
fire hydrants	20	each	\$1,000	\$20,000
small lift station in subdivision	2	each	\$50,000	\$100,000
4" PVC force main	1000	LF	\$25	\$25,000
large lift station at old WWTP	1	each	\$100,000	\$100,000
6" PVC force main	9000	LF	\$35	\$315,000
Road restoration and overlay	18000	SY	\$30	\$540,000
Opinion of Probable Construction Cost				\$2,015,500
Engineering Design Fee - 6.9% based on ASCE Curve A				\$139,070
Preliminary Evaluation				\$15,000
Surveying				\$50,000
Resident Inspection - \$75/HR for 6 months				\$78,000
Construction Administration				\$25,000
Opinion of Probable Project Cost				\$2,297,570



©2005 Microsoft Corp. ©2004 NAVTEQ, and/or GDT, Inc.

Picayune



Legend

Click to find businesses on your map:

Featured Sponsors

Hotels

Restaurants



The following roll call was taken:

VOTING YEA: Council Members Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Turnage, seconded by Council Member Watkins to approve the minutes of the Mayor and City Council dated November 1, 2005.

The following roll call was taken:

VOTING YEA: Council Members Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY PRIVILEGE LICENSE REPORT

Motion was made by Council Member Turnage, seconded by Council Member Watkins to acknowledge receipt of monthly privilege license report for the month of October 2005.

The following roll call was taken:

VOTING YEA: Council Members Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

REQUEST TO RELOCATE OFFICE BUILDING IN I-1 ZONE

Motion was made by Council Member Bounds, seconded by Council Member Watkins to table request from Stanford Mobile Homes to approve relocation of office and inventory from Hunt Street to South Main Street until the meeting on November 15, 2005.

The following roll call was taken:

VOTING YEA: Council Members Bounds, Watkins and Turnage

VOTING NAY: Council Member Guy

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion did not carry.

CONSIDER REQUEST TO APPOINT/RE-APPOINT ELECTION COMMISSIONERS

Motion was made by Council Member Bounds, seconded by Council Member Turnage to table the appointment/re-appointment of three election commissioners to the November 15th meeting.

The following roll call was taken:

VOTING YEA: Council Members Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPOINT MEMBER OF THE PLANNING COMMISSION

Motion was made by Council Member Bounds, seconded by Council Member Turnage to table request to appoint one member to the Planning Commission that represents the areas outside the City limits, to a three year term.

The following roll call was taken:

VOTING YEA: Council Members Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONTINUANCE OF STATE OF EMERGENCY

Motion was made by Council Member Watkins, seconded by Council Member Bounds, to approve the continuance of the State of Emergency for the City of Picayune due to Hurricane Katrina.

The following roll call was taken:

VOTING YEA: Council Members Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ADOPT HOLIDAY DATES

Motion was made by Council Member Bounds, seconded by Council Member Turnage to adopt the same Christmas and New Year Holiday schedule as State Proclamation.

The following roll call was taken.

VOTING YEA: Council Members Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACCEPT GRANT AWARD

Motion was made by Council Member Bounds, seconded by Council Member Watkins to accept a Grant Award to Picayune Police Department for Crime Prevention from MS Department of Public Safety. The Grant amount is \$30,217.00 with a local match of \$10,071.00.

City ID # 10054
Purchase Date: 1992
Purchase Cost: \$8,988.00

3. Two (2) Crosley® A/C & Heat window units
City ID #s 11417 & 10105

The following roll call was taken:

VOTING YEA: Council Members Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell, Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

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

Motion was made by Council Member Bounds, seconded by Council Member Turnage to enter a closed session to determine the need for an executive session.

VOTING YEA: Council Members Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Bounds, seconded by Council Member Turnage to return to regular session.

The following roll call was taken:

VOTING YEA: Council Members Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

Motion was made by Council Member Bounds seconded by Council Member Turnage to enter executive session to discuss the following:

1. Contractual matter with Alliance Windows
2. Contractual matter with temporary housing

The following roll call was taken:

VOTING YEA: Council Members Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Watkins, seconded by Council Member Turnage, to return to regular session.

The following roll call was taken:

VOTING YEA: Council Members Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPLY FOR CAP LOAN FOR ALLIANCE WINDOWS

Motion was made by Council Member Watkins, seconded by Council Member Turnage to authorize Mayor to sign a letter to Mississippi Development Authority (MDA) requesting variance for a second CAP loan within the same year. The loan being made on behalf of Alliance Windows for \$900,000.

The following roll call was taken:

VOTING YEA: Council Members Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO ACCEPT REQUEST WITHDRAWAL

Motion was made by Council Member Watkins, seconded by Council Member Turnage to accept Carle Cooper's request to withdraw his previous request regarding temporary placement of FEMA trailers for Navy personnel to the Planning Commission.

The following roll call was taken:

VOTING YEA: Council Members Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ALLOW TEMPORARY HOUSING FOR NAVY PERSONNEL

Motion was made by Council Member Bounds, seconded by Council Member Watkins to allow Carle Cooper to set up temporary housing of 60 mobile homes on his property located behind Sears and Southern Pipe and Supply. Housing is to be used for Navy personnel.

Ordinance Number 2887

**AN EMERGENCY ORDINANCE WAIVING CERTAIN ZONING
AND PUBLIC NOTICE AND HEARING PROCEDURES IN ORDER
TO PROVIDE TEMPORARY EMERGENCY HOUSING TO INDIVIDUALS
DISPLACED AS A RESULT OF HURRICANE KATRINA**

WHEREAS, Hurricane Katrina struck Hattiesburg on August 29, 2005, displacing many persons and causing serious damage to properties in Hattiesburg and the surrounding region; and

WHEREAS, a State of Emergency, as defined under §33-15-5 of the Mississippi Code of 1972, as annotated and amended, was first declared by the Hattiesburg City Council on September 2, 2005; and

WHEREAS, numerous residential buildings and structures have been damaged or destroyed as a result of the storm, creating a need for both emergency and permanent repairs and reconstruction and/or relocation; and

WHEREAS, an immediate need exists to establish and provide for temporary emergency housing for residents of Hattiesburg and other residents of the Gulf Coast Region displaced as a result of Hurricane Katrina.

NOW, THEREFORE, BE IT ENACTED, An Emergency Ordinance Waiving Certain Zoning And Public Notice And Hearing Procedures In Order To Provide Temporary Emergency Housing To Individuals Displaced By Hurricane Katrina as follows:

Purpose and Intent.

The purpose of this ordinance is to waive certain land use and zoning requirements in all zoning districts, to waive certain public notice and public hearing procedures, and to waive additional requirements related to temporary residential structures for the purpose of allowing Federal Emergency Management Agency (FEMA)-provided temporary emergency housing to be placed on certain properties within the City of Hattiesburg for a period not to exceed eighteen (18) months from September, 2005.

Applicability

The provisions of this ordinance are limited to providing temporary emergency housing to single-family residential homeowners displaced as a result of Hurricane Katrina. While in effect, this ordinance shall supersede the following sections of the City of Hattiesburg Code of Ordinances and the Land Development Code, Ordinance Number 2330, as amended:

- A. Code of Ordinances Chapter 26 (Trailers and Mobile Home Parks);
- B. Land Development Code Article, 3, Section 41 (Public Notices);
- C. Land Development Code Article, 3, Section 42 (Public Hearing Procedures);
- D. The Uses Permitted and Area and Setback Regulations subsections of all zoning districts listed under Article 4 of the Land Development Code (Sections 50 through 65); and
- E. Land Development Code Article 5, Section 89.03 (All-Weather Surface Required).
- F. Land Development Code Article 5, Section 90 (Parking or Storage of Major Recreational Equipment).

Temporary Housing.

Notwithstanding any provisions of the City of Hattiesburg Land Development Code to the contrary, FEMA-provided temporary emergency housing may be used as temporary replacement housing for single-family residential structures destroyed or made uninhabitable as a result of Hurricane Katrina.

The owners of destroyed or damaged properties within the city of Hattiesburg may place FEMA-provided temporary emergency housing on the damaged properties, subject to the following:

- A. Said temporary emergency housing shall be occupied by those who were permanent residents of the damaged property on or prior to August 29, 2005;

- B. Temporary emergency housing structures shall be located, where possible, within the rear yards of residential properties; placement in alternate locations may be authorized by the Land Development Code Administrator, or his/her designee, subject to field verification and the following conditions;
 - 1. Ability to access side or rear yards;
 - 2. Topography and soil conditions; and
 - 3. Distance from the proposed structure location and public thoroughfares.

Additional sites may be identified to locate temporary emergency housing developments provided by FEMA. The location of such temporary emergency housing developments shall be approved by the Hattiesburg City Council, based upon the recommendation of the Site Plan Review Committee and subject to the following:

- A. Approval of a building permit by the Building Official; and
- B. Approval by the Site Plan Review Committee of a site plan showing the location, number and placement of temporary housing structures, means of ingress/egress and any sanitary, community or public facilities.

The Hattiesburg City Council will review all temporary emergency housing development proposals on a case-by-case basis, considering the individual site conditions, the use and nature of surrounding properties, access and traffic conditions, public safety and the overall impact to neighboring property owners. All temporary emergency housing development sites shall be located in the B-3, B-5 or I-1 zones, unless specific authorization is granted by the Hattiesburg City Council. Temporary emergency housing development permit approval shall be for an initial period of up to three (3) months from the effective date of this ordinance, but said time approved and extended shall not exceed eighteen (18) months. Extensions to development permits shall be granted by the Hattiesburg City Council on a case-by-case basis and only insofar as may be permitted by the extension of the expiration date of this ordinance.

Expiration

This ordinance shall remain in force and effect until December 16, 2005, or until such date as extended by the Hattiesburg City Council, not to exceed eighteen (18) months from September 2005. Extensions to this ordinance may be granted for any periods deemed reasonable and necessary to provide temporary housing for those displaced by Hurricane Katrina. All temporary housing authorized under this ordinance shall be removed by the expiration date of this ordinance or at the expiration of any extensions thereto.

Effective Date.

This Emergency Ordinance shall take effect and be in force upon passage as provided by law.

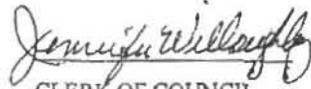
The foregoing Ordinance having been reduced to writing, the same was introduced by Councilman Naylor, seconded by Councilman Delgado, and was adopted by the following vote to-wit:

YEAS: Bradley Delgado Carroll Bailey Naylor	NAYS: None
---------------------------------------------------------	------------

THE President thereby declared the motion carried and the foregoing Ordinance adopted and approved, this the 16th day of September A.D., 2005.

(S E A L)

ATTEST:

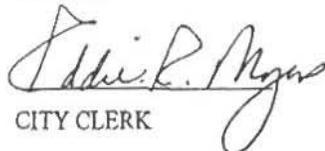

CLERK OF COUNCIL

ADOPTED:

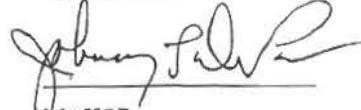

PRESIDENT

THE above foregoing Ordinance having been submitted to and approved by the Mayor,
this the 16th day of September A.D., 2005.

ATTEST:


CITY CLERK

APPROVED:


MAYOR

RECESSED MEETING DATED NOVEMBER 8, 2005

The following roll call was taken:

VOTING YEA: Council Members Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO RECESS

Motion was made by Council Member Watkins, seconded by Council Member Turnage to recess until Tuesday, November 15, 2005.

The following roll call was taken:

VOTING YEA: Council Members Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Michelle Berdux, Chief Deputy City Clerk

The Council and Governor of the State of Mississippi have examined the circumstances related to prior Emergency Declarations and concluded that due to the ongoing and resulting effects of hurricane Katrina the said Emergency Declarations should be continued pursuant to applicable law for another 7 (seven) days.

**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 the former Arizona Chemical building, 815 North Beech Street, in said City, Tuesday, November 15, 2005, at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Larry Watkins, Donald Parker, Anna Turnage, Leavern Guy and Jerry Bounds, City Manager Reggie Frierson, City Attorney Nathan Farmer, Chief Deputy City Clerk Michelle Berdux, Deputy City Clerk Leann Smith, Fire Chief Keith Brown and Police Chief Jim Luke.

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

Opening prayer was given by Council Member Donald Parker, followed by the Pledge of Allegiance led by Mayor Greg Mitchell.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Bounds, seconded by Council Member Guy to approve the minutes of the Mayor and City Council dated November 8, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Bounds, seconded by Council Member Guy to approve the issuance of the following manual checks:

<u>To</u>	<u>Fund</u>	<u>Amount</u>	<u>For</u>
MS Municipal Liability Plan	Gen, Airport, Utility	\$134,342.00	Liability coverage for period 01/01/06 – 12/31/06
MGAM	Utility	\$171,933.00	Gas purchases for October 2005

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY PUBLIC RECORDS REQUESTS REPORT

Motion was made by Council Member Bounds, seconded by Council Member Guy to acknowledge receipt of monthly public records requests report for the month of October 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO SET PUBLIC HEARING DATE FOR PROPERTY CLEANUP

Motion was made by Council Member Bounds seconded by Council Member Guy to set public hearing date as December 20, 2005 for property located at 1404 Palestine Road - owner Mary Van Buren, et al. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Bounds seconded by Council Member Guy to set public hearing date as December 20, 2005 for property located at 1420 Palestine Road - owner David A. Brumfield, et ux. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Bounds seconded by Council Member Guy to set public hearing date as December 20, 2005 for property located at 1404 Fourth Ave - owner Robert Shaw. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Bounds seconded by Council Member Guy to set public hearing date as December 20, 2005 for property located at 1410 Palestine Road - owner Francis Louise Loveless. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Bounds seconded by Council Member Guy to set public hearing date as December 20, 2005 for property located at 315 Clark Street - Jerry Shannon, Jr. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE TOYS FOR TYKES MOTORCYCLE RUN

Motion was made by Council Member Bounds, seconded by Council Member Watkins to approve request to hold annual Toys for Tykes motorcycle run on December 10, 2005 at 11:00 AM. Motorcycle run will begin at the Armory, go to the Veteran's Memorial on Goodyear Blvd and then commence at the VFW. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONSIDER REQUEST TO APPOINT/RE-APPOINT ELECTION COMMISSIONERS

Motion was made by Council Member Bounds, seconded by Council Member Guy to table the appointment/re-appointment of three election commissioners to the December 6th meeting. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPOINT MEMBER OF THE PLANNING COMMISSION

Motion was made by Council Member Guy, seconded by Council Member Parker to table the appointment of one member to the Planning Commission that represents the areas outside the City limits, for a three year term until December 6th meeting. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONTINUANCE OF STATE OF EMERGENCY

Motion was made by Council Member Watkins, seconded by Council Member Parker, to approve the continuance of the State of Emergency for the City of Picayune due to Hurricane Katrina. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACCEPT DONATION

Motion was made by Council Member Watkins, seconded by Council Member Parker to accept donation from the citizens of Wray, Colorado in the amount of \$2,408.00 to be deposited into the City of Picayune Katrina relief checking account. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE ORDINANCE

Motion was made by Council Member Bounds, seconded by Council Member Turnage to approve the Ordinance concerning the confirmation of the City's partial abandonment of Audrey Lane. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE 9' YARD VARIANCE

Motion was made by Council Member Guy, seconded by Council Member Parker to approve 9' (nine foot) yard variance for Mossy of Picayune to erect a new entrance to the existing building. This will not be any closer to the property line than the existing building. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

REQUEST FOR MILLSWOOD ROAD EXTENSION

Motion was made by Council Member Watkins, seconded by Council Member Bounds to table request to approve Millswood Road Extension on the North side of Stemwood Drive, Woodland Heights Subdivision until the December 6th meeting. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

REQUEST FOR PORTABLE BUILDING

Motion was made by Council Member Bounds, seconded by Council Member Parker to refer the request by Mr. Larry Kelly, Itta Bena, MS, for a portable building to be placed in the rear of the front of 3307 Highway 11 North, where it cannot be seen, for a take out only catfish restaurant, to Site Plan Review. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE FEMA TRAILERS FOR TEMPORARY HOUSING

REGULAR MEETING DATED NOVEMBER 15, 2005

Motion was made by Council Member Guy, seconded by Council Member Watkins to approve the following requests for the placement of FEMA trailers to serve as temporary housing. The following to-wit;

Josephine Camp at 806 West Jarrell Street
Linda Gowdy at 1006 Clarendo,
Peter Richard Raine at 1115 Warren Street,
Scott Hagstrom at 601 Highway 11 North. Approval was contingent upon area at 601 Highway 11 North being properly cleaned.

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, and Guy

VOTING NAY: Council Member Bounds

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO SUBMIT GRANT

Motion was made by Council Member Watkins, seconded by Council Member Bounds to approve submission of a grant application to USDA Rural Development for necessary repairs to Dixie Utilities. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO MOVE ITEM TO EXECUTIVE SESSION

Motion was made by Council Member Guy, seconded by Council Member Parker to amend agenda, moving contractual matter by and between the City of Picayune and Hartman Engineering to executive session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACCEPT DONATION

Motion was made by Council Member Parker, seconded by Council Member Watkins to accept a donation check of \$500.00 from the International Association of Fire Chiefs, Inc. to the Picayune Fire Department. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

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

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

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

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 Watkins, seconded by Council Member Parker to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matter with MAFP/Head Start
2. Contractual matter with East Jerusalem
3. Personnel matter
4. Contractual matter with FEMA CDL Loan Program
5. Contractual matter with Hartman Engineering

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Watkins, seconded by Council Member Parker, to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AUTHORIZE CITY MANAGER AND CITY ATTORNEY TO PROCEED WITH NEGOTIATIONS REGARDING TAKEOVER OF DIXIE UTILITIES

Motion was made by Council Member Guy, seconded by Council Member Watkins to authorize the City Manager and City Attorney to communicate and negotiate and take any other actions regarding the City's operation and interim financing of the Dixie Utility water/sewer system. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER INTO CONTRACT WITH HARTMAN ENGINEERING

Motion was made by Council Member Guy, seconded by Council Member Watkins to authorize the Mayor to enter into contract with Hartman Engineering who will provide professional services relative to City of Picayune water and wastewater Infrastructure Improvements project (formerly Dixie Utilities) funded by US Department of Agriculture, Rural Utility Services. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

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 Guy, seconded by Council Member Parker to recess until Tuesday, November 22, 2005. The following roll call was taken:

VOTING YEA: Council Members Bounds, Watkins, Guy and Turnage

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Parker

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Michelle Berdux, Chief Deputy City Clerk

The Council and Governor of the State of Mississippi have examined the circumstances related to prior Emergency Declarations and concluded that due to the ongoing and resulting effects of hurricane Katrina the said Emergency Declarations should be continued pursuant to applicable law for another 7 (seven) days.

**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 the former Arizona Chemical building, 815 North Beech Street, in said City, Tuesday, November 22, 2005, at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Larry Watkins, Donald Parker, Leavern Guy and Jerry Bounds, City Manager Reggie Frierson, City Attorney Nathan Farmer, Chief Deputy City Clerk Michelle Berdux, Deputy City Clerk Leann Smith, Deputy Fire Chief John Mark Mitchell and Deputy Police Chief David Ervin.

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

Opening prayer was given by Council Member Donald Parker, followed by the Pledge of Allegiance led by Mayor Greg Mitchell.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Bounds, seconded by Council Member Guy to approve the minutes of the Mayor and City Council dated November 15, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Turnage

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Bounds, seconded by Council Member Guy to approve the issuance of the following manual checks:

<u>To</u>	<u>Fund</u>	<u>Amount</u>	<u>For</u>
Chief Luke	General	\$252.00	Trip advance to National League of Cities Conference in Charlotte, NC
Tom Milar	General	\$252.00	Trip advance to National League of Cities Conference in Charlotte, NC
Kelly Wilton	General	\$252.00	Trip advance to National League of Cities Conference in Charlotte, NC

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Turnage

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY BUDGET REPORTS

RECESSED MEETING DATED NOVEMBER 22, 2005

Motion was made by Council Member Bounds, seconded by Council Member Guy to acknowledge receipt of monthly Budget Reports. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Turnage

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE GROUND LEASE AGREEMENT

Motion was made by Council Member Bounds, seconded by Council Member Guy to approve ground lease agreement by and between the City of Picayune and David Futrell. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Turnage

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACCEPT DONATION TO POLICE DEPARTMENT

Motion was made by Council Member Bounds, seconded by Council Member Guy to accept donation from Wal-Mart to the Police Department for the amount of \$675.00 and place it in the K-9 Fund line item. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Turnage

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONTINUANCE OF STATE OF EMERGENCY

Motion was made by Council Member Bounds, seconded by Council Member Parker, to approve the continuance of the State of Emergency for the City of Picayune due to Hurricane Katrina. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Turnage

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO RECESS

Motion was made by Council Member Bounds, seconded by Council Member Parker to recess until Tuesday, November 29, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Turnage

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Michelle Berdux, Chief Deputy City Clerk

The Council and Governor of the State of Mississippi have examined the circumstances related to prior Emergency Declarations and concluded that due to the ongoing and resulting effects of hurricane Katrina the said Emergency Declarations should be continued pursuant to applicable law for another 7 (seven) days.

**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 the former Arizona Chemical building, 815 North Beech Street, in said City, Tuesday, November 29, 2005, at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Larry Watkins, Donald Parker, Anna Turnage, Leavern Guy and Jerry Bounds, City Manager Reggie Frierson, City Attorney Nathan Farmer, Chief Deputy City Clerk Michelle Berdux, Deputy City Clerk Leann Smith, Fire Chief Keith Brown and Police Chief Jim Luke.

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

Opening prayer was given by Council Member Donald Parker, followed by the Pledge of Allegiance led by Mayor Greg Mitchell.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Bounds, seconded by Council Member Guy to approve the minutes of the Mayor and City Council dated November 22, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Bounds, seconded by Council Member Guy to approve the issuance of the following manual checks:

<u>To</u>	<u>Fund</u>	<u>Amount</u>	<u>For</u>
Lane Pittman	General	\$212.00	Travel advance to training seminar in Meridian, MS
Joe Quave	General	\$212.00	Travel advance to training seminar in Meridian, MS

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONTINUANCE OF STATE OF EMERGENCY

Motion was made by Council Member Guy, seconded by Council Member Watkins, to approve the continuance of the State of Emergency for the City of Picayune due to Hurricane Katrina. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Mr. and Mrs. Marvin Arnold presented plaque to Officer Constance Meyers in appreciation for service above and beyond the call of duty in reference to abduction and recovery of their grandchild.

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

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

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

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 Parker, seconded by Council Member Watkins to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matter with Shared Services for Stennis
2. Contractual matter with FEMA Disaster SCDL Program

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Parker, seconded by Council Member Turnage, to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO SIGN PLEDGE OF TAX REVENUES PROMISSORY NOTE

Motion was made by Council Member Parker, seconded by Council Member Watkins to authorize Mayor to sign Pledge of Tax Revenues for State of Mississippi Co signature on Community Disaster Loan Agreement/Promissory Note. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO ADJOURN

Motion was made by Council Member Parker, seconded by Council Member Turnage to adjourn until Tuesday, December 6, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Leann Smith, Deputy City Clerk

The Council and Governor of the State of Mississippi have examined the circumstances related to prior Emergency Declarations and concluded that due to the ongoing and resulting effects of hurricane Katrina the said Emergency Declarations should be continued pursuant to applicable law for another 7 (seven) days.

**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 the former Arizona Chemical building, 815 North Beech Street, in said City, Tuesday, December 6, 2005, at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Larry Watkins, Donald Parker, Anna Turnage, and Jerry Bounds, City Manager Reggie Frierson, City Attorney Nathan Farmer, Chief Deputy City Clerk Michelle Berdux, Deputy City Clerk Leann Smith, Fire Chief Keith Brown and Deputy Police Chief David Ervin.

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

Opening prayer was given by Council Member Donald Parker, followed by the Pledge of Allegiance led by Mayor Greg Mitchell.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Bounds, seconded by Council Member Turnage to approve the minutes of the Mayor and City Council dated November 29, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Bounds, seconded by Council Member Turnage to approve the issuance of the following manual checks:

<u>To</u>	<u>Fund</u>	<u>Amount</u>	<u>For</u>
City of Picayune, General Fund	Utility	NTE \$60,000.00	Transfer of garbage fees for Nov 2005
MS State Tax Commission	Utility	NTE \$4,500.00	Sales Tax Collections for Nov 2005
The Hiller Group, Inc	Airport	\$18,748.21	Gas purchase for resale at Airport 09/26/05 invoice
The Hiller Group, Inc	Airport	\$22,750.59	Gas purchase for resale at Airport 10/22/05 invoice

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AUTHORIZE PARTIAL PAYMENTS

REGULAR MEETING DATED DECEMBER 6, 2005

Motion was made by Council Member Bounds, seconded by Council Member Turnage to authorize partial payments for the 2005 Property taxes pursuant to section code 27-41-1. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AUTHORIZE MAYOR TO SIGN QUITCLAIM DEED

Motion was made by Council Member Bounds, seconded by Council Member Turnage to authorize Mayor's signature on quitclaim deed for 2001 and 2002 taxes in the name of Faye Trotter parcel number 617-516-001-04-006-00. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AUTHORIZE MAYOR AND COUNCIL TO TRAVEL TO NORTH CAROLINA

Motion was made by Council Member Bounds, seconded by Council Member Turnage to allow the Mayor and City Council to travel to Charlotte, NC, December 6-10, 2005, to attend the National League of Cities Conference. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE DOCKET

Motion was made by Council Member Parker, seconded by Council Member Watkins, to approve the docket for the month of November 2005 in the amount of \$934,419.69. The following roll call vote was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO TABLE REQUEST

Motion was made by Council Member Watkins, seconded by Council Member Bounds to table request by Beverly J Miller to propose a ban, that would prohibit Pit Bulls inside the City limits of Picayune to allow City Attorney Nathan Farmer to research the Constitutionality of the request to ban Pit bulls, until the City Council Meeting to be held January 3rd, 2006. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO TABLE REQUEST

Motion was made by Council Member Bounds, seconded by Council Member Watkins to table request to appoint or re-appoint three Election Commissioners to a four year term until the City Council meeting to be held January 3rd, 2006. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO EXCHANGE PLANNING COMMISSION APPOINTMENTS

Motion was made by Council Member Bounds, seconded by Council Member Turnage to exchange appointments to the Planning Commission to agree with Ordinance 646, placing Tony Smith as the outside City limits appointment and Penny Warshauer as an inside the City limits appointment. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE MILLSWOOD ROAD EXTENSION

Motion was made by Council Member Bounds, seconded by Council Member Turnage to approve request by Andy Cooper for Millswood Extension on the North side of Stemwood Drive, Woodland Heights Subdivision. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONTINUANCE OF STATE OF EMERGENCY

Motion was made by Council Member Watkins, seconded by Council Member Parker, to approve the continuance of the State of Emergency for the City of Picayune due to Hurricane Katrina. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ADVERTISE BIDS

Motion was made by Council Member Watkins, seconded by Council Member Bounds, to approve request to advertise for boring project under I-59 Paul's Pastry – Installing Gas/Water/Sewer line. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE PORTABLE BUILDING

Motion was made by council Member Bounds, seconded by Council Member Parker, following approval by Site Plan Review, to approve a request by Mr. Larry Kelly, Itta Bena, MS, to place a portable building at 3307 Hwy 11 North, in the rear of the front where it cannot be seen, for a take out catfish restaurant. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACCEPT GRANT AWARD

Motion was made by Council Member Watkins, seconded by Council Member Parker to accept a FY 06 Grant Award to Picayune Police Department for Safe Communities from MS Department of Public Safety. The Grant Award amount is \$76,744.41. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO REJECT BID FOR T-HANGAR CONSTRUCTION

Motion was made by Council Member Bounds, seconded by Council Member Parker to follow recommendation of the Project Engineer to reject bid for the T-hangar construction at the Picayune Municipal Airport and assess the Construction Market in January 2006. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO PAY LIEN ON A SEIZED AND FORFEITED VEHICLE

Motion was made by Council Member Parker, seconded by Council Member Turnage to approve the Police Department to use \$200.00 of the special police drug fund to pay the lien to Loan Max of Picayune and to declare as surplus. Vehicle had been previously seized by and forfeited to this department by the Fifth Circuit Court. The vehicle is a 1992 Olds Achieva valued at \$1,800.00. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO AUTHORIZE SUBMISSION OF GRANT APPLICATION

Motion was made by Council Member Watkins, seconded by Council Member Turnage to authorize submission and signature of grant application to Polaris Ranger for a 6X6 utility vehicle. This is a 100% grant. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Bounds, seconded by Council Member Turnage to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matter with Mississippi Action for Progress, Inc.
2. Contractual matter with temporary housing
3. Personnel matter
4. Contractual matter with Capital Projects
5. Possible warehouse lease with CCS
6. Contractual matter with Tank Pro

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Bounds, seconded by Council Member Turnage, to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE WAREHOUSE LEASE WITH CCS

Motion was made by Council Member Bounds, seconded by Council Member Turnage to authorize City Attorney Nathan Farmer to draft an agreement by and between the City of Picayune and CCS for lease of 1,000 square feet of storage space at a rate of \$300 per month for a period of 6 months minimum. The following roll call was taken:

REGULAR MEETING DATED DECEMBER 6, 2005

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO AMEND AGENDA

Motion was made by Council Member Bounds, seconded by Council Member Turnage to amend agenda to include application for Emergency Work. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE APPLICATION FOR EMERGENCY WORK

Motion was made by Council Member Bounds, seconded by Council Member Turnage to approve application for Emergency Work and authorize Mayor to sign all relevant documents. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO RECESS

Motion was made by Council Member Bounds, seconded by Council Member Turnage to recess until Tuesday, December 13, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Guy

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Michelle Berdux, Chief Deputy City Clerk

The Council and Governor of the State of Mississippi have examined the circumstances related to prior Emergency Declarations and concluded that due to the ongoing and resulting effects of hurricane Katrina the said Emergency Declarations should be continued pursuant to applicable law for another 7 (seven) days.

**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 the former Arizona Chemical building, 815 North Beech Street, in said City, Tuesday, December 13, 2005, at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Larry Watkins, Donald Parker, Leavern Guy and Jerry Bounds, City Manager Reggie Frierson, City Attorney Nathan Farmer, Chief Deputy City Clerk Michelle Berdux, Deputy City Clerk Leann Smith, Deputy Fire Chief John Mark Mitchell and Police Chief Jim Luke.

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

Opening prayer was given by Council Member Donald Parker, followed by the Pledge of Allegiance led by Mayor Greg Mitchell.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Bounds, seconded by Council Member Guy to approve the minutes of the Mayor and City Council dated December 6, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Turnage

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Bounds, seconded by Council Member Guy to approve the issuance of the following manual checks:

<u>To</u>	<u>Fund</u>	<u>Amount</u>	<u>For</u>
United State Post Office	General	NTE \$2,500.00	Postage for 2005 tax statements
Loan Max of Picayune	Special Police Drug Fund	\$200.00	Lien on forfeited 1992 Olds Achieva
Police Service Dogs	General	\$7,200.00	Payment for Bullet Police Drug Dog (Paid out of donations)
Dale Claybaugh	Utility	\$3,462.24	Reimbursement for damage caused by sewer backup

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Turnage

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CONTINUANCE OF STATE OF EMERGENCY

Motion was made by Council Member Watkins, seconded by Council Member Parker, to approve the continuance of the State of Emergency for the City of Picayune due to Hurricane Katrina. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Turnage

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Mayor Mitchell exited the meeting at this time.

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

Motion was made by Council Member Parker, seconded by Council Member Bounds to enter a closed session to determine the need for an executive session.

VOTING YEA: Council Members Watkins, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Turnage

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Parker, seconded by Council Member Bounds to return to regular session. The following roll call was taken:

VOTING YEA: Council Members Watkins, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Turnage

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matter with Picayune Housing Authority
2. Contractual matter with FEMA

The following roll call was taken:

VOTING YEA: Council Members Watkins, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Turnage

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

RECESSED MEETING DATED DECEMBER 13, 2005

At the conclusion of executive session, motion was made by Council Member Bounds, seconded by Council Member Parker, to return to regular session. The following roll call was taken:

VOTING YEA: Council Members Watkins, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Turnage

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER INTO CONTRACT WITH PICAYUNE HOUSING AUTHORITY

Motion was made by Council Member Bounds, seconded by Council Member Parker to approve a contract by and between the City of Picayune and Picayune Housing Authority and authorize Mayor and City Attorney to sign said contract. The following roll call was taken:

VOTING YEA: Council Members Watkins, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Turnage

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER INTO CONTRACT WITH FEMA

Motion was made by Council Member Bounds, seconded by Council Member Parker to approve contract by and between the City of Picayune and the United States of America (FEMA) to rent two rooms at Centraplex and authorize City Manager to execute said lease. The following roll call was taken:

VOTING YEA: Council Members Watkins, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Turnage

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO RECESS

Motion was made by Council Member Bounds, seconded by Council Member Parker to recess until Tuesday, December 20, 2005. The following roll call was taken:

VOTING YEA: Council Members Watkins, Parker, Guy and Bounds

VOTING NAY: None

ABSENT AND NOT VOTING: Mayor Mitchell and Council Member Turnage

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

Michelle Berdux, Chief Deputy City Clerk

The Council and Governor of the State of Mississippi have examined the circumstances related to prior Emergency Declarations and concluded that due to the ongoing and resulting effects of hurricane Katrina the said Emergency Declarations should be continued pursuant to applicable law for another 7 (seven) days.

**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 the former Arizona Chemical building, 815 North Beech Street, in said City, Tuesday, December 20, 2005, at 6:00 p.m. in regular session with the following officials present: Mayor Greg Mitchell, Council Members Larry Watkins, Donald Parker, Anna Turnage, and Leavern Guy, City Manager Reggie Frierson, City Attorney Nathan Farmer, Chief Deputy City Clerk Michelle Berdux, Deputy City Clerk Leann Smith and Police Chief Jim Luke.

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

Opening prayer was given by Council Member Donald Parker, followed by the Pledge of Allegiance led by Mayor Greg Mitchell.

ORDER TO APPROVE MINUTES OF THE MAYOR AND CITY COUNCIL

Motion was made by Council Member Guy, seconded by Council Member Parker to approve the minutes of the Mayor and City Council dated December 13, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE ISSUANCE OF MANUAL CHECKS

Motion was made by Council Member Guy, seconded by Council Member Parker to approve the issuance of the following manual checks:

<u>To</u>	<u>Fund</u>	<u>Amount</u>	<u>For</u>
MS State Tax Commission	Utility	\$5,448.00	Sales tax collections for November 2005 (Actual amt greater than prev requested)
MS Municipal Workers' Comp Group	General, Airport Utility & Cemetery	\$47,452.00	Workers' comp insurance premium 2 nd pmt due 01/17/06

REGULAR MEETING DATED DECEMBER 20, 2005

Greg Mitchell	General	\$300.40	Travel reimbursement for trip to Charlotte, NC
Jerry Bounds	General	\$420.05	Travel reimbursement for trip to Charlotte, NC
Greg Mitchell	General	\$25.00	2005 Chamber Awards Banquet

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY PRIVILEGE LICENSE REPORT

Motion was made by Council Member Guy, seconded by Council Member Parker to acknowledge receipt of the monthly privilege license report. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY PUBLIC RECORDS REQUESTS

Motion was made by Council Member Guy, seconded by Council Member Parker to acknowledge receipt of the monthly public records requests. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY BUDGET REPORTS

REGULAR MEETING DATED DECEMBER 20, 2005

Motion was made by Council Member Guy, seconded by Council Member Parker to acknowledge receipt of the monthly public records requests. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO SET PUBLIC HEARING DATE

Motion was made by Council Member Guy, seconded by Council Member Parker to set public hearing date as January 17, 2006 for lot located at 1430 Eighth Avenue, owner – Helen Bates. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Parker to set public hearing date as January 17, 2006 for lot located at 2819 Victoria Drive, owner – Clearance McCain. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Parker to public hearing date as January 17, 2006 for lot across from 418 North Abrams, owner- Coney Dorr. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

REGULAR MEETING DATED DECEMBER 20, 2005

Motion was made by Council Member Guy, seconded by Council Member Parker to re-set public hearing date as January 17, 2006 for property located at 1111 Rosa Street, owner – James Rancifer. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Parker to re-set public hearing date as January 17, 2006 for property located at 1203 Blackwell Street, owner – Kelly Johnson. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Parker to re-set public hearing date as January 17, 2006 for two lots between 2618 and 2624 Jackson Landing Road, owner – Timothy Moss, et al. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACCEPT PLANNING COMMISSION MINUTES DATED DECEMBER 13, 2005

Motion was made by Council Member Guy, seconded by Council Member Parker to receive Planning Commission minutes dated December 13, 2005. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Harold Holmes presented updated information to the Mayor and Council on the following subjects:

- *Hazard Mitigation Plan*
- *Smart Growth Master Plan*
- *Introduction of FEMA's Planning Group*

Charlene Arnold presented plaques to following Police Officers in appreciation of the help extended during the rescue of her kidnapped grandchild: Charles Esque, Holly Krantz, Michael Johnson, Sgt. Barber, and Judge M.D. Tate.

CONTINUANCE OF STATE OF EMERGENCY

Motion was made by Council Member Parker, seconded by Council Member Turnage to approve the continuance of the State of Emergency, for 30 days per change to law by the Governor, for the City of Picayune due to Hurricane Katrina. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO NAME NEW CITY STREET

Motion was made by Council Member Turnage, seconded by Council Member Guy to approve request to name new City street located at Vaughn and Hwy 43 as Lisa Ann Lee Street. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO EXECUTE WAIVER OF PROCESS

Motion was made by Council Member Watkins, seconded by Council Member Turnage to approve request from Phillip Kahn to have Mayor execute Waiver of Process for property being described as Parcel 616-305-000-00-017-01 for taxes previously sold. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO OPEN NON-INTEREST BEARING BANK ACCOUNT

Motion was made by Council Member Guy, seconded by Council Member Turnage to authorize the Accounting Department to arrange for the opening of a new non-interest bearing bank account for the Special Community Disaster Loan from FEMA. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE REQUEST FOR WATER SERVICE

Motion was made by Council Member Watkins, seconded by Council Member Turnage to approve request for City Water Service by Mr. & Mrs. Claiborne Bounds at 12 Ceasar Road Picayune, MS 39466 with resident responsible for costs. The following roll call taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACCEPT LOW BID FROM GREENBRIAR CONSTRUCTION

Motion was made by Council Member Guy, seconded by Council Member Watkins to approve request to accept low bid from Greenbriar Construction to bore, case, and install 12" water line under Hwy 43 South in the amount of \$47,400.00. The following roll was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE FRONT YARD VARIANCE

Motion was made by Council Member Guy, seconded by Council Member Parker to approve request made by Charles and Lucian Roberson for a 5' front yard variance in order to build two mini storage buildings at 411 S. Curran Ave. The following roll call was taken:

REGULAR MEETING DATED DECEMBER 20, 2005

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Watkins, seconded by Council Member Guy to approve request made by Marcus Bergeron for a 13' front yard variance in order to build a covered patio on the front of existing house. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO BUILD A FOUR-PLEX BUILDING

Motion was made by Council Member Guy, seconded by Council Member Watkins to approve request made by William J. Dekemel, III to build a four-plex building at 200 Westonia St., C-3 zone. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

REQUEST FOR TEMPORARY HOUSING

Motion was made by Council Member Guy, seconded by Council Member Parker to deny a request, by recommendation of the Planning Commission, made by Ted and Ann Musgrove to place five FEMA trailers on property located on the corner of Bay Street and Palestine Road and eight trailers on the corner of Sheila Drive and Palestine Road. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE CONDITIONAL USE OF A BUILDING

Motion was made by Council Member Guy, seconded by Council Member Watkins to approve request of Mike and Doris Osborn, following the recommendation of the Planning Commission, for conditional use of a building to help young adults who will be attending Christian Evangelistic School by providing living quarters for them. This is usually four to six months only. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE ICE HOUSE

Motion was made by Council Member Guy, seconded by Council Member Parker to approve request of Mark Hunt, South Mississippi Icehouse Distributors, to place an Ice Unit on commercial property, per request of owner of property. This is a permanent unit for loose or bagged ice. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO HOLD PUBLIC HEARING ON PROPERTY

Motion was made by Council Member Guy, seconded by Council Member Parker to declare property at 1420 Palestine Road, owner – David A. Brumfield, et ux, as condemned, a public nuisance, and to follow normal proceedings for removal. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Watkins, seconded by Council Member Parker to take public hearing request of property located at 1404 Fourth Avenue, owner – Robert Shaw, under advisement pending notice to all other heirs and advertisement in the paper to attempt said notice. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

REGULAR MEETING DATED DECEMBER 20, 2005

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Watkins, seconded by Council Member Guy to declare property located at 1404 Palestine Road, owner – CPS Enterprises, as a public nuisance and give the owners 30 more days to try to clear property per recommendation of the Planning Commission. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Motion was made by Council Member Guy, seconded by Council Member Parker to declare property located at 1410 Palestine Road, owner – Francis Louise Loveless, as a public nuisance. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Donald Parker exited the meeting at this time.

ORDER TO APPROVE BID FOR POLICE DEPARTMENT UNIFORMS

Motion was made by Council Member Guy, seconded by Council Member Turnage to approve Mid-South uniform bid extension of one year for Police Department uniforms for Fiscal Year 2005/2006. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Parker and Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACCEPT DONATION TO POLICE DEPARTMENT

REGULAR MEETING DATED DECEMBER 20, 2005

Motion was made by Council Member Watkins, seconded by Council Member Guy to authorize acceptance of donation in the amount of \$1,000.00 from Ms. Sally A. Thomas to the Police Department Summer Youth Camp. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Parker and Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO PURCHASE ELECTRONIC EQUIPMENT FOR THE POLICE DEPARTMENT

Motion was made by Council Member Guy, seconded by Council Member Watkins to approve Sole Source letter and purchase of electronic equipment for the Police Department Criminal Investigation Division for \$8,825.00. The equipment will be purchased from the Special Police Drug Fund. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Members Parker and Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Donald Parker returned to the meeting at this time.

ORDER TO RELEASE SEIZED VEHICLE TO BRADDY'S TOWING

Motion was made by Council Member Watkins, seconded by Council Member Guy to release seized vehicle, 1982 Oldsmobile Cutlass – value \$350.00 - \$500.00, to Glen Braddy, Braddy's Towing. If vehicle is released, then tow bill of \$1917.00 will be waived. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

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

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

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Watkins, seconded by Council Member Turnage to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ENTER EXECUTIVE SESSION

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

1. Contractual matter with Mississippi Action for Progress, Inc.
2. Contractual matter with temporary housing
3. Contractual matter with FEMA
4. Personnel matter
5. Contractual matter with Alliance Windows
6. Contractual matter with Industrial Park Property

The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

At the conclusion of executive session, motion was made by Council Member Guy, seconded by Council Member Parker, to return to regular session. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ADOPT TWO EMERGENCY ORDINANCES

Motion was made by Council Member Guy, seconded by Council Member Watkins to adopt two emergency ordinances, one concerning individuals and the other contractors. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO EMPOWER CITY MANAGER TO MAKE CHANGES IN CONTRACT WITH FEMA

Motion was made by Council Member Parker, seconded by Council Member Guy to empower City Manager to negotiate change in fees per square foot in contract with FEMA. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO ADJOURN

Motion was made by Council Member Guy, seconded by Council Member Parker to adjourn until Tuesday, January 3, 2006. The following roll call was taken:

VOTING YEA: Mayor Mitchell, Council Members Watkins, Parker, Turnage and Guy

VOTING NAY: None

ABSENT AND NOT VOTING: Council Member Bounds

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Greg Mitchell, Mayor

ATTEST:

REGULAR MEETING DATED DECEMBER 20, 2005

Michelle Berdux, Chief Deputy City Clerk

The Council and Governor of the State of Mississippi have examined the circumstances related to prior Emergency Declarations and concluded that due to the ongoing and resulting effects of hurricane Katrina the said Emergency Declarations should be continued pursuant to applicable law for another 30 (thirty) days.