

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

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met at City Hall, 815 North Beech Street, in said City, Tuesday, March 15, 2011, at 5:00 p.m. in regular session with the following officials present: Mayor Ed Pinero, Council Members Larry Watkins, Lynn Bumpers, Todd Lane, Larry Breland and Wayne Gouguet, City Manager Jim Luke and City Clerk Priscilla Daniel.

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

Opening prayer was given by Rev. Van Bolton, followed by the Pledge of Allegiance led by Mayor Ed Pinero.

COUNCIL MEMBER LARRY BRELAND TOOK A MOMENT TO COMMEND LT. JAMES BOLTON FOR GOING ABOVE AND BEYOND THE CALL OF DUTY WHEN RESPONDING TO A FATAL FIRE ON BURLEY STREET ON MARCH 8, 2011, WHERE A 79 YEAR-OLD WOMAN DIED

COUNCIL MEMBER LARRY WATKINS TOOK A MOMENT TO RECOGNIZE JIMMY HANCOCK WHO WAS JUST ELECTED TO THE PICAYUNE SCHOOL BOARD

MOTION TO APPROVE MINUTES OF THE CITY OF PICAYUNE

Motion was made by Council Member Watkins, seconded by Council Member Lane to approve the Minutes for the City of Picayune dated February 15, 2011 and March 1, 2011.

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY PRIVILEGE LICENSE REPORT FOR FEBRUARY 2011

Motion was made by Council Member Watkins, seconded by Council Member Lane to acknowledge receipt of monthly privilege license report for February 2011.

REGULAR MEETING MARCH 15, 2011

CITY OF PICAYUNE
PRIV LIC ISSUED

DATE: 02/01/2011

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LICENSE	ACCT	BUSINESS	AMOUNT
9999	1647	A+ JAIL BREAK BAIL BONDING	22.00
9987	178	AMC ENTERPRISES	137.20
9972	475	ANOINTED BEAUTY SALON	23.00
9976	483	BETTY K'S	23.00
9949	76	BUDDY HOP QUICK STOP	45.60
10009	1253	COTTAGE INTERIORS	20.00
9940	1892	CUBE STREET USA	20.00
9989	686	DALINDA'S HAIR SALON	157.20
9991	1115	DIANE'S NAILS	48.00
9993	1557	DRAIN RIGHT SEWER & DRAIN CLEANING	48.00
9961	53	DUNCAN ELECTRIC	48.00
9981	68	EARL & MARY'S TEES	23.00
9985	1802	FAMILY CARE TRANSPORT	23.00
9951	502	FLOWERS BY GEORGIA	23.00
9965	471	GRANNY G'S SNOWBALL & DELI	48.00
10008	521	GTM BUILDING SUPPLY INC	478.00
10018	1774	J & K MANAGMENT CO	34.00
9979	512	JUNE BUGS CHECKERED CUPBOARD	48.00
10000	898	MAGNOLIA COLUMNS	48.00
9975	149	MAIL FAST FORWARD	22.80
9956	723	MICKEY'S QUICK STOP #2	651.75
9955	722	MICKEY'S QUIK STOP #1	522.00
10007	1282	NAMIAS REPAIR SERVICE & SALES	48.00
9983	1790	NNC INVESTMENTS	23.00
9995	1808	OLD SCHOOL PRODUCTION	23.00
10019	1768	PEARL RIVER WHOLESALE, LLC	23.00

REGULAR MEETING MARCH 15, 2011

CITY OF PICAYUNE
PRIV LIC ISSUED

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LICENSE	ACCT	BUSINESS	AMOUNT
9967	351	PICAYUNE AUTO SALES	48.00
10006	277	PICAYUNE DIALYSIS	112.80
9959	858	PICAYUNE DISCOUNT BUILDING SUP	37.00
9937	1891	PICAYUNE SCHOOL OF COSMETOLOGY	20.00
9997	346	PINE TREE LANES	205.80
10014	1732	RANDAL PICAYUNE INC # 33998	34.20
10013	1731	RANDAL PICAYUNE INC # 38440	34.20
10011	311	SEARS	37.05
9953	1893	SHAY MARIE FABRICS, LLC	20.00
10002	1323	SPS CONSTRUCTION	23.00
9945	1206	STAR BARKS K9 KLIPPERY, LLC	23.00
9977	1812	SUPER SOAKER EXPRESS	23.00
9947	1272	THE BAIT SHOP	48.00
9935	1890	TOUCH OF INK DERMAGRAPHS	20.00
9933	1156	UPSCALE BARBER SHOP	22.60
9974	752	WESTERN AUTO	235.00
9963	754	WHISPERING PINES APTS	23.00
10004	755	WHOLE HEALTH CONNECTIONS	57.00
9968	352	WINDMILL REALTY	48.00
9939	1742	WIRELESS WAREHOUSE	62.50
	46	TOTAL >>>	3,764.70

REGULAR MEETING MARCH 15, 2011

TY OF PICAYUNE
W BUSINESS LISTING

DATE: 03/03/2011

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ACCT	BUSINESS NAME	ORG DATE	LOCATION	APPLICANT	PROD SRV
1253	COTTAGE INTERIORS	02/24/2011	304 A WEST CANAL STREET	MARGARET P WILLIAMS	ANTIQUES AND CO
1890	TOUCH OF INK DERMAGRAPHS	02/03/2011	967 MEMORIAL BLVD	KRYSTAL D DORAN	TATOO PARLOR
1891	PICAYUNE SCHOOL OF COSMETOLOGY	02/07/2011	312 WEST CANAL ST	DAWAINA CERTAIN	COSMETOLOGY
1892	CUBE STREET USA	02/08/2011	2203 MEGEHEE ST	BETH FEIERABEND	E COMMERCE
1893	SHAY MARIE FABRICS, LLC	02/10/2011	401 B MEMORIAL BLVD	LETTY M LIZANA	FABRIC/SEWING S

TOTAL >>

5

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

**ORDER TO ACKNOWLEDGE RECEIPT OF MONTHLY PUBLIC RECORDS
REQUEST REPORT FOR FEBRUARY 2011**

Motion was made by Council Member Watkins, seconded by Council Member Lane to acknowledge receipt of the monthly public records request report for February 2011.

	1	2	3	4	5
1	CITY OF PICAYUNE				
2	REPORT OF PUBLIC RECORDS REQUESTS				
3	FEBRUARY 2011				
4	<u>DATE</u>	<u>PERSON REQUESTING</u>	<u>SUBJECT MATTER</u>	<u>DATE FILLED/DENIED</u>	<u>ACTION</u>
5	03/01/11	PICAYUNE HOUSING AUTHORITY	4 FINGERPRINTS, 2 RECORD'S CHECK	03/01/11	APPROVED
6	02/28/11	SYLVIA SLAUGHTER	ACCIDENT REPORT 2011-02-1129	02/28/11	APPROVED
7	02/28/11	PRC SHERIFF'S OFFICE	RECORD'S CHECK	02/28/11	APPROVED
8	02/28/11	UNITED STATES DISTRICT COURT	RECORD'S CHECK ON WILLIAM DIAZ	02/28/11	APPROVED
9	02/28/11	UNITED STATES DISTRICT COURT	RECORD'S CHECK ON ARTHUR JAMES	02/28/11	APPROVED
10	02/28/11	MISSISSIPPI ALCOHOLIC BEVERAGE	JAIL TIME ALLOTMENT	02/28/11	APPROVED
11	02/28/11	JOSEPH P SCHENCK	JAIL TIME ALLOTMENT	02/28/11	APPROVED
12	02/28/11	ALICE HASBERRY	RECORD'S CHECK	02/28/11	APPROVED
13	02/28/11	SCOTT S BRANNON	SUBPOENA FOR RECORD'S (BLOOD	02/28/11	APPROVED
14	02/25/11	PENNY RICHOUX	ACCIDENT REPORT 2011-02-1354	02/25/11	APPROVED
15	02/24/11	NICHOLSON ARMS APARTMENTS	RECORD'S CHECK ON GWENDOLYN	02/24/11	APPROVED
16	02/24/11	UNITED STATES DISTRICT COURT	RECORD'S CHECK	02/24/11	APPROVED
17	02/24/11	F.B.I. NICS	COPY OF INCIDENT REPORT 2010-12-	02/24/11	APPROVED
18	02/24/11	UNITED STATES DISTRICT COURT	4 RECORD'S CHECK	02/24/11	APPROVED
19	02/22/11	HEAVEN CRYSTAL EATERLING	RECORD'S CHECK	02/22/11	APPROVED
20	02/24/11	RONALD CHASE	ACCIDENT REPORT # 2011-02-1204	02/24/11	APPROVED
21	02/24/11	ADVANTAGE INSURANCE COMPANY	ACCIDENT REPORT # 2010-09-1654	02/24/11	APPROVED
22	02/24/11	PATSY ALSOBROOKS	ACCIDENT REPORT 2011-02-0638	02/24/11	APPROVED
23	02/24/11	KATHLEEN CANAVAN	ACCIDENT REPORT 2011-02-01017	02/24/11	APPROVED
24	02/23/11	MICHAEL PUGH	INCIDENT REPORT 2011-02-1507	02/23/11	APPROVED
25	02/23/11	RICHARD TEAGUE	ACCIDENT REPORT 2011-02-0997	02/23/11	APPROVED
26	02/23/11	JEREMY PITTARI	COPY OF REPORTS	02/23/11	APPROVED
27	02/23/11	JOSHUA SPARKS	RECORD'S CHECK	02/23/11	APPROVED
28	02/23/11	KIMMY BOUDREAUX	RECORD'S CHECK	02/23/11	APPROVED
29	02/23/11	UNITED STATES DISTRICT COURT	RECORD'S CHECK ON JUAN MARTINEX	02/23/11	APPROVED
30	02/23/11	F.B.I. NICS	COPY OF INCIDENT REPORT & LEVEL	02/23/11	APPROVED
31	02/23/11	BONNIE KING	RECORD'S CHECK	02/23/11	APPROVED
32	02/23/11	SUSAN JOHNSON	RECORD'S CHECK	02/23/11	APPROVED
33	02/23/11	BILLIE ALEXANDER	RECORD'S CHECK	02/23/11	APPROVED
34	02/23/11	TINA DELATTE	RECORD'S CHECK	02/23/11	APPROVED
35	02/23/11	ATTORNEY RUFUS ALLDREDGE	SUBPOENA DUCES TECUM	02/23/11	APPROVED
36	02/22/11	GARY DEDEAUX	ACCIDENT REPORT 2011-01-2077	02/22/11	APPROVED
37	02/22/11	UNITED STATES DISTRICT COURT	2 RECORD'S CHECK	02/22/11	APPROVED
38	02/22/11	SHELIA BARNES	ACCIDENT REPORT 2010-09-1654	02/22/11	APPROVED
39	02/22/11	UNITED STATES DISTRICT COURT	2 RECORD'S CHECK	02/22/11	APPROVED
40	02/22/11	KARLA BEL, LA STATE POLICE	RECORD'S CHECK ON JEFFERY	02/22/11	APPROVED
41	02/22/11	RENEE CANDEBAT	ACCIDENT REPORT 2010-01-1572	02/22/11	APPROVED
42	02/18/11	PATRICIA TARDO	INCIDENT REPORT 2011-01-1920	02/18/11	APPROVED
43	02/17/11	CARLOS NIXON	RECORD'S CHECK	02/17/11	APPROVED

	1	2	3	4	5
1	CITY OF PICAYUNE				
2	REPORT OF PUBLIC RECORDS REQUESTS				
3	FEBRUARY 2011				
4	DATE	PERSON REQUESTING	SUBJECT MATTER	DATE FILLED/DENIED	ACTION
44	02/17/11	GREGORY STANDRIDGE	ACCIDENT REPORT 2011-02-0593	02/17/11	APPROVED
45	02/17/11	NORMAN COPELAND	ACCIDENT REPORT 2011-02-0955	02/17/11	APPROVED
46	02/17/11	NICHOLSON ARMS APARTMENT	RECORD'S CHECK	02/17/11	APPROVED
47	02/16/11	PEGGY SEALS	RECORD'S CHECK	02/19/11	APPROVED
48	02/16/11	UNITED STATES DISTRICT COURT	4 RECORD'S CHECK	02/16/11	APPROVED
49	02/15/11	PAUL REESE	COPY OF REPORT 2010-01-1444	02/15/11	APPROVED
50	02/14/11	SUSAN HOWARD	ACCIDENT REPORT 2010-12-2136	02/14/11	APPROVED
51	02/14/11	KELYN ELIZABETH PASSMORE	RECORD'S CHECK	02/14/11	APPROVED
52	02/14/11	STEPHEN ROBBINS	ACCIDENT REPORT 2011-02-0517	02/14/11	APPROVED
53	02/14/11	FRANK FORD	ACCIDENT REPORT 2011-02-0593	02/14/11	APPROVED
54	02/14/11	HANCOCK COUNTY YOUTH COURT	2 RECORD'S CHECK	02/14/11	APPROVED
55	02/14/11	MATTHEW & MOLLY SMART	2 RECORD'S CHECK	02/14/11	APPROVED
56	02/10/11	MARK SCHOMMER	INCIDENT REPORT 2011-02-0028	02/10/11	APPROVED
57	02/10/11	DEPARTMENT OF HUMAN SERVICES	2 RECORD'S CHECK	02/10/11	APPROVED
58	02/10/11	DOMINIC VERONA	COPY OF REPORT 2011-02-0417	02/10/11	APPROVED
59	02/09/11	MICHAEL BUOTTE	INCIDENT REPORT 2011-02-0246	02/09/11	APPROVED
60	02/09/11	JOHN LEVI CARROLL	RECORD'S CHECK	02/09/11	APPROVED
61	02/03/11	BRAD BURGE	OUT OF THE COUNTY RECORD'S	02/03/11	APPROVED
62	02/08/11	LILLIAN HAMILTON	INCIDENT REPORT 2011-02-0163	02/08/11	APPROVED
63	02/08/11	MARIA SHANTEL MITCHELL	RECORD'S CHECK	02/08/11	APPROVED
64	02/08/11	UNITES STATE DISTRICT COURT	2 RECORD'S CHECK	02/08/11	APPROVED
65	02/08/11	PICAYUNE APARTMENTS	RECORD'S CHECK	02/08/11	APPROVED
66	02/08/11	STEVE WADE MITCHELL	RECORD'S CHECK	02/08/11	APPROVED
67	02/04/11	BEVERLY VARNADO	RECORD'S CHECK	02/04/11	APPROVED
68	02/08/11	JOSEPH D MILLER	ACCIDENT REPORT 2011-02-0043	02/08/11	APPROVED
69	02/08/11	FEDERAL BUREAU OF	INCIDENT REPORT 1997-12-0862	02/08/11	APPROVED
70	02/08/11	GLENN L WHITE (ATTORNEY AT	SUBPOENA DUCES TECUM 2010-04-1452	02/08/11	APPROVED
71	02/07/11	ALENYAH MICHELLE MELANCON	RECORD'S CHECK	02/07/11	APPROVED
72	02/07/11	GAYLA MARTIN	ACCIDENT REPORT 2011-02-0406	02/07/11	APPROVED
73	02/07/11	UNITED STATES DISTRICT COURT	RECORD'S CHECK	02/07/11	APPROVED
74	02/03/11	UNITED STATES DISTRICT COURT	4 RECORD'S CHECK	02/03/11	APPROVED
75	02/01/11	JOHN R KNIGHT	INCIDENT REPORT 2011-01-1831	02/01/11	APPROVED
76	02/02/11	FARM BUREAU	INCIDENT REPORT 2011-01-2077	02/02/11	APPROVED
77	02/02/11	FARM BUREAU	INCIDENT REPORT 2011-01-1572	02/02/11	APPROVED
78	02/02/11	UNITED STATES DISTRICT COURT	RECORD CHECK ON JOSE MIGUEL	02/02/11	APPROVED
79	02/02/11	KASSANDRA K FERGUSON	RECORD'S CHECK	02/02/11	APPROVED
80	02/01/11	YONATAN SIGFRIDO OLVERA-JAIME	RECORD'S CHECK	02/01/11	APPROVED
81					
82					

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO APPROVE PLANNING COMMISSION MINUTES DATED FEBRUARY 8, 2011

Motion was made by Council Member Watkins, seconded by Council Member Lane to approve Planning Commission Minutes dated February 8, 2011.

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO ACKNOWLEDGE PLANNING COMMISSION MINUTES DATED MARCH 8, 2011

Motion was made by Council Member Watkins, seconded by Council Member Lane to acknowledge receipt of Planning Commission Minutes dated March 8, 2011.

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE 31ST BI-ANNUAL STREET FAIR

Motion was made by Council Member Lane, seconded by Council Member Bumpers to approve request from Picayune Main Street to host its 31st bi-annual Street Fair on the weekend of April 2 & 3, 2011 and approve the attractions and street closings as presented.

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CITY MANAGER JIM LUKE GAVE AN UPDATE TO THE COUNCIL CONCERNING SIGNS, LIGHTS AND LITTER. HE SAID CITY PERSONNEL HAVE IDENTIFIED 37 STRET SIGNS IN THE CITY THAT NEED TO BE REPLACED OR REPAIRED. LOCAL ELECTRIC COMPANIES HAVE IDENTIFIED 48 STREET LIGHTS THAT NEED TO BE REPLACED AND HE HAS WORKED OUT AN AGREEMENT WITH THE PEARL RIVER COUNTY SHERIFF'S DEPARTMENT TO USE TRUSTEE LABOR TO PICK UP LITTER IN THE CITY LIMITS

APPROVE MOTION FOR RELIEF OF FINAL JUDGMENT TO CORRECT ERROR IN LEGAL DESCRIPTION OF THE BOUNDARY OF THE CITY OF PICAYUNE

Motion was made by Council Member Lane, seconded by Council Member Watkins to approve the Motion for Relief of Final Judgment to correct error in a legal description of the city borders near the new Paul's Pastry that was part of a voluntary annexation three years ago.

IN THE CHANCERY COURT OF PEARL RIVER COUNTY, MISSISSIPPI

**In the Matter of the Enlargement
of the Corporation Limits of the
City of Picayune, Mississippi**

CIVIL ACTION NO.: 09-0081-GN-TH

MOTION FOR RELIEF FROM FINAL JUDGMENT AND TO ALTER JUDGMENT

Petitioner, the City of Picayune, Mississippi, acting pursuant to Rule 60(a) of the Mississippi Rules of Civil Procedure, moves the Court for relief from the Final Judgment of this Court filed on May 19, 2009, in order to correct two clerical errors therein, and further moves the Court to alter said judgment to accomplish same and to enter the corrected Final Judgment.

1. The Final Judgment in this Cause was filed on May 19, 2009. A true and correct copy of that Final Judgment is attached hereto as Exhibit "A."

2. Petitioner has recently learned that there are two small clerical errors contained within the legal description of the boundaries of the City of Picayune, Mississippi, as they would exist after the annexation of the land also described therein.

3. These two small but legally significant errors are merely scrivener's errors. The boundaries of the City of Picayune are not being enlarged or reduced by altering the judgment; only the recorded legal description will change.

4. In *In re Estate of Summerlin*, the Mississippi Court of Appeals affirmed the chancellor's reformation of a quitclaim deed which contained a scrivener's error. 989 So. 2d 466, 480-81 (Miss. Ct. App. 2008). Further, the Mississippi Supreme Court has held that what amounts to a scrivener's error may be sufficient to warrant reformation of an instrument. *Townsend v. Townsend*, 859 So. 2d 370, 376 (Miss. 2003).

5. The mistakes found in the Final Judgment have been underlined on **pages 7 and 8** of Exhibit B attached hereto, which is a "red-lined" version of the May 2009 Final Judgment.

6. A Corrected Final Judgment is attached hereto as Exhibit C and is prepared for recording in the land records.

WHEREFORE, premises considered, Petitioner, the City of Picayune, Mississippi, respectfully moves the Court to correct the clerical errors in the Final Judgment and/or to enter the Corrected Final Judgment.

Respectfully submitted, this the __ day of February, 2011.

Jackson 6138092v1

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ADOPT AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF PICAYUNE AND DESCRIBING THE IMPROVEMENTS THERETO-PENDING CONFIRMATION BY THE CHANCERY COURT

Motion was made by Council Member Watkins, seconded by Council Member Lane to adopt an Ordinance # 885 Extending the Corporate Limits of the City of Picayune and describing the improvements thereto-pending confirmation by Chancery Court.

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PICAYUNE, MISSISSIPPI, EXTENDING THE CORPORATE LIMITS OF THE CITY OF PICAYUNE, PEARL RIVER COUNTY, MISSISSIPPI; DESCRIBING THE TERRITORY TO BE ADDED THERETO; DESCRIBING THE PROPOSED IMPROVEMENTS TO BE MADE IN THE ANNEXED TERRITORY; SETTING FORTH THE MUNICIPAL SERVICES TO BE RENDERED THEREIN; PROVIDING FOR A CONFIRMATION BY THE CHANCERY COURT OF PEARL RIVER COUNTY, MISSISSIPPI, AND FOR RELATED PURPOSES

BE IT ORDAINED by the Mayor and City Council of the City of Picayune, Mississippi:

SECTION 1: That the Mayor and City Council of the City of Picayune ("City"), Mississippi, find that the public convenience and necessity require that the corporate limits of the City be extended. This finding is based on the fact that the City needs to enlarge its boundaries; that the area to be annexed is reasonably within the City's path of growth; that there exist potential health hazards in the area to be annexed arising from its present water and sewer systems and that the City has the financial ability to make the improvement and furnish the services to the area to be annexed as set forth below. Consequently, the Mayor and City Council of the City ordain that the corporate limits of the City be and they are hereby extended to include a certain area not heretofore included within the corporate limits of said City located in Pearl River County, Mississippi. The legal description of such area to be included within the City's corporate limits is attached hereto as Exhibit "A" and incorporated fully herein.

SECTION 2: That the legal description of the corporate limits and boundaries of the City as enlarged, extended and fixed by this Ordinance is attached hereto as Exhibit "B" and incorporated herein.

SECTION 3: The City shall make the following improvements in said annexed territory to be completed within a reasonable time, not to exceed five (5) years from the effective date of this Ordinance, unless delayed by war or military preparedness:

- (a) Improve existing streets and drainage.
- (b) Maintain water lines, water service, sewage disposal lines and street lighting.
- (c) Said services shall be furnished in the same manner and to the same extent as such services are being furnished to the present citizens of the municipality.

SECTION 4: That the City shall furnish to the said annexed territory the following municipal and public services in the same manner and to the same extent as such services are being furnished to the present citizens of the municipality, such services to begin on the effective date of this Ordinance, to-wit:

- (a) Police protection;
- (b) Fire protection;
- (c) Garbage removal;
- (d) Trash and other debris removal;
- (e) Pest control;
- (f) Maintenance of existing streets;
- (g) The right to exercise the ballot in municipal elections upon registering and meeting all statutory and constitutional requirements and upon approval under the Voting Rights Act of 1965;

(h) the use and benefit of all other municipal services and facilities furnished to all of the present citizens of the municipality of the City including, but not limited to, the use of its public parks and recreational facilities; and

(i) Zoning.

SECTION 5: The City, through its attorneys, shall file a petition in the Chancery Court of Pearl River County, Mississippi, which petition shall recite the facts of the adoption of this Ordinance and shall pray for the approval, ratification and confirmation by said Court of the enlargement and extension of the municipal boundaries and limits of the City as herein fixed and determined. Said Petition shall have attached thereto a certified copy of this Ordinance and a plat or map showing the boundaries of the said City as they will exist in the event such enlargement and extension becomes effective pursuant to this Ordinance.

SECTION 6: That this Ordinance shall become effective ten (10) days after the date of the entry of the Judgment of the Chancery Court of Pearl River County, Mississippi, ratifying, approving and confirming the enlargement and extension of the boundaries of the City as established by this Ordinance and by the Judgment of said Chancery Court and upon submission of the Ordinance and Judgment to the United States Department of Justice, Civil Rights Division, pursuant to Section 5 of the Voting Rights Act of 1965.

A Motion to adopt the foregoing Ordinance, which had previously been reduced to writing and considered section by section, was offered by Council person _____ and seconded by Council person _____, whereupon they and Council person _____, _____, and _____ each voted "AYE".

REGULAR MEETING MARCH 15, 2011

The Ordinance having received the affirmative vote of the majority of the members of the City Council, the Mayor declared the same adopted.

Ed Pinero, Mayor

ATTEST:

Pricilla Daniel, City Clerk

REGULAR MEETING MARCH 15, 2011

I, the undersigned, Pricilla Daniel, City Clerk of the City of Picayune, Mississippi, hereby certify that the above and foregoing is a true copy of an Ordinance adopted by the Mayor and City Council of the City of Picayune, Mississippi at its meeting duly and properly held on _____, _____, 2011, as the same appears in Minute Book _____ at Page _____ of _____ the Minutes of said Board and recorded in the Ordinance Book _____ of the City of Picayune, Mississippi at Page _____ thereof.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, this _____ day of _____, 2011.

Pricilla Daniel, City Clerk

AREAS TO BE ANNEXED

AREA 1

Beginning at the Northeast corner of Section 24, Township 6 South, Range 17 West, Pearl River County, Mississippi; thence South 00°38' West along the East line of Section 24, a distance of 5,366.5 feet, more or less, to the Northeast corner of Section 25; thence South 00°21' East along the East line of Section 25, a distance of 5350 feet, more or less, to the Northeast corner of Section 36; thence South 00°19' West along the East line of Section 36, a distance of 5,206.6 feet, more or less, to the Northeast corner of Section 1, Township 7 South, Range 17 West, Pearl River County, Mississippi; thence South 00°03' East along the East line of Section 1, a distance of 5,344.8 feet, more or less, to the Southeast corner of Section 1 and the South boundary line of Pearl River County, Mississippi; thence North 89°07' West along the South line of Section 1 and said South line of Pearl River County, a distance of 5,450.3 feet, more or less, to the Southeast corner of Section 2; thence North 89°07' West along said Section 2 and said county line, a distance of 5,283.6 feet, more or less, to the Southeast corner of Section 3; thence North 89°07' West along the South line of said Section 3 and said county line, a distance of 2794.6 feet, more or less, to the Mississippi State Line; thence run northwesterly along the Mississippi State Line to the centerline of the track of the Norfolk Southern Alabama Great Southern Railroad Company Line; thence run northeasterly along said centerline of said track 14,693.13 feet, more or less, to the existing boundary line of the City of Picayune Corporate Limits; thence run East along said existing limits 127.18 feet to a point; thence run along said existing limits as follows: South 12°03'23" West, a distance of 1,360.38 feet; thence South 89°12'12" East, a distance of 535.16 feet; thence South 00°14'13" East, a distance of 655.51 feet to an iron rod; thence North 89°50'17" East, a distance of 248.61 feet to an iron pipe; thence South 00°08'05" West, a distance of 280.45 feet to an iron rod; thence North 89°46'50" East, a distance of 1,073.60 feet to an iron rod; thence South 00°01'30" East, a distance of 1,500.21 feet; thence South 00°21'54" East, a distance of 1,229.43 feet to an iron pipe; thence South 00°32'39" West, a distance of 272.41 feet to an iron pipe being common to Sections 26, 27, 34 and 35; thence North 47°10'23" East, a distance of 48.21 feet to an iron rod; thence North 47°14'34" East, a distance of 181.29 feet to an iron rod; thence North 46°12'03" East, a distance of 797.18 feet to an iron rod; thence North 49°52'52" East, a distance of 135.65 feet to an iron rod; thence North 59°21'34" East, a distance of 95.55 feet to an iron pin; thence North 71°29'41" East, a distance of 536.15 feet to an iron rod; thence North 73°35'14" East, a distance of 204.17 feet to an iron rod; thence North 77°17'58" East, a distance of 197.06 feet to an iron rod; thence North 73°31'31" East, a distance of 857.12 feet to an iron rod at the northern margin of Shorty Burgess Road; thence North 15°24'51" East, a distance of 4,084.95 feet, more or less, to a point on the Western margin of U.S. Interstate 59; thence East along the South line of Section 23 a distance of 1,402.21 feet, more or less, to a point 100 feet West of the Southeast corner of said Section 23 which is the East right-of-way line of a blacktop road; thence Southwesterly along said road, a distance of 1,325 feet; thence East, a distance of 220.00 feet, more or less, to the East line of Section 26; thence North, a distance of 3,755 feet; thence

Exhibit "A"

South 89°46'59" East, a distance of 747.32 feet; thence North 01°02'18" West, a distance of 265.98 feet; thence South 86°00'54" West, a distance of 744.06 feet; thence North, a distance of 1,108.62 feet; thence South 60°59'28" East, a distance of 619.45 feet; thence South 29°00'32" West, a distance of 145.00 feet; thence South 60°59'28" East, a distance of 160.00 feet; thence North 29°00'32" East, a distance of 145.00 feet; thence North 31°34'09" East, a distance of 504.07 feet; thence South 60°09'29" East, a distance of 448.18 feet; thence North 05°13'01" West, a distance of 182.34 feet; thence East, a distance of 330.00 feet; thence South 88°42'54" East, a distance of 662.58 feet; thence North 02°51'15" East, a distance of 333.61 feet; thence South 89°06'49" East, a distance of 50.00 feet; thence North 00°53'11" East, a distance of 955.21 feet, more or less, to a point on the North boundary of said Section 24; thence East, a distance of 2,918.06 feet, more or less to the Southeast corner of Section 13, said corner also being the Northeast corner of said Section 24, Township 6 South, Range 17 West, Pearl River County, Mississippi and the Point of Beginning.

AREA 2

Commencing at the Northeast corner of Section 12, Township 6 South, Range 17 West, Pearl River County, Mississippi; thence West along the North line of said Section 12, a distance of 54.26 feet, more or less, to the East right-of-way of Interstate 59 and the Point of Beginning; thence northeasterly along said East right-of-way, a distance of 4,369.60 feet, more or less, to a point located on the South line of the North half of the Northwest Quarter of Section 6, Township 6 South, Range 16 West; thence South 88°30' East along said South line, a distance of 1107.42 feet, more or less, to the Southwest corner of the Northwest Quarter of the Northeast Quarter; thence South 01°01'16" West, a distance of 1,357.78 feet, more or less, to the Southwest corner of the Northeast Quarter; thence South 01°01'16" West, a distance of 1,273.68 feet, more or less, to the Southwest corner of the Northwest Quarter of the Southeast Quarter; thence South 88°30' East along the South line of said forty, a distance of 1480 feet, more or less, to the Southeast corner of the Northwest Quarter of the Southeast Quarter; thence North 00°42'29" East, along the East line of the Northwest Quarter of the Southeast Quarter, a distance of 1,282.89 feet, more or less, to the Southeast corner of the Southwest Quarter of the Northeast Quarter; thence North 00°42'29" East, along the East line of the West half of the Northeast Quarter, a distance of 2,689.23 feet, more or less, to the Northeast corner of the Northwest Quarter of the Northeast Quarter; thence N88°36'58" West along the North line of Section 6, a distance of 1,872.82 feet, more or less, to the East right-of-way of Interstate 59; thence Northeasterly along the right-of-way of Interstate 59, a distance of 5,864.02 feet, more or less, to the South line of Section 30; thence South 89°23' East along the South line of Section 30, a distance of 872.4 feet, more or less, to the Southwest corner of Section 29; thence run South 89°14' East along the South line of Section 29, a distance of 5,323.0 feet, more or less, to the Southeast corner of said Section 29; thence North 00°10' East along the East line of said Section 29, a distance of 5,350.6 feet, more or less, to the Northeast corner of said Section 29; thence West along the North line of Section 29, a distance of 3,657.4 feet, more or less, to the East right-of-way of Interstate 59; thence northeasterly along the East right-of-way of Interstate 59, a

distance of 2,945 feet, more or less, to the South line of the Northeast Quarter of Section 20; thence South 89°36' East along said South line, a distance of 2,424 feet, more or less, to the Southeast corner of the Northeast Quarter of Section 20; thence North 00°35' East along the East line of Section 20, a distance of 2,642.7 feet, more or less, to the Northeast corner of said Section 20; thence North 89°24' West along the North line of Section 20, a distance of 5,271.7 feet, more or less, to the Northwest corner of Section 20; thence South 00°40' West along the West line of Section 20, a distance of 5,321.5 feet, more or less, to the Southwest corner of Section 20, said point also being the Northwest corner of Section 29; thence South 00°39' West along the West line of Section 29, a distance of 2,772.2 feet, more or less, to a point located on the West right-of-way of Interstate 59; thence run Southwesterly along the West right-of-way of Interstate 59, a distance of 8,690.2 feet, more or less, to a point located on the North line of Section 6; thence North 88°23' West along the North line of Section 6, a distance of 1,221.8 feet, more or less, to a point located on the East right-of-way line of Cooper Road and the existing City of Picayune Corporate Limits; thence run along the existing City of Picayune Corporate Limits as follows: South 00°46'53" East, a distance of 1,335 feet, more or less, to a point located on the South line of the North half of the Northwest Quarter; thence South 88°30' East along said forty line, a distance of 574.00 feet, more or less, to a point located on the West right-of-way of Interstate 59; thence Southerly along the West right-of-way line of Interstate 59, a distance of 4,361 feet, more or less, to a point located on the South line of Section 1; thence East, along said South line, a distance of 285.76 feet, more or less, to the Point of Beginning.

AREA 3

Commence at the Northeast corner of Section 2, Township 6 South, Range 17 West, Pearl River County, Mississippi; thence West along the North boundary of Section 2, a distance of 165.25 feet to the East right-of-way line of US Highway 11 and the Point of Beginning; thence North 89°39' West along the North line of Section 2, a distance of 5,135.6 feet, more or less, to the Northeast corner of Section 3; thence North 88°55' West along the North line of Section 3, a distance of 5,338.3 feet, more or less, to the Northeast corner of Section 4; thence North 89°21' West along the North line of Section 4, a distance of 2,746.7 feet, more or less, to an iron rod located on the South right-of-way of Miss. State Highway 43 and the existing City of Picayune Corporate Limits; thence run along the existing City of Picayune Corporate Limits as follows: South 63°25'27" East along said right-of-way of said Highway 43, a distance of 79.73 feet to an iron rod located on the East line of the Northeast Quarter of the Northwest Quarter of said Section 4; thence South along the East line of the Northeast Quarter of the Northwest Quarter, a distance of 1,284.76 feet to an iron rod located at the Southeast corner said forty; thence South 01°03' West along the East boundaries of the Southeast Quarter of the Northwest Quarter and the Northeast Quarter of the Southwest Quarter, a distance of 2,654.9 feet, more or less, to the Northwest corner of the Southwest Quarter of the Southeast Quarter of said Section 4; thence East, a distance of ½ mile, more or less, to the Northeast corner of the Southeast Quarter of the Southeast Quarter of said Section 4; thence South along the East line of Section 4, a distance of ¼ mile, more or less, to the Southeast corner of Section 4; thence West along the South line of

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Section 4, a distance of 915 feet, more or less, to the South bank of the Hoblochitto Creek; thence follow the meanderings of said creek in a Easterly direction to a point located on the West line of Section 11; thence North along the West line of Section 11, a distance of $\frac{1}{2}$ mile, more or less, to the Northwest corner of Section 11; thence East along the North line of said Section 11, a distance of 1,830 feet, more or less, to the East boundary of the right-of-way for the N.O. and the N.E. Southern Railroad, said railroad also being known as the Norfolk Southern Alabama Great Southern Railroad Company Line; thence Northeasterly along said right-of-way, a distance of 4,088 feet, more or less, to the North line of the Southwest Quarter of the Northeast Quarter of Section 2; thence East along the North boundaries of the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter, a distance of 2,309.3 feet, more or less, to the East right-of-way of US Highway 11; thence North $08^{\circ}26'37''$ East along said East right-of-way, a distance of 1,334.27 feet, more or less, to the Point of Beginning.

DESCRIPTION-PICAYUNE CORPORATE LIMITS - AREAS 1, 2, AND 3 INCLUSIVE

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, a distance of 200.00 feet, more or less, to the South right-of-way of Jackson Landing Road; thence North 51°45'00" East along the South side of said road, a distance of 3,360.00 feet, more or less, to the West right-of-way of the Pearl River Valley Railroad; thence South along said railroad, a distance of 3,250.00 feet, more or less, to the South line of Section 21; thence East along the South line of Section 21, a distance of 473.14 feet; thence South 00°11'29" West, a distance of 346.68 feet; thence East, a distance of 1,481.46 feet; thence South, a distance of 77.43 feet; thence East, a distance of 2,104.60 feet; thence North, a distance of 424.11 feet to the South line of Section 22; thence East along the South line of Section 22, a distance of 878.93 feet, more or less to the centerline of the track of the Norfolk Southern Alabama Great Southern Railroad Company Line; thence run Southwesterly along the centerline of said track, a distance of 14,693.13 feet, more or less, to the Mississippi State Line; thence run Southeasterly along the Mississippi State Line to a point located on the South line of Section 3, Township 7 South, Range 17 West, Pearl River County, Mississippi, said line also being the South line of Pearl River County, Mississippi; thence South 89°07' East along the South line of said Section 3 and said county line, a distance of 2794.6 feet, more or less, to the Southeast corner of Section 3; thence South 89°07' East along the South line of Section 2 and said county line, a distance of 5,283.6 feet, more or less, to the Southeast corner of Section 2; thence South 89°07' East along the South line of Section 1 and said county line, a distance of 5,450.3 feet, more or less, to the Southeast corner of Section 1; thence North 00°03' West along the East line of Section 1, a distance of 5,344.8 feet, more or less, to the Southeast corner of Section 36, Township 6 South, Range 17 West, Pearl River County, Mississippi; thence North 00°19' East along the East line of said Section 36, a distance of 5,206.6 feet, more or less, to the Southeast corner of Section 25; thence North 00°21' West along the East line of Section 25, a distance of 5,350 feet, more or less, to the Southeast corner of Section 24; thence North 00°38' East along the East line of Section 24, a distance of 5,366.5 feet, more or less, to the Northeast corner of Section 24, said point also being located at the Southeast corner of Section 13; thence North along the East line common to Sections 13 and 12, a distance of 1.73 miles to the Southwest corner of the Northwest quarter of the Northwest quarter of Section 7; thence North 03°03'13" West, a distance of 160.03 feet on and along said Section line to an iron pipe in a fence on the North right-of-way of Sycamore Road; thence South 84°23'53" East, a distance of 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°23'18" East, a distance of 99.81 feet to a right-of-way monument; thence on and along said right-of-way South 83°49'22" East, a distance of 328.55 feet; thence North 03°03'13" West, a distance of 446.93 feet to an existing iron pipe; thence South 88°56'24" West, a distance of 325.78 feet; thence North 00°04'23" East, a distance of 110.01 feet; thence West, a distance of 239.32 feet to the West line of Section 12; thence North along said Section line a distance of 794.43 feet, more or less, to the Northeast corner of Section 12; thence West along the North line of said Section 12, a distance of 54.26 feet, more or less, to the East right-of-

Exhibit "B"

way of Interstate 59; thence northeasterly along said East right-of-way, a distance of 4,369.60 feet, more or less, to a point located on the South line of the North half of the Northwest Quarter of Section 6, Township 6 South, Range 16 West; thence South 88°30' East along said South line, a distance of 1107.42 feet, more or less, to the Southwest corner of the Northwest Quarter of the Northeast Quarter; thence South 01°01'16" West, a distance of 1,357.78 feet, more or less, to the Southwest corner of the Northeast Quarter; thence South 01°01'16" West, a distance of 1,273.68 feet, more or less, to the Southwest corner of the Northwest Quarter of the Southeast Quarter; thence South 88°30' East along the South line of said forty, a distance of 1480 feet, more or less, to the Southeast corner of the Northwest Quarter of the Southeast Quarter; thence North 00°42'29" East, along the East line of the Northwest Quarter of the Southeast Quarter, a distance of 1,282.89 feet, more or less, to the Southeast corner of the Southwest Quarter of the Northeast Quarter; thence North 00°42'29" East, along the East line of the West half of the Northeast Quarter, a distance of 2,689.23 feet, more or less, to the Northeast corner of the Northwest Quarter of the Northeast Quarter; thence North 88°36'58" West along the North line of Section 6, a distance of 1,872.82 feet, more or less, to the East right-of-way of Interstate 59; thence Northeasterly along the right-of-way of Interstate 59, a distance of 5,864.02 feet, more or less, to the South line of Section 30; thence South 89°23' East along the South line of Section 30, a distance of 872.4 feet, more or less, to the Southwest corner of Section 29; thence run South 89°14' East along the South line of Section 30, a distance of 5,323.0 feet, more or less, to the Southeast corner of said Section 29; thence North 00°10' East along the East line of said Section 29, a distance of 5,350.6 feet, more or less, to the Northeast corner of said Section 29; thence West along the North line of Section 29, a distance of 3,657.4 feet, more or less, to the East right-of-way of Interstate 59; thence northeasterly along the East right-of-way of Interstate 59, a distance of 2,945 feet, more or less, to the South line of the Northeast Quarter of Section 20; thence South 89°36' East along said South line, a distance of 2,424 feet, more or less, to the Southeast corner of the Northeast Quarter of Section 20; thence North 00°35' East along the East line of Section 20, a distance of 2,642.7 feet, more or less, to the Northeast corner of said Section 20; thence North 89°24' West along the North line of Section 20, a distance of 5,271.7 feet, more or less, to the Northwest corner of Section 20; thence South 00°40' West along the West line of Section 20, a distance of 5,321.5 feet, more or less, to the Southwest corner of Section 20, said point also being the Northwest corner of Section 29; thence South 00°39' West along the West line of Section 29, a distance of 2,772.2 feet, more or less, to a point located on the West right-of-way of Interstate 59; thence run Southwesterly along the West right-of-way of Interstate 59, a distance of 8,690.2 feet, more or less, to a point located on the North line of Section 6; thence North 88°23' West along the North line of Section 6, a distance of 1,221.8 feet, more or less, to a point located on the East right-of-way line of Cooper Road; thence West along said Section line a distance of 826 feet to the Northeast corner of Section 1; thence North, a distance of 56.20 feet; thence Northwesterly along a curve having an arc length of 83.25 feet and a radius of 144.17 feet; thence North 89°42'00" West, a distance of 1,497.87 feet; thence South 42°42'49" East, a distance of 68.38 feet to the North line of Section 1; thence West along said Section line, to a point approximately 658.96 feet from the Northwest corner of Section

1; thence North 64°28'42" East, a distance of 233.33 feet; thence North 49°16'18" East, a distance of 393.46 feet; thence North 54°17'00" East, a distance of 185.24 feet; thence North, a distance of 181.88 feet; thence North 00°08'31" 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°58'14" West, a distance of 81.37 feet; thence North 14°22'00" East, a distance of 45.80 feet; thence South 81°28'00" West, a distance of 123.33 feet; thence South 85°30'00" West, a distance of 74.84 feet; thence North 16°40'00" West, a distance of 48.32 feet; thence North 69°17'00" West, a distance of 93.42 feet; thence South 37°03'00" West, a distance of 68.02 feet; thence South 09°22'00" West, a distance of 88.62 feet; thence South 60°13'00" West, a distance of 28.10 feet; thence North 65°21'00" West, a distance of 74.95 feet; thence North 53°18'00" West, a distance of 87.50 feet; thence South 80°11'00" West, a distance of 40.08 feet; thence North 45°45'00" West, a distance of 156.62 feet; thence South 84°45'00" West, a distance of 42.00 feet; thence North 14°34'00" West, a distance of 106.50 feet; thence South 32°50'00" West, a distance of 132.94 feet; thence North 48°27'00" West, a distance of 44.68 feet; thence North 48°24'00" West, a distance of 39.63 feet; thence North 06°45'00" West, a distance of 54.43 feet; thence South 23°16'00" West, a distance of 64.25 feet; thence South 54°28'00" West, a distance of 59.00 feet; thence South 33°28'00" West, a distance of 54.67 feet; thence North 33°13'00" West, a distance of 70.18 feet; thence North 38°56'00" West, a distance of 32.59 feet; thence North 60°07'00" West, a distance of 70.73 feet; thence South 49°00'00" West, a distance of 17.19 feet to the East right-of-way line of US Highway 11; thence along said right-of-way line, South 11°11'48" West, a distance of 226.61 feet; thence South 21°16'38" West, a distance of 457.06 feet; thence South 11°11'48" West, a distance of 406.56 feet; thence South 89°01'22" East, a distance of 29.69 feet; thence South 11°25'09" West, a distance of 211.74 feet; thence North 89°01'22" West, a distance of 28.89 feet; thence South 11°10'34" West, a distance of 91.60 feet; thence North 89°14'17" East, a distance of 194.90 feet; thence South 02°27'21" East, a distance of 14.67 feet to the Northeast corner of Section 2; thence West along the North boundary of Section 2 a distance of 165.25 feet to the East right-of-way line of US Highway 11; thence North 89°39' West along the North line of Section 2, a distance of 5,135.6 feet, more or less, to the Northeast corner of Section 3; thence North 88°55' West along the North line of Section 3, a distance of 5,338.3 feet, more or less, to the Northeast corner of Section 4; thence North 89°21' West along the North line of Section 4, a distance of 2,746.7 feet, more or less, to an iron rod located on the South right-of-way of Miss. State Highway 43; thence North 89°50'01" West, a distance of 709.71 feet to an iron pipe; thence North 89°40'20" West, a distance of 230.47 feet to an iron pipe; thence North 89°15'10" West, a distance of 308.38 feet to an iron pipe at the Northeast corner of the Northwest quarter of the Northwest quarter of Section 4; thence South 00°01'58" East, a distance of 354.87 feet; thence South 46°14'34" East, a distance of 335.63 feet; thence South 17°48'54" West, a distance of 401.95 feet; thence South 08°45'52" West, a distance of 236.40 feet; thence South, a distance of 118.93 feet; thence South 89°44'27" East, a distance of 546.95 feet; thence South 27°01'34" West, a distance of 190.35 feet; thence South 17°50'55" East, a distance of 213.02 feet; thence South 61°28'03" West, a distance of 358.91 feet; thence South 59°51'17" West, a distance of 154.89 feet; thence South 54°29'16" West, a distance of

101.05 feet; thence South 00°08'30" East, a distance of 47.18 feet; thence South 00°11'05" East, a distance of 260.00 feet; thence South 81°40'59" West, a distance of 88.08 feet; thence South 89°55'35" West, a distance of 173.36 feet; thence South 00°27'21" West, a distance of 50.45 feet; thence South 00°26'06" West, a distance of 213.13 feet; thence South 00°23'27" West, a distance of 54.90 feet to the North line of the Southwest quarter of Section 4; thence West along said North line to the Northwest corner of the Southwest quarter of Section 4, thence South along the Section line ½ mile to the Southwest corner of Section 4; thence East along the Section line ½ mile to the Southwest corner of the Southeast quarter of Section 4; thence East along the Section line to the intersection with the South bank of the Hobolochitto Creek; thence follow the meandering of said creek in a Westerly direction to where the West line of the East ¼ of Section 9 intersects same; thence South along the West line of the East ¼ of Sections 9, 16 and 21 for 2 and 1/8 miles to the Northeast corner of the South half of the Northwest quarter of the Northwest quarter of Section 21; thence West ¼ mile to the West line of Section 21; thence South 5/8 of a mile to the Southwest corner of the Northwest quarter of the Southwest Quarter of Section 21; thence East, a distance of 420.00 feet; thence South, a distance of 420.00 feet; thence South 89°28'38" West, a distance of 395.02 feet; thence South, a distance of 734.32 feet along the Eastern right-of-way line of Union School Road to a ½" iron rod; thence North 51°30'55" East, a distance of 888.33 feet along the North right-of-way line of Jackson Landing Road; thence North 01°00'13" West, a distance of 607.85 feet to a found ¾" iron pipe; thence East, a distance of 610.34 feet, more or less, to the POINT OF BEGINNING.

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ADOPT RESOLUTION OF OPPOSITION OF CURRENT PLAN FOR THE REDISTRICTING BY THE STATE OF MISSISSIPPI AS IT RELATES TO PEARL RIVER COUNTY AND THE CITY OF PICAYUNE

Motion was made by Council Member Gouguet, seconded by Council Member Watkins to adopt a Resolution of Opposition of current plan for the redistricting by the State of Mississippi as it relates to Pearl River County and the City of Picayune.

**BEFORE THE CITY COUNCIL OF THE MUNICIPALITY OF PICAYUNE
COUNTY OF PEARL RIVER
STATE OF MISSISSIPPI**

RESOLUTION OF THE COUNCIL

THIS ACTION coming on for hearing on the 15th day of March, A.D., 2011, before the City of Picayune, A Mississippi Municipal Corporation, and a political subdivision of the State of Mississippi; and the Council for said Municipality, following a discussion of said matter and upon a vote of six (6) votes yea, zero (0) votes nay, and zero (0) abstaining does hereby find as follows, to-wit:

1.

The City of Picayune, A Mississippi Municipality, is a Political Subdivision of the State of Mississippi. The City is organized pursuant to the laws of the State of Mississippi and is operating as a municipality within Pearl River County, Mississippi.

2.

That the City of Picayune and the County of Pearl River have grown to be a main economic center being situated approximately sixty (60) miles South of the City of Hattiesburg; sixty (60) miles North of the City of New Orleans; and, sixty (60) miles Northwest of the Mississippi Gulf Coast. Also contributing to the importance of the City of Picayune and Pearl River County is that a portion of Interstate 59; Highway 11; and; Highway 43 are all located within the City limits. Further, the City of Picayune was and continues to be a major center which was important to the ensuing relief efforts undertaken by Federal, State and Local authorities following Hurricane Katrina, since

the City of Picayune was not subject to the effects of flooding caused by said Hurricane Katrina.

3.

That as a result of its location, the needs and interests of the City of Picayune are unique to the citizens of the City of Picayune and to the citizens of Pearl River County. Therefore, in considering the above findings, the representation of the citizens of the City of Picayune should be centralized with the citizens of Pearl River County, Mississippi, and should be a major consideration when the Mississippi Legislature is considering any plan to redraw the district lines for both the Mississippi Senate and the Mississippi House of Representatives.

4.

That following the completion of the 2010 Decennial Census, the Mississippi Legislature is required to propose and approve a new configuration of the districts for the Mississippi Senate and the Mississippi House of Representatives, based upon various factors, including population in accordance with applicable Federal and State laws.

5.

That the Mayor and City Council in and for the City of Picayune, have been advised of the plans put forth by the Mississippi Senate and the Mississippi House of Representatives regarding the redrawing of the district lines that would potentially split and otherwise fragment the representation of the City of Picayune in such a way to deprive its citizens of adequate representation that such citizens would otherwise have

enjoyed in the past and should continue to enjoy in the future due to the importance of the City of Picayune.

6.

Taken into consideration the potential harm the suggested redistricting plans put forth by the Mississippi Senate and the Mississippi House of Representatives would pose to the proper representation of the citizens of the City of Picayune, the Mayor and City Council believe they are duty bound to voice their unanimous opposition to any proposed redistricting plan which work to fragment the representation of the citizens of the City of Picayune.

THEREFORE, BE IT RESOLVED, this the 15th day of March, A.D., 2011, by the Mayor and City Council in and for the City of Picayune, A Mississippi Municipality and a Political Subdivision of the State of Mississippi, do hereby oppose any plans put forth by the Mississippi Senate and the Mississippi House of Representatives regarding the redrawing of the district lines that would potentially split and otherwise fragment the representation of the City of Picayune in such a way to deprive its citizens of adequate representation that the citizens have otherwise have enjoyed in the past and should continue to enjoy in the future due to the importance of the City of Picayune.

The City Clerk and City Manager are hereby authorized and directed to send a copy of this Resolution to the appropriate member(s) of the Mississippi Legislature forthwith.

The foregoing Resolution of the City Council having been reduced to writing and considered, section by section, was introduced and adopted by the following roll call vote, to-wit:

	Yea:	Nay:	Abstain:
Ed Pinero, Mayor	X		
Wayne Gouguet, Council Member		X	
Todd Lane, Council Member	X		
Larry Breland, Council Member	X		
Lynn Bogan Bumpers, Council Member	X		
Larry Watkins, Council Member	X		

The motion having received the affirmative vote of the majority of the members present, the Mayor declared the motion carried and the Resolution passed, approved, and adopted on this the 15th day of March 2011.


ED PINERO, Mayor

ATTEST:


City Clerk

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO ACCEPT MONTHLY BUDGET REPORT

Motion was made by Council Member Gouguet, seconded by Council Member Lane to accept the monthly budget report for the month of February 2011.

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE REQUEST FOR AUTHORIZATION TO APPLY FOR WAL-MART FY 2012 LOCAL COMMUNITY CONTRIBUTION GRANT ON BEHALF OF PENNIES FOR YOUR PARK II

Motion was made by Council Member Bumpers, seconded by Council Member Watkins to approve request for authorization to apply for Wal-Mart FY 2012 Local Community Contribution Grant on behalf of Pennies for Your Park II,

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE REQUEST FOR AUTHORIZATION TO APPLY FOR AND PARTICIPATE IN THE MDOT 2011 URBAN YOUTH CORPS PROGRAM GRANT

Motion was made by Council Member Watkins, seconded by Council Member Breland to approve request for authorization to apply for and participate in the MDOT 2011 Urban Youth Corps Program Grant with the understanding that the City's share is 20% which is equal to \$8,500. The City agrees to abide by the rules and regulations of the grant.

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO TABLE REQUEST TO ACCEPT FY 2010 AUDIT

Motion was made by Council Member Lane, seconded by Council Member Gouguet to table the request to accept FY2010 Audit.

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE PAY REQUEST #4 TO HUEY STOCKSTILL, INC. ON THE 2010 CITY WIDE PAVING PROJECT

Motion was made by Council Member Breland, seconded by Council Member Lane to approve Pay Request #4 to Huey Stockstill, Inc. in the amount of \$28,617.32 on the 2010 City Wide Paving Project.

Application and Certificate For Payment

To Owner: CITY OF PICAYUNE 815 N BEECH ST PICAYUNE, MS 39466	Project: 2010 CITY OVERLAY PROJECT PICAYUNE, MS	Application No: 4 Date: 02/15/2011
From (Contractor): HUEY STOCKSTILL INC P. O. BOX 758 130 HUEY STOCKSTILL ROAD PICAYUNE, MS 39466	Contractor Job Number: 10097 Via (Architect):	Period To: 02/15/11 Architect's Project No: Contract Date:
Phone: 601 798-2981	Contract For:	

Contractor's Application For Payment

Change Order Summary	Additions	Deductions
Change orders approved in previous months by owner		
Change orders approved this month		
Totals		
Net change by change orders		

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

Contractor:
 By: *[Signature]* Date: 2-16-11
 State of: MISSISSIPPI County of: Pearl River
 Subscribed and sworn to before me this 16th day of February, 2011
 Notary Public ID # 9866
 ELIZABETH CUPSTID
 My commission expires Jan. 30, 2015



Architect's Certificate for Payment

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the Amount Certified.

Amount Certified: \$ 28,617.32

Original contract sum	6,358,885.45
Net change by change orders	0.00
Contract sum to date	6,358,885.45
Total completed and stored to date	664,150.71
Retainage	
5.0% of completed work	33,207.54
0.0% of stored material	0.00
Total retainage	33,207.54
Total earned less retainage	630,943.17
Less previous certificates of payment	602,325.85
Current sales tax	
0.000% of taxable amount	0.00
APPLY 3.5% TAX TO GROSS RECPTS	
Current sales tax	0.00
Current payment due	28,617.32
Balance to finish, including retainage	5,727,942.28

Architect:
 By: *[Signature]* Date: 3-1-11

This Certification is not negotiable. The Amount Certified is payable only to the Contractor named herein. Issuance, payment, and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE COMPREHENSIVE AND COLLISION INSURANCE WITH CLYDE C SCOTT ON THE ATTACHED LIST OF POLICE DEPARTMENT VEHICLES

Motion was made by Council Member Watkins, seconded by Council Member Gouguet to approve Comprehensive and Collision Insurance with Clyde C Scott on the attached list of Police Department vehicles at a cost of \$6,473.00.



Major Richard Frierson,
Director of Finance/ Logistics

PICAYUNE POLICE DEPT.

328 South Main St. Picayune, Ms 39466
Phone: (601) 798-7411
FAX: (601) 798-7412
CELL: (601) 273-1660

DEPUTY CHIEF ERVIN,

MARCH 3, 2011

PLEASE ADD THE BELOW 14 (FOURTEEN) VEHICLES ON TO INSURANCE AS SOON AS POSSIBLE.
THANKS FOR YOUR CONSIDERATION IN THIS MATTER.

DODGE CHARGER '09	374	2B3KA43T59H525861	435
DODGE CHARGER '09	375	2B3KA43T79H525862	435
DODGE CHARGER '10	384	2B3AA4CT1AH159459	490
FORD CROWN VIC '07	356	2FAFP71W17X147169	340
FORD CROWN VIC '07	358	2FAFP71W87X147170	340
DODGE CHARGER '10	390	2B3AA4CT7AH205487	490
CHEVY TAHOE '10	386	1GNMCAE07AR137318	570
DODGE CHARGER '09	378	2B3KA43T39H525874	435
CHEVY TAHOE '11	392	1GNLC2E08BR192265	598
DODGE CHARGER '09	376	2B3KA43T79H512996	435
DODGE CHARGER '09	377	2B3KA43T59H512995	435
DODGE CHARGER '10	389	2B3AA4CT4AH193315	490
DODGE CHARGER '10	385	2B3AA4CTXAH159458	470
DODGE CHARGER '10	393	2B3AA4CV9AH199239	490

1000 DEDUCTIBLE

6,473

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AUTHORIZE MAYOR TO EXECUTE THE TARGETED BROWNFIELD ASSESSMENT APPLICATION

Motion was made by Council Member Gouguet, seconded by Council Member Lane to authorize the Mayor to execute the Targeted Brownfield Assessment Application.

Targeted Brownfields Assessments Fact Sheet



The Mississippi Brownfields Program is designed to empower communities, and other stakeholders in economic redevelopment to work together in a timely manner to prevent, assess, safely clean up, and sustainably reuse brownfields. A brownfield is a property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. The Mississippi Brownfields Program provides administrative and technical assistance for brownfields revitalization.

WHAT IS A TARGETED BROWNFIELDS ASSESSMENT?

MDEQ's Targeted Brownfields Assessment (TBA) program is designed to help cities, counties minimize the uncertainties of contamination often associated with brownfields. Targeted Brownfields Assessments supplement and work with other efforts under MDEQ's Brownfields Program to promote cleanup and redevelopment of brownfields. Under the TBA program, MDEQ provides assessment and planning services at brownfields sites throughout the State. A TBA may encompass one or more of the following activities:

1. A screening or "all appropriate inquiry" (Phase I) assessment, including a background and historical investigation of the brownfield site;
2. A full environmental assessment, including sampling activities to identify the types and concentrations of contaminants and the areas of contamination to be remediated; and
3. Establishment of cleanup options (Corrective Action Plan) and cost estimates based on future uses and redevelopment plans.

Targeted Brownfields Assessment funding may only be used at properties eligible for EPA Brownfields funding. The property must be "a real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant." The Federal Brownfields Law offered amendments that made additional properties eligible for TBA funding, including mine scarred land; properties contaminated by a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)); and petroleum contaminated properties of relatively low risk.

MDEQ generally will not fund TBAs at properties where the owner is responsible for the contamination. Further, the TBA program does not provide resources to conduct cleanup or building demolition activities. Cleanup assistance is available, however, under EPA's cleanup or RLF grants as well as MDA's CAP Program.



TARGETED BROWNFIELDS ASSESSMENT ASSISTANCE

MDEQ has discretion in selecting areas to target for environmental assessment assistance and typically prefers to target properties that: are abandoned or publicly owned; have low to moderate contamination; include issues of environmental justice; suffer from the stigma of liability; or have a prospective purchaser willing to buy and pay for the cleanup of the property, if needed. The selection process is guided by criteria used to help establish relative priorities among the properties within the State. The criteria include the following:

- The Applicant will apply as a Brownfield Party to the Mississippi Brownfields Program and will follow all the procedures outlined in the "Final Regulations Governing Brownfields Voluntary Cleanup and Redevelopment in Mississippi," including following the public participation requirements of the regulations as well as reaching a Brownfield Agreement with MDEQ
- Property control and ownership transfer is not an impediment—preference will be given to sites which are publicly owned, either directly by a municipality or through a quasi-public entity such as a community development corporation, but non-profits may also eligible.
- There is a strong municipal commitment—either financially, or through commitment of municipal resources for other components of the project.
- There is a clear municipal/community vision and support for property revitalization.
- There are adequate leveraged funds available for cleanup and redevelopment, and/or the property has strong development potential (perhaps demonstrated by past or present developer interest).
- MDEQ assessment assistance is crucial to the property's redevelopment; lack of an assessment has proven to be an obstacle at the property.
- Existing information supports redevelopment—the property will likely have low to moderate contamination levels, and redevelopment will provide tangible benefits for the community.
- The project area has a clear need for revitalization evidenced by significant deterioration and/or significant environmental justice issues.
- The TBA is consistent with other EPA/federal agency/State initiatives—the property has an important link to other EPA/state or EPA/tribal initiatives; a direct health/environmental threat will be mitigated or property revitalization will serve to spur further beneficial activity in the surrounding area.

HOW CAN YOU APPLY FOR TARGETED BROWNFIELDS ASSESSMENT ASSISTANCE?

If you are interested in receiving TBA assistance, please contact the Brownfields Program Coordinator at MDEQ at (601) 961-5654. You can also find information about the Mississippi Brownfields Program at <http://www.brownfields.ms>.



TARGETED BROWNFIELD ASSESSMENT APPLICATION

APPLICANT ORGANIZATION

Name of Applicant City of Picayune
Address 815 North Beech Street
City/State/Zip Picayune, MS 39466
Jim Luke, City Manager
Phone/Fax/Email 601-798-9770

SITE NAME/PARCEL

Site Name Former Arizona Chemical Facility
Site Street Address 815 North Beech Street
City Picayune, MS 39466
Latitude / Longitude 30 degrees 32 minutes 12 seconds North/ 89 degrees 41 minutes 57 seconds West

CURRENT SITE OWNERSHIP

Name City of Picayune
Address 815 North Beech Street
City/State/Zip Picayune, MS 39466
Phone/Fax/Email 601-798-9770

TOTAL ACREAGE OF SITE: Approximately 234 acres

PAST SITE USES & DATES OF OPERATION:

Former Crosby Chemical Company facility; in 1981 the site was purchased by SylvaChem and in 1986 the site was purchased by Arizona Chemical (a subsidiary of International Paper); in 2006 the City of Picayune purchased the site from International Paper

ACCESS RIGHTS:

If property is not owned by Applicant, Applicant must obtain legal permission to enter the property to conduct site assessment activities. Explain how access for assessment activities will be secured or attach a written access agreement.

Property owned by Applicant

KNOWN OR SUSPECTED RELEASES

Describe the environmental concerns related to the property and any known or suspected releases of hazardous substances, pollutants or contaminants
Unknown – except to the information on contamination and releases existing in current MDEQ files

PRIOR ASSESSMENT ACTIVITIES (CHECK ONE):

None Unknown

Describe prior site assessment activities (attach copy of report(s)):

ANTICIPATED FUTURE USE (CHECK ONE):

Residential Recreational Commercial/Retail Industrial Other:

Describe applicant's proposed vision for reuse of the area:

Applicant proposes to sale a portion of the property for future industrial development

CLEANUP COMMITMENT:

Describe proposed funding sources for any site cleanup and current or past evidence of developer interest. (*MDEQ program funding is for site assessment and corrective action planning only, no cleanup services are offered as part of this program*):

Past Owner/Operators of the site whose caused the possible contamination should be held responsible for any remediation if necessary.

COMMUNITY & ENVIRONMENTAL JUSTICE PLANNING/INVOLVEMENT:

Describe how the community as a whole and any affected local minority or low-income community has participated in project development:

PROPOSED SCHEDULE

Provide a proposed schedule for the assessment and the overall reuse/redevelopment project, and any significant milestones (e.g., loan closing date, financial deadlines, etc.):

Within the next three months

ELIGIBILITY:

Please answer the following questions to the best of your knowledge:

1. Is your site/facility listed (or proposed for listing) on the National Priority List or subject to an ongoing U.S. EPA CERCLA removal action? YES NO
2. Is your site/facility subject to an unilateral administrative order, court order, administrative order on consent or judicial consent decree or to which a permit has been issued by the United States or an authorized state under the Solid Waste Disposal Act (as amended by the Resource Conservation and Recovery Act (RCRA)), the Federal Water Pollution Control Act (FWPCA), the Toxic Substances Control Act (TSCA), or the Safe Drinking Water Act (SWDA)? YES NO

3. Is your site/facility subject to U.S. EPA corrective action orders under RCRA (sections 3004(u) or 3008(h)) and to which a corrective action permit or order has been issued or modified to require the implementation of corrective measures? ___YES ___X___ NO
4. Is your site/facility a land disposal unit that has filed a closure notification under subtitle C of RCRA and to which closure requirements have been specified in a closure plan or permit? ___YES ___X___ NO
5. Has your site/facility had a release of polychlorinated biphenyls (PCBs) that is subject to remediation under TSCA? ___YES ___X___ NO
6. Has your site/facility received funding for remediation from the leaking Underground Storage Tank (LUST) Trust Fund? ___YES ___X___ NO

Note: If you have answered Yes to any of these questions, please contact the Brownfields Program Coordinator for MDEQ at the address or phone number below for further information.

PETROLEUM SITES

Please answer the following questions to the best of your knowledge:

1. From your Title Search, list all of the former owners of the site:

2. List all former owners cause/contribute to the contamination at the site:

3. List all former owners who are financially able to conduct the site assessment:

CERTIFICATION

I, _____, a fully authorized agent of _____ (hereafter referred to as the Applicant) do attest that the Applicant is hereby applying as a Brownfield Party to the Mississippi Brownfields Program and will follow all the procedures outlined in the "Final Regulations Governing Brownfields Voluntary Cleanup and Redevelopment in Mississippi," including following the public participation requirements of the regulations as well as reaching a Brownfield Agreement with MDEQ. In addition, I further attest that the information contained in this application is true and correct to the best of my knowledge and belief.

_____(Signature)

SUBMIT APPLICATION TO:

Brownfields Program Coordinator
Division of Groundwater Assessment & Remediation
Mississippi Department of Environmental Quality
P.O. Box 10385
Jackson, MS 39289-0385
(601) 961-5654 Telephone
(601) 961-5300 Fax

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ACKNOWLEDGE SUBMITTAL OF BID TABULATION FOR THE CLEANING AND PAINTING OF THE CITY'S ELEVATED WATER TANKS AND A LETTER FROM THE CITY ENGINEER RECOMMENDING THAT THE CITY REJECT ALL BIDS AND RE-ADVERTISE

Motion was made by Council Member Watkins, seconded by Council Member Lane to acknowledge submittal of bid tabulation for the cleaning and painting of the City's elevated water tanks and a letter from the City Engineer recommending that the City reject all bids and re-advertise.



**CITY OF PICAYUNE
2011 Elevated Water Tank Improvements
March 8, 2011 - 10:00 AM**

CONTRACTOR	COR	BASE BID
Diamond Enterprise, Inc.	13501-SC	\$491,600.00
Professional Application Services, Inc.	12009-SC	\$429,314.00 *
Tank Pro, Inc.	11406-SC	\$424,022.00 *
Utility Service Co., Inc.	11498-SC	\$507,800.00 *

* - This Bidder is a Non-Resident Bidder. The Bidder did not supply a copy of the Non-Resident Bidder's current state law concerning preference to non-resident bidders.



Brooks Wallace, P.E.



The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE HOME OCCUPATIONAL LICENSE FOR SHELTON DUNN

Motion was made by Council Member Breland, seconded by Council Member Lane to accept Planning Commission Recommendation to approve request from Shelton Dunn for a Home Occupational License for his residence located at 2112 Walker St.

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE CONDITIONAL USE REQUEST AT 220 NORTH CURRAN AVE

Motion was made by Council Member Gouguet, seconded by Council Member Breland to accept Planning Commission Recommendation to approve conditional use request from Chris & Penny Carter to change the USE of the former Remy's Restaurant structure to Residential Use on property zoned C-2 Downtown Commercial at 220 North Curran Ave.

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

HOLD PUBLIC HEARING FOR PROPERTY CLEANUP

Motion was made by Council Member Watkins, seconded by Council Member Watkins to hold a hearing for property cleanup and determine if properties should be declared public nuisances.

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

DECLARE PROPERTY A VIOLATION OF SLUM ORDINANCE

Motion was made by Council Member Lane, seconded by Council Member Gouguet to take under advisement the matter of declaring property on East Canal St. owned by Frank Brown a public nuisance. The council referred the matter to the Code Enforcement Officer to begin process for violation of the City's Junk Car/Slum Ordinance.

BEFORE THE MAYOR AND COUNCIL OF THE CITY OF PICAYUNE

PEARL RIVER COUNTY, MISSISSIPPI

**IN RE: THE DECLARATION OF
BUILDING(S), STRUCTURE(S), AND
YARD(S), PARKING AREA(S), STORAGE
AREA(S) AND APPURTENANCES BELONGING
TO CERTAIN TRACT(S) OF REAL
PROPERTY LOCATED WITHIN THE
CORPORATE LIMITS OF THE
CITY OF PICAYUNE , A MISSISSIPPI
MUNICIPALITY, AS BEING UNSAFE,
UNSANITARY, DANGEROUS OR
DETRIMENTAL TO THE HEALTH, SAFETY, MORALS
OR WELFARE OF THE RESIDENTS OF THE MUNICIPALITY
OF PICAYUNE, MISSISSIPPI**

FILE NO.: _____

**CITY OF PICAYUNE, A MISSISSIPPI
MUNICIPALITY, DEPARTMENT OF
CODE ENFORCEMENT**

COMPLAINANT

COMPLAINT

COMES NOW the CITY BUILDING OFFICIAL/CODE ENFORCEMENT OFFICER as the Complainant in the above cause on the Motion of said Code Enforcement Officer in and for the City of Picayune, A Mississippi Municipality, pursuant to Miss. Code Ann. §43-35-1, et seq. and pursuant to Section 22-431, et seq., as amended, and in support thereof would assert the following, to-wit:

1.

Complainant is the Code Enforcement Officer in and for the City of Picayune and is authorized to bring this action pursuant to Miss. Code Ann. §43-35-1, et seq. and pursuant to Section 22-431, et seq., as amended.

2.

The property that is the subject to these enforcement proceedings and which is located inside the City of Picayune is described as follows, to-wit:

1. Parcel Number: 6176130040102800; PPIN 25848
2. Parcel Number: 6176130040102900; PPIN 25849

3.

The record Owner of the above-described real property is/are as follows, to-wit:

1. Frank M. Brown a/k/a Frank Mitchell Brown
2. Rose M. Brown

4.

The Complainant asserts that the building(s), structure(s) or part thereof used and occupied by humans as a dwelling, store, factory, warehouse, requiring the presence of humans therein, or intended to be so used, and includes any yard, garden, parking or storage area, outhouses, and appurtenances belonging thereto or usually enjoyed therewith are in such a state so as render same unfit for human habitation, use or occupancy, due to dilapidation, defects increasing the hazards of fires, accidents or calamities, lack of ventilation, light or sanitary facilities, or due to other conditions rendering such building(s) unsafe and unsanitary, and dangerous or detrimental to the health safety or morals, or which are otherwise inimical to the welfare of the residents of

the City of Picayune. These conditions include, but are not limited to the following, to-wit:

1. The subject real property was declared a public menace or public nuisance pursuant to Miss. Code Ann. §21-19-11 on December 19, 2006, by the Picayune City Council.
2. The subject real property was declared a public menace or public nuisance pursuant to Miss. Code Ann. §21-19-11 on November 9, 2009, by the Picayune City Council.
3. The subject real property was cited to be in violation of Ordinance Number 772, commonly known as the "Junk Car Ordinance".
4. The subject real property is in violation of the International Building Codes of 2003.
5. The subject real property is in violation of the International Property Maintenance Codes of 2003.
6. Any other reasons that may be revealed during the progression of these proceedings.

5.

The Code Enforcement Officer would assert the buildings and surrounding areas appurtenant thereto are in such a condition, because of dilapidation, disrepair, structural defects or otherwise, that same is dangerous or injurious to the health or safety of the public so as to authorize said Code Enforcement Officer to take such actions and remedies authorized pursuant Miss. Code Ann. §43-35-1, et seq. and pursuant to Section 22-431, et seq., as amended.

6.

That the Owners should be cited to appear to show cause and/or defend the allegations of this Complaint in the time and manner set by Miss. Code Ann. §43-35-1, et seq. and pursuant to Section 22-431, et seq., as amended.

WHEREFORE, THE PREMISES CONSIDERED, your Code Enforcement Officer would seek the following relief as outlined in the premises above and further pursuant to Miss. Code Ann. §43-35-1, et seq. and pursuant to Section 22-431, et seq., as amended; and, would seek to take such actions and remedies authorized pursuant Miss. Code Ann. §43-35-1, et seq. and pursuant to Section 22-431, et seq., as amended.

THIS, THE 15th day of February, A.D., 2011

CITY OF PICAYUNE, A
MISSISSIPPI MUNICIPALITY

BY: Ronald J. Bellan, Jr.
CODE ENFORCEMENT OFFICER

Page 4 of 4

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried

SET A DATE FOR PUBLIC HEARING FOR PROPERTY CLEAN UP

Motion was made by Council Member Lane, seconded by Council Member Gouguet to set a date for a Public Hearing to be held April 19, 2011 for property clean up on parcels 617-522-001-01-001-00 and 617-614-003-02-023-00.

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

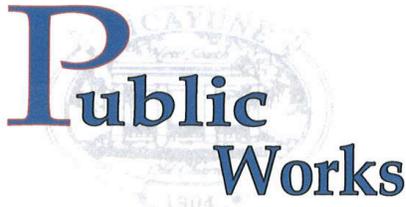
ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE SURPLUS/AUCTION LIST

Motion was made by Council Member Watkins, seconded by Council Member Lane to approve attached list of property to surplus/auction.

Gas / Water Operations
Utility Construction
Streets / Drainage / Sanitation
Grounds & Beautification



Public Works Department
Chad Frierson
Public Works Director

815 North Beech St. / Picayune, Mississippi 39466
Tel. # 601-799-0602 / Fax # 601-749-7012

MARCH 10, 2011

RE: AUCTION ITEMS

1. 1975 MACK FIRE TRUCK – UNIT # 58 – S/N # R487FC1000
MODEL: R-400
MILEAGE: 050076
2. 1995 INTERNATIONAL KNUCKLE-BOOM – UNIT # 199 S/N # 1HTSCABM9TH286977
MODEL # 4700/T444E
MILEAGE: 119601.8
3. 1970 INTERNATIONAL CHERRY PICKER – UNIT # 62 - S/N # 416060H022376
MODEL # 1600
MILEAGE: 044029
4. 1990 CAT BACK-HOE 426-B – S/N 6KL00607
HRS: 5247.1
5. 1967 CAT MOTOR GRADER – UNIT # 34 – S/N # 89J2239
MODEL # 112-F
HRS:
6. JOHN DEERE 410B TURBO BACK-HOE – S/N
HRS: 7040.1
7. 2000 DITCH WITCH BORING MACHINE
MODEL JT17M1
8. 1986 DITCH WITCH TRENCHER - S/N J1040
MODEL 3610
HRS: 1197.2
9. 1980 CHEVROLET WASHER TRUCK – UNIT # 007 – S/N C17DBAV127593
MODEL C-70
MILEAGE: 12825.0
10. 2006 TORA REEL MASTER LAWN MOWER (80 HOURS)
MODEL 5200-D ORIGINAL COST...35,000.00
11. 1972 CATERPILLAR D4E DOZER – S/N 28X1439
HRS: 280.1

12. ASPHALT ROLLER – S/N
MODEL
HRS:

RE: SURPLUS ITEMS

1. 2001 DODGE RAM – UNIT # 261 – S/N 1B7HC16Y71S248538 - WRECKED
MODEL 1500
MILEAGE:
2. 1991 DODGE RAM – S/N 1B7G16X8M5300907
MODEL 1500
MILEAGE 084472
3. 1993 FORD – S/N 1FTEF15N5SNB00003
MODEL F-150 XL
MILEAGE: 133,650
4. 1996 DODGE – S/N 1B7FL26X8TS631475
MODEL DAKOTA
MILEAGE: 138,572

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AUTHORIZE TRAVEL FOR ANIMAL CONTROL OFFICER

Motion was made by Council Member Watkins, seconded by Council Member Gouguet to authorize Animal Control Officer Chris Stocks to attend Chemical

Immobilization of Animals training at LSU in Baton Rouge, LA. This action is being approved Nunc Pro Tunc.

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AUTHORIZE TRAVEL FOR LAMAR THOMPSON

Motion was made by Council Member Watkins, seconded by Council Member Gouguet to authorize travel for Lamar Thompson to travel and attend National Gang Symposium in Orlando, FL June 7-10, 2011.

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AUTHORIZE OUT OF STATE TRAVEL FOR FIRE CHIEF KEITH BROWN

Motion was made by Council Member Gouguet, seconded by Council Member Lane to authorize out of state travel for Fire Chief Keith Brown for the purpose of attending "Southeastern Association of Fire Chief's Leadership Conference" in Montgomery, AL June 15, 2011.

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ACCEPT DONATION CHECK FROM WAL-MART

Motion was made by Council Member Breland, seconded by Council Member Bumpers to accept donation check in the amount of \$1,000.00 from Wal-Mart. This money will be used to purchase hand-outs and supplies for children and senior citizens.

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

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

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

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

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

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO ENTER EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTER, AND POSSIBLE LITIGATION MATTERS

Motion was made by Council Member Breland, seconded by Council Member Gouguet to enter Executive Session.

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO EXIT EXECUTIVE SESSION

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

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO ADJOURN

Motion was made by Council Member Lane, seconded by Council Member Breland to adjourn until Tuesday, April 5, 2011 at 5:00 pm.

The following roll call was made:

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

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Ed Pinero, Mayor

ATTEST:

Priscilla Daniel, City Clerk