

**CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, MAY 7, 2002 – 7:00 P.M.
MUNICIPAL COURTROOM - 305 MONROE STREET**

WELCOME AND CALL TO ORDER - Mayor Rosemary Aultman

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The invocation was led by Alderman Greer followed by the Pledge of Allegiance to the Flag led by Alderman Brantley.

ROLL CALL - City Clerk Wayne Derrick

Present: Jehu Brabham - Alderman-At-Large
 Tony Hisaw - Alderman Ward 1
 Tony Greer - Alderman Ward 2
 Clint Brantley - Alderman Ward 3
 Phil Fisher - Alderman Ward 4
 Herb Touchton – Alderman Ward 5
 Sharbert Lott – Alderman Ward 6
 Ken Dreher - City Attorney

APPROVAL OF AGENDA ITEMS A-AA

MOTION made by Alderman Brantley and **SECONDED** by Alderman Brabham to approve Consent Agenda Items A-AA. **MOTION CARRIED UNANIMOUSLY**

PLANNING & ZONING:

APPROVAL OF RESOLUTION FOR CONDITIONAL USE OF SOUTHWEST CORNER OF INDUSTRIAL PARK DRIVE AND WEST NORTHSIDE DRIVE – TRANSPRO, INC.

Upon recommendation by Gary Ward, Zoning Administrator, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Brabham to approve the Resolution requesting conditional use for Transpro, Inc. for property located at Southwest corner of Industrial Park Drive and West Northside Drive, Clinton, Mississippi. A copy of the Resolution is attached. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF RESOLUTION CONCERNING THE UNKEMPT PROPERTY LOCATED AT LOT 315, MEADOW OAKS SUBDIVISION

Upon recommendation by Gary Ward, Zoning Administrator, **MOTION** made by Alderman Fisher and **SECONDED** by Alderman Brabham to approve the Resolution determining the necessity for the cleaning of private property located at Lot 315 Meadow Oaks Subdivision, Clinton, Mississippi, under the authority granted to municipalities by Section 21-19-11, Mississippi Code of 1972 as amended, and other applicable statues and ordinances. **MOTION CARRIED UNANIMOUSLY**

APPOINTMENT OF DANNY DEYOUNG TO PARKS AND RECREATION ADVISORY BOARD

Upon recommendation by Sharbert Lott, Alderman Ward 6, **MOTION** was made by Alderman Lott and **SECONDED** by Alderman Hisaw to approve the appointment of Danny DeYoung to the Parks and Recreation Advisory Board. This appointment begins on May 7, 2002 and ends on June 30, 2005. **MOTION CARRIED UNANIMOUSLY**

APPROVAL TO ADVERTISE FOR BIDS FOR TWO THERMAL IMAGERS

Upon recommendation by Darrell McQuirter, Fire Chief, **MOTION** was made by Alderman Touchton and **SECONDED** by Alderman Greer for the approval to advertise for bids for two thermal imagers. The cost of the imagers will be offset by a \$16,110.00 Federal grant, which has been received by the City. **MOTION CARRIED UNANIMOUSLY**

AMENDMENT TO THE ORDINANCE REGULATING THE SALE OF ALCOHOLIC BEVERAGES

Mike Chasion of the Mississippi Restaurant Association made a presentation to the Mayor and Board in support of an amendment to the current City ordinance dealing with the sale of beer and light wine.

Mr. Chasion outlined the importance of restaurants to the City as a source of jobs and taxes. He stated that due to the current ordinance, Clinton restaurants are losing business to nearby cities. Business development would increase by bringing additional national chains and independent operators if the ordinance was amended. The Mississippi Restaurant Association and its members support responsible service, responsible consumption and mandatory compliance and training.

The Mayor requested that the City Attorney review the proposed amendments for the Mayor and Board after which a **MOTION** was made by Alderman Fisher and **SECONDED** by Alderman Touchton to adopt the proposed Ordinance.

Alderman Brabham expressed his view that this was a difficult matter because there are different opinions on the effect of the proposed ordinance changes on the City and that he would have to vote "no" on this matter because of his accountability to the citizens of the City, his accountability to his family and his personal Christian training, faith and work.

Alderman Brantley conveyed that he would vote "no"; that when he ran for alderman in 1997, he made a commitment to his constituents that he would not support a change in the City's ordinance related to the sale of beer and light wine and that he was honoring his commitment to his Ward.

Alderman Lott declared that he would vote "no" on this issue because of his personal commitment to and support of Friends of Alcoholics.

Alderman Fisher reiterated that the proposed ordinance change was an effective way to improve the City and stressed the controls and regulations the City would have over the sale of beer and light wine. Sale would be restricted to restaurants, country clubs and golf courses and the Ordinance would avoid beer halls and juke joints.

The Mayor then called for a vote on the matter. **MOTION PREVAILED WITH FOUR VOTES FOR AND THREE VOTES AGAINST** Aldermen Hisaw, Greer, Fisher and Touchton voted "yes"; Aldermen Brabham, Brantley and Lott voted "no". A Copy of the Ordinance is attached.

APPROVAL OF JOHNSTON PLACE BUSINESS PARK RIGHT-OF-WAY

Upon recommendation by Richard Broome, City Engineer, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Lott to approve the right-of-way for the Johnston Place Business Park located North of Interstate 20 and East of Springridge Road, Clinton, Mississippi. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF NEW EROSION CONTROL ORDINANCE

Upon recommendation by Richard Broome, City Engineer, **MOTION** made by Alderman Greer and **SECONDED** by Alderman Brantley to approve the New Erosion Control Ordinance which prevents, controls, and establishes responsibility for erosion of sediment, debris and other materials from construction sites to adjoining properties and setting penalties for violations and related matters. A copy of the Ordinance is attached. **MOTION CARRIED UNANIMOUSLY**

APPROVE THE RESOLUTION TO APPLY FOR THE DRINKING WATER SYSTEMS IMPROVEMENT REVOLVING LOAN FUND

Upon recommendation by Richard Broome, City Engineer, **MOTION** made by Alderman Brantley and **SECONDED** by Alderman Touchton to approve the Resolution authorizing the Mayor to execute documents and agreements required in connection with the application for the drinking water systems improvement revolving loan fund program through the local governments and rural water systems improvements board and naming Rosemary Aultman as the authorized representative for the City of Clinton. A copy of the Resolution is attached. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF FINAL RESOLUTION ON CLINTON-RAYMOND ROAD/BANKS ROAD SEWER PROJECT SPECIAL ASSESSMENT

Upon recommendation by Richard Broome, City Engineer, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Lott to approve the Final Resolution on Clinton-Raymond Road/Banks Road Sewer Project Special Assessment. A copy of the Resolution is attached. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF FINAL RESOLUTION ON HOBBY FARMS SEWER PROJECT SPECIAL ASSESSMENT

Upon recommendation by Richard Broome, City Engineer, **MOTION** made by Alderman Brantley and **SECONDED** by Alderman Brabham to approve the Final Resolution on Hobby Farms Sewer Project Special Assessment. A copy of the Resolution is attached. **MOTION CARRIED UNANIMOUSLY**

APPROVAL TO ADVERTISE FOR BIDS ON MAINTENANCE FACILITY TO BE BUILT AT TRACEWAY PARK

Upon recommendation by Michael Taggart, Parks & Recreation Director, **MOTION** made by Alderman Greer and **SECONDED** by Alderman Lott to approve the request to advertise for bids on maintenance facility to be built at Traceway Park. **MOTION CARRIED UNANIMOUSLY**

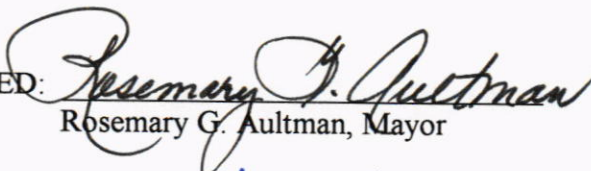
APPROVAL OF PURCHASE OF LIGHTING DETECTION DEVICE FROM THORGUARD

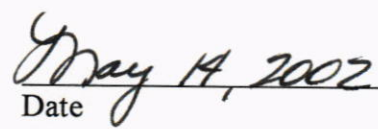
Upon recommendation by Michael Taggart, Parks & Recreation Director, **MOTION** made by Alderman Greer and **SECONDED** by Alderman Brantley to approve the purchase of a lightning detection device from Thorguard, the sole source, in the amount of \$11,525.00. **MOTION CARRIED UNANIMOUSLY**

ADJOURN 8:00 P.M.

MOTION made by Alderman Brantley and **SECONDED** by Alderman Lott to adjourn. **MOTION CARRIED UNANIMOUSLY**

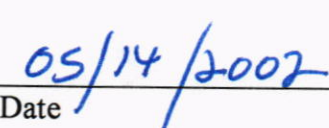
APPROVED:


Rosemary G. Aultman, Mayor


Date

ATTEST:


Wayne Derrick, City Clerk


Date

SEAL:

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: May 7, 2002

Agenda Item No. 7

Consent Agenda:

To:

For:

Acct. No.

Introduced by:

Telephone:

Discussion/Action: Conditional Use
Southwest corner of Industrial Park Drive and W. Northside Drive
Transpro Inc.

Introduced by: Gary Ward

Telephone: 924-2256

Exhibits for Review:

Minutes _____

Invoice _____

Other:

Ordinance _____

Plans, Maps _____

Letter from R. J. Williams,

Resolution _____

Contract _____

Transpro, Inc. - Owner

Recommendation: Planning and Zoning Commission recommends approval.

Board Action:

Motion made by: Hisaw

Seconded by: Brubham

Vote Cast:

"Aye"

"Nay"

Action Taken:

Brubham

Hisaw

Greer

Brantley

Fisher

Touchton

Lott

Mayor Aultman

*Carol - Gary will bring a revised version
to you on Wednesday. Wayne*

Agenda items must be turned in to the City Clerk with all attachments no later than 5 P.M. on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.

BOARD APPROVED

Transpro, Inc.

**1205 Industrial Park Dr.
Clinton, MS 39056
601/924-4047**

**3003 Brick Church Pike
Nashville, TN 37207
877/316-7140**

April 15, 2002

Dear Sirs:

We would like to open by stating that we are glad to be a current part of a city as great as Clinton. We are excited about the future growth prospects and want to be an intricate part of that growth. In light of this, we are hoping to expand across the street from where we are now have a location. This property is located on the corners of Battery Drive, Northside Drive and Industrial Park Dr.

We are currently on the south corner of Industrial Park Dr. and Battery Dr. We have completely renovated the land by bringing it up to grade, adding gravel and clearing away debris that made the area unsightly. We are in the process of fencing this property to add a finished effect. Our current use of the property is multi-functional. We furnish offices for a Pest Control Service that employees approximately 25 employees, a Wire Rope division that employees 5 employees and a storage facility for semi-trailers which employees 15 employees. This storage facility for trailers is the proposed use for the property in question.

We wish to convert the property on the corners of Northside and Industrial Park Dr. to a similar storage facility. This storage facility simply houses these trailers until they go out on rent/lease which is usually for 1 to 5 years per lease, therefore eliminating the excess in and out traffic usually associated with trailers and trucks. Therefore, we are more than willing for it to remain zoned commercially with a request for conditional use.

At this time we only wish to clear and gravel the discussed property. A fence will be placed around the property and the entrance will be on the corner of Industrial Park Dr. and Battery Drive. We will also comply with all requirements for this conditional use as with buffering the side of the property along Northside Dr. to give a more pleasing appearance to the area from that side. In the future we will possibly construct a building to house additional offices. We will of course meet all requirements for this addition. Please find attached photos of the properties we now have at our other locations. These

BOARD APPROVED

buildings are attractive and modern. They add a professional, prosperous look to the area as well as improving the current job market. These locations are in Nashville, TN as well as Pearl, MS. We also have a location in Birmingham, AL that is built from the same plan as the facility in Nashville. This facility works well in almost any situation. It is versatile and attractive as well as functional.

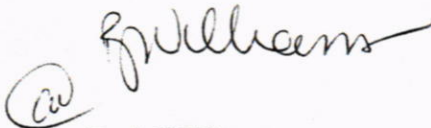
As you can note from enclosed photo copies of the proposed property, the land is now undeveloped and unimproved. It serves no purpose as it is, except as an unsightly entrance for an area that is trying to improve its appeal to business owners. We are interested in making the necessary improvements in this piece of property, therefore assisting the entire Industrial Park area toward their ultimate goal of a prosperous appearance. Signs of growth in this area will in turn draw attention to the area and increase business revenue for the City of Clinton. As land goes, this is a relatively small tract at 10 acres, but being located in an entrance area it is important to have an attractive appearance. The site that we are proposing will be buffered along Northside Drive as well as Industrial Park Dr. with trees and foliage that will have an appealing appearance as you enter the area and drive by.

We are also conscious of the safety factor, therefore the reasoning for putting an entrance closer to Battery Drive than to Northside Dr. With this facility being more of a storage type facility for trailers, the truck traffic will not increase noticeably. There are already trucking business all along the Industrial Park Drive and well as Northside Dr. We do not feel that our business will create any additional safety hazards.

In closing, we would like to thank you for your consideration in this matter. We feel that we can bring a lot to the City of Clinton from business revenue to addition employee opportunities. We look forward to growth and expansion in the City of Clinton.

Sincerely,

Transpro, Inc.

A handwritten signature in cursive script, appearing to read "R. J. Williams". To the left of the signature is a small, circular handwritten mark that looks like "CW".

R. J. Williams

**RESOLUTION APPROVING A CONDITIONAL USE FOR
TRANSPRO, INC. FOR PROPERTY LOCATED AT
SOUTHWEST CORNER OF INDUSTRIAL PARK DRIVE AND WEST NORTHSIDE
DRIVE, CLINTON, MISSISSIPPI**

WHEREAS, Transpro Inc., did file a request for a conditional use for the property located at the southwest corner of Industrial Park Drive and West Northside Drive to operate a truck leasing/sales business; and

WHEREAS, all notice requirements of the Zoning Ordinance of the City of Clinton were accomplished and a public hearing was held on April 23, 2002, as required; and,

WHEREAS, the Planning and Zoning Commission upon conclusion of the public hearing on April 23, 2002, adopted a motion to approve the request of Transpro, Inc. for a conditional use of the property located at southwest corner of Industrial Park Drive and West Northside Drive to operate a truck leasing/sales business and that the motion be forwarded to the next meeting of the Mayor and Board of Aldermen for their consideration.

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, have the final authority with regard to all matters involving the Zoning Ordinances; and

WHEREAS, the Mayor and Board of Aldermen are fully familiar with the request and the area involved in the request; and

BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Clinton, Mississippi that the request of Transpro, Inc. for a Conditional Use of the property located at southwest corner of Industrial Park Drive and West Northside Drive to operate a truck leasing/sales business and hereby granted and such action is taken pursuant to the findings of fact set out as follows:

1. The Mayor and Board of Aldermen of the City of Clinton, Mississippi, have the final authority with regard to all matters involving the Zoning Ordinance.
2. The recommendation of the Planning and Zoning Commission is advisory in nature.
3. The Mayor and Board of Aldermen have knowledge of the area involved and are aware of the need for the conditional use.

4. The requested designation meets the definitions of a Conditional Use of the Zoning Ordinance.
5. The Conditional-Use will promote the general welfare of the City of Clinton and will not adversely affect adjacent property. Future projects within the designation area will remain subject to the Zoning Ordinance and approval of site plans or other matter will allow the City to continue to monitor the area.
6. The Mayor and Board of Aldermen find that Section 402 of the Zoning Ordinances has been complied with and that the requirements of Section 2405.01 of the Zoning Ordinances are satisfied based upon the presentation of the applicants and the site plan presented to the Planning Commission and to the Mayor and Board of Aldermen.
7. The granting of this conditional-use does not relieve the requested from compliance with any applicable law, court order, covenants or contracts.
8. The granting of this conditional use is subject to the following conditions:
 - a. Trees and foliage shall be planted within thirty-one (31) days of completion of grade.
 - b. Ingress and egress to property shall be on Industrial Park Drive at Battery Drive. No access to or from the property shall be on W. Northside Drive.
 - c. No storage or transportation of hazardous materials on property.
 - d. No repairs of machinery other than trailers on property.
 - e. Presentation by Mr. Williams including letter and site plan made part of record filed with City Clerk.

The foregoing Resolution, having been reduced to writing, Alderman _____ moved that said Resolution be adopted. Alderman _____ seconded. The vote was as follows:

Alderman Brabham voted: _____

Alderman Hisaw voted: _____

Alderman Greer voted: _____

Alderman Brantley voted: _____

Alderman Fisher voted: _____

Alderman Touchton voted: _____

Alderman Lott voted: _____

Whereupon the Mayor declared the Motion carried and the ordinance approved and adopted.

The foregoing ordinance was approved this the 7th day of May, 2002.

CITY OF CLINTON

BY: _____
Rosemary Aultman, Mayor

ATTEST:

Wayne Derrick, City Clerk

(S E A L)

PLANNING AND ZONING COMMISSION

Clinton, Mississippi
Tuesday, April 23, 2002
Public Hearing - 7:00 P.M.
Municipal Courtroom
305 Monroe Street

Minutes

Present: Commission members Bill Campbell, Edward Taylor, Gayle Albritton, Kathy Peace, Bettye King, Janet Sherer and city officials Gary Ward (Zoning Administrator), and Ken Dreher (City Attorney).

I. Call to Order

Commission chairman Bill Campbell called the meeting to order at 7:00 p.m.

II. Consideration and approval of March 26, 2002 minutes

MOTION was made by Kathy Peace to accept the Minutes of the March 26, 2002 meeting. SECOND by Gayle Albritton. MOTION carried, none opposed.

III. Considerations from previous meetings

There were no considerations from previous meetings.

IV. New Considerations

1. **Transpro Inc. (Southwest corner of Industrial Park Drive and W. Northside Drive)**
 - a. Request for Conditional Use

Representatives present: R. J. Williams and Nancy Cahill

Gary Ward informed the Commission that R. J. Williams is requesting a conditional use of this parcel of land (approx. 10 acres) for expansion his trucking business. Mr. Williams currently owns the property that joins this parcel. This parcel is currently zoned C-2 and this type of business is allowed as a conditional use.

Mr. R. J. Williams, owner of Transpro, Inc, stated that he has offices in Nashville, TN Birmingham, AL and Pearl, MS as well as one in Clinton. He is planning on moving his Pearl office to Clinton but will need the extra storage and office space due to the rapid growth of his business. Transpro, Inc. is a semi-truck and trailer sales and leasing company. He will be storing empty trailers at this location. Mr. Williams plans to grade the area, build up the low areas then cover with gravel and put up a security fence around the property prior to any construction beginning. The Commission asked Mr. Williams to submit a grading plan and erosion control plan to engineering before he begins this land improvement.

Mr. Williams presented a letter and pictures documenting the plans and purposes of this land to the Zoning Administrator. This documentation was distributed to the Commission members prior to this meeting. (See Exhibit "A" attached)

It was also noted by Mr. Williams, that within 31 days of reaching the grade, foliage (ie Evergreen and Bradford Pear trees) would be planted for screening purposes on the Northside Drive side.

The City of Clinton Zoning Ordinance Section 2405.01 Requirements for Granting a Special Exception or Conditional Use Permit states that the following criteria must be addressed: Ingress and Egress; parking, refuse and service areas, utilities, screening, required yards and other open space, and compatibility with adjacent properties. All these issues have been addressed in the packet of information distributed to the members. (See Exhibit "A")

Janet Sherer inquired as to whether or not a wood fence would be installed on the Northside Drive side of the property. Mr. Williams replied that he is proposing a cyclone fence around the property with a single gate for ingress and egress on Battery Drive and cedar and bradford pear trees on the Northside Drive side for buffer/screening purposes.

Bettye King asked if there would be only one entrance to the property and Mr. Williams replied there would be only one entrance to the property and this would be on Battery Drive.

A public hearing was held.

Mr. Potter, 104 San Carlos Drive in Northside Estates, stated that he and other members of the community had voiced their concerns to the Mayor and Board of Aldermen at their last meeting. However, since that time, Mr. Williams has met with them and all their concerns have been resolved and they are no longer opposed as long as Mr. Williams upholds the following conditions that were agreed upon:

- 1) Trees and foliage to be done within 31 days of completion of grade
- 2) Only entrance on Battery Drive
- 3) No transportation of hazardous materials
- 4) No repair of machinery other than trailers/semi-trucks
- 5) Presentation part of record

A MOTION was made by Janet Sherer to recommend to the Mayor and Board of Aldermen to approve the request for a conditional use of the property the southwest corner of Industrial Park Drive and W. Northside Drive contingent upon meeting the conditions as stated in Mr. R. J. Williams presentation packet. Bettye King amended motion to include no transportation of hazardous materials and no repair of machinery other than trailer/semi-trucks on this site. SECOND by Kathy Peace. MOTION carried unanimously, none opposed.

V. Other Business

There were no other business items to be discussed.

VI. Confirmation of next meeting

Confirmation of the next Planning and Zoning Commission Meeting to be held on May 28, 2002 at 7:00 P.M. with the Informational Meeting set for 6:30 P.M.

VII. Adjournment

MOTION to adjourn was made by Edward Taylor. SECOND by Gayle Albritton. MOTION carried unanimously, none opposed.

Transpro, Inc.

**1205 Industrial Park Dr.
Clinton, MS 39056
601/924-4047**

**3003 Brick Church Pike
Nashville, TN 37207
877/316-7140**

April 15, 2002

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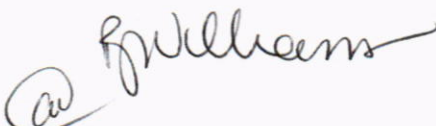
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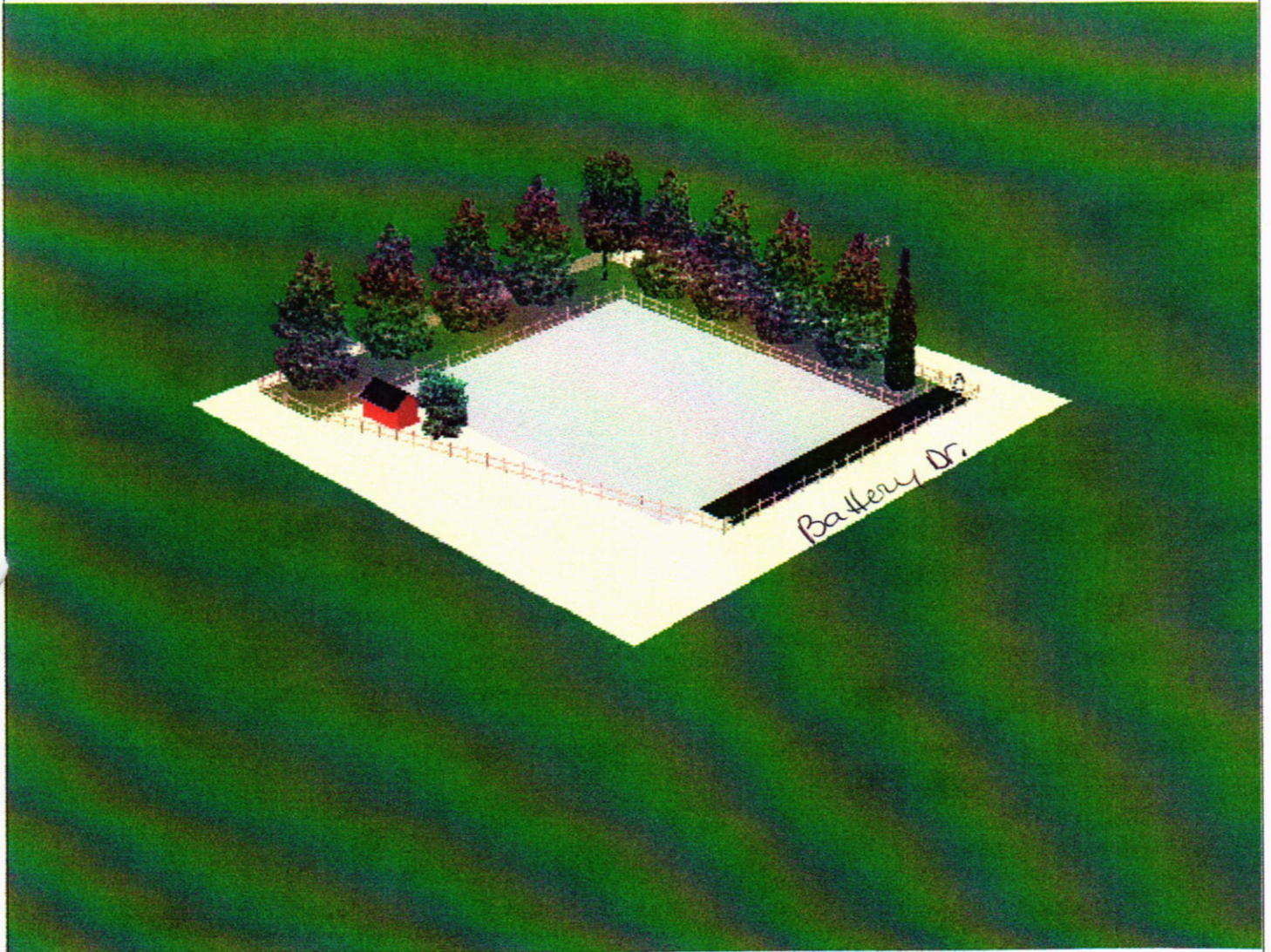
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Sincerely,

Transpro, Inc.

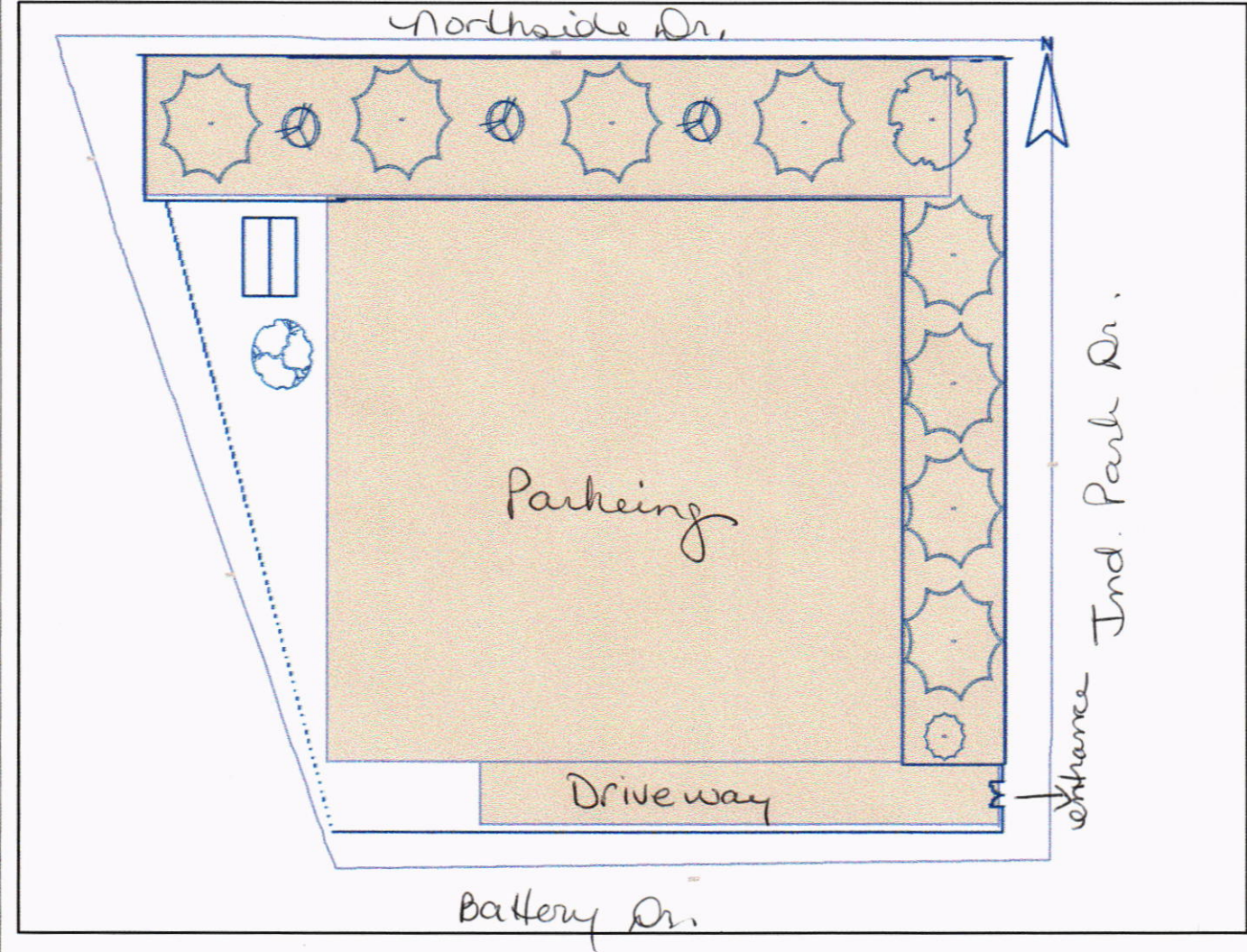
A handwritten signature in cursive script, appearing to read "R. J. Williams". To the left of the signature is a small, circular handwritten mark that looks like the letters "aw".

R. J. Williams



Transpro, Inc.





CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: May 7, 2002

Agenda Item No. 8

Consent Agenda:	To:
For:	
Acct. No.	
Introduced by:	Telephone:

Discussion/Action: Unkempt Property Lot 315 Meadow Oaks Subdivision Susie Buie	
Introduced by: Gary Ward	Telephone: 924-2256

Exhibits for Review:			
Minutes	Invoice	Other:	
Ordinance	Plans, Maps		
Resolution	Contract		

Recommendation:

<u>Board Action:</u>	Motion made by: <u>Fisher</u> Seconded by: <u>Brabham</u>
<u>Vote Cast:</u>	
<u>"Aye"</u>	<u>"Nay"</u>
<u>Action Taken:</u>	
Brabham	
Hisaw	
Greer	
Brantley	
Fisher	
Touchton	
Lott	
Mayor Aultman	

RESOLUTION

There came on for public hearing before the Mayor and Board of Aldermen of the City of Clinton, Mississippi, the matter of unclean property located at Lot 315 Meadow Oaks Subdivision, Clinton, Mississippi, and after full consideration of the matter, Alderman _____ offered the following Resolution:

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF CLINTON, MISSISSIPPI, DETERMINING
THE NECESSITY FOR THE CLEANING OF PRIVATE PROPERTY LOCATED
AT LOT 315 MEADOW OAKS SUBDIVISION, CLINTON, MISSISSIPPI,
UNDER THE AUTHORITY GRANTED TO MUNICIPALITIES BY
SECTION 21-19-11, MISSISSIPPI CODE OF 1972 AS AMENDED, AND
OTHER APPLICABLE STATUTES AND ORDINANCES.**

WHEREAS, it has come to the attention of the Mayor and Board of Aldermen that the property located at Lot 315 Meadow Oaks Subdivision, Clinton, Mississippi, may constitute a menace to the public health and safety of the community because of its present condition and state of uncleanness; and

WHEREAS, notice was given to the owner of said property as required Section 21-19-11 of the Miss. Code of 1972, as amended, of a public hearing on this matter; and

WHEREAS, a public hearing was held at 7:00 p.m., May 6, 2002, at the Municipal Room of the Public Safety Complex, 305 Monroe Street, Clinton, Mississippi; and

WHEREAS, based upon the information and evidence provided at said public hearing, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, has determined that this property, in its present condition and state of uncleanness, constitutes a menace to the public health and safety of the community and does adjudicate said property in its present condition to be a menace to the public health and safety of the community. The Director of the Public Works Department is directed to take such action as appropriate under Section 21-19-11 of the Miss. Code of 1972, as amended, and other applicable statutes and ordinances, to use municipal employees or, by contract, clean the property by cutting weeds, removing rubbish and dilapidated buildings and other debris.

NOW BE IT RESOLVED, by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, as follows:

1. It is hereby adjudicated that the property located at Lot 315 Meadow Oaks Subdivision, Clinton, Mississippi, in its present condition, constitutes to the public health and safety of the community.
2. The Director of Public Works is hereby directed to take such action as appropriate under Section 21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances, to clean the property by cutting

weeds, removing rubbish and dilapidated buildings and debris.

3. The Director of Public Works is hereby directed that upon completion of this cleaning that he advise the Mayor and Board of Aldermen of the City of Clinton, Mississippi, of the actual costs incurred in cleaning the property so that the Mayor and Board of Aldermen for the city of Clinton, Mississippi may adjudicate the costs of such action and impose such penalty as it adjudicates, all as provided by under Section 21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances.

A Motion for adoption was seconded by Alderman _____ and the foregoing having been first reduced to writing, and no request by the Mayor or any member of the Board of Aldermen that it be read by the City Clerk, before the vote was taken, it was submitted to the Board of Alderman for the passage or rejection on roll call vote upon the vote being as follows, to-wit:

Alderman Brabham voted: _____

Alderman Hisaw voted: _____

Alderman Greer voted: _____

Alderman Brantley voted: _____

Alderman Fisher voted: _____

Alderman Touchton voted: _____

Alderman Lott voted: _____

Whereupon the Mayor declared the Motion carried and the Resolution approved and adopted.

The foregoing Resolution was approved this the 7th day of May 2002.

CITY OF CLINTON

BY: _____
ROSEMARY AULTMAN, Mayor

ATTEST:

WAYNE DERRICK, City Clerk

(S E A L)

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: May 7, 2002

Agenda Item No. 9

Consent Agenda: For:	To:
Account No.	

Discussion/Action: Danny DeYoung, Ward 6 Representative - Appointment to P & R Advisory Board	
June 30, 2005	
Introduced by: Sharbert Lott, Alderman Ward 6	Telephone No.

Exhibits for Review:

Minutes: _____	Invoice: _____	Other: _____
Ordinance: _____	Plans, Maps: _____	_____
Resolution: _____	Contract: _____	_____

Recommendation:

Board Action:

Motion made by: Lott
Seconded by: Hisaw

<u>Vote Cast:</u>	<u>"Aye":</u>	<u>"Nay":</u>	<u>Action Taken:</u>
Brabham	_____	_____	_____
Hisaw	_____	_____	_____
Greer	_____	_____	_____
Brantley	_____	_____	_____
Fisher	_____	_____	_____
Touchton	_____	_____	_____
Lott	_____	_____	_____
Mayor Aultman	_____	_____	_____

Agenda items must be turned in to the City Clerk with all attachments no later than 5 PM on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.

Danny DeYoung
207 Kitchings Drive
Clinton, MS 39056
924-9733
DOB 12/21/66

Born and raised in Clinton. Attended Clinton Public Schools 1st grade through High School. Attended Dordt College, Sioux Center, IA. And graduated from Louisiana Tech University with a B.S degree in Health and Physical Education.

Employed fulltime with the Jackson Metropolitan YMCA since 1990, serving in various positions including Sports Director, Fitness Director, Aquatics Director and Branch Director.

Married to Paula Barlow DeYoung for 14 years. Three children, Garrett 9, Callen 6, and Tanner 2. Family actively involved at Wildwood Baptist Church.

Involved with Clinton's Noon Rotary Club, sport's coach at the YMCA, past deacon at Willows Baptist Church, Sunday School and RA teacher.

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: May 7, 2002

Agenda Item No. 10

Consent Agenda:

To:

For:

Account:

Circle: Low quote, Sole Source, Emergency, etc. if applicable.

Discussion/Action: Board approval to go out for bid for two thermal imagers. This is being supplemented by a \$16,110 federal grant that we have already received.

Introduced by:


Chief Darrel McQuirter

Telephone: 925-1010

Exhibits for Review:

Minutes: _____

Invoice: _____

Other: _____

Ordinance: _____

Plans, Maps: _____

Resolution: _____

Contract: _____

Recommendation:

Board Action:

Motion made by: _____

Seconded by: _____

Touchton
Greer

Vote Cast:

"Aye":

"Nay":

Action Taken:

Brabham

Hisaw

Greer

Brantley

Fisher

Touchton

Lott

Mayor Aultman

Agenda items must be turned in to the City Clerk with all attachments no later than 5 P.M. on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: May 7, 2002

Agenda Item No. 11

Consent Agenda:

To:

For:

Account No.

Discussion/Action: Amendment to the ordinance regulating the sale of alcoholic beverages.

Introduced by: Mike Chasion, Mississippi Restaurant Assoc. Telephone No.

Exhibits for Review:

Minutes: _____

Invoice: _____

Other: _____

Ordinance: _____

Plans, Maps: _____

Resolution: _____

Contract: _____

Recommendation:

Board Action:

Motion made by: Fisher

Seconded by: Touchton

Vote Cast:

For:

Abstain:

Action Taken:

Brabham

No

Hisaw

Yes

Greer

Yes

Brantley

No

Fisher

Yes

Touchton

Yes

Lott

No

Mayor Aultman

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CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: May 7, 2002

Agenda Item No. 12

Consent Agenda: For:	To:
Account No.	

Discussion/Action: Approval of Johnston Place Business Park Right-of -Way	
Introduced by: Richard Broome	Telephone No. 924-5462

Exhibits for Review:

Minutes: _____	Invoice: _____	Other: <u>Plat</u>
Ordinance: _____	Plans, Maps: _____	_____
Resolution: _____	Contract: _____	_____

Recommendation:

Board Action: Motion made by: Brabham
Seconded by: Lott

<u>Vote Cast:</u>	<u>"Aye":</u>	<u>"Nay":</u>	<u>Action Taken:</u>
Brabham	_____	_____	_____
Hisaw	_____	_____	_____
Greer	_____	_____	_____
Brantley	_____	_____	_____
Fisher	_____	_____	_____
Touchton	_____	_____	_____
Lott	_____	_____	_____
Mayor Aultman	_____	_____	_____

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BOARD APPROVED



WILLIFORD, GEARHART & KNIGHT, INC.
ENGINEERS & SURVEYORS

PRINCIPALS
Charles H. Williford, P.E., P.L.S.
Gregory A. Gearhart, P.E.
Jeffery T. Knight, P.E.
Billy W. Owen, P.E.
Michael K. McKenzie, P.E.

May 1, 2002

Bert Kuyrkendall, P.E.
City of Clinton
P.O. Box 156
Clinton, Mississippi 39056

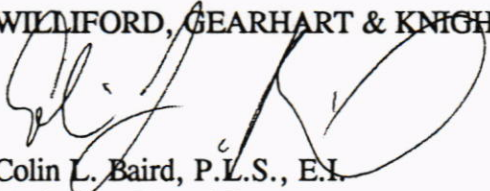
Re: Johnston Place
Right-of-Way Plat
Clinton, Mississippi

Dear Mr. Kuyrkendall:

Attached is a copy of the final Right-of-Way plat of Johnston Place which is located North of Interstate 20 and East of Springridge Road. All changes were made as per your previous request and our conversation of last week. Please review, comment and add to the agenda of the City of Clinton Board of Alderman for their review and acceptance.

Sincerely,

WILLIFORD, GEARHART & KNIGHT, INC.



Colin L. Baird, P.L.S., E.I.
Professional Land Surveyor
Engineer

CC: Chris Stefferud

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: May 7, 2002

Agenda Item No. 13

Consent Agenda: For:	To:
Account No.	

Discussion/Action: New Erosion Control Ordinance	
Introduced by: Richard Broome	Telephone No. 924-5462

Exhibits for Review:

Minutes: _____	Invoice: _____	Other: _____
Ordinance: _____	Plans, Maps: _____	_____
Resolution: _____	Contract: _____	_____

Recommendation:

Board Action:

Motion made by: Greer
Seconded by: Brantley

<u>Vote Cast:</u>	<u>"Aye":</u>	<u>"Nay":</u>	<u>Action Taken:</u>
Brabham	☒	☐	_____
Hisaw	☒	☐	_____
Greer	☒	☐	_____
Brantley	☒	☐	_____
Fisher	☒	☐	_____
Touchton	☒	☐	_____
Lott	☒	☐	_____
Mayor Aultman	☐	☐	_____

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CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: May 7, 2002

Agenda Item No. 14

Consent Agenda: For:	To:
Account No.	

Discussion/Action: Resolution to apply for the drinking water systems improvement revolving loan fund.

Introduced by: Richard Broome

Telephone No. 924-5462

Exhibits for Review:

Minutes: _____
Ordinance: _____
Resolution: X

Invoice: _____
Plans, Maps: _____
Contract: _____

Other: transmittal letter

Recommendation:

Board Action:

Motion made by: Brantley
Seconded by: Touchton

<u>Vote Cast:</u>	<u>"Aye":</u>	<u>"Nay":</u>	<u>Action Taken:</u>
Brabham	<u>/</u>	_____	_____
Hisaw	<u>/</u>	_____	_____
Greer	<u>/</u>	_____	_____
Brantley	<u>/</u>	_____	_____
Fisher	<u>/</u>	_____	_____
Touchton	<u>/</u>	_____	_____
Lott	<u>/</u>	_____	_____
Mayor Aultman	_____	_____	_____

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WILLIFORD, GEARHART & KNIGHT, INC. .
ENGINEERS & SURVEYORS

PRINCIPALS
Charles H. Williford, P.E., P.L.S.
Gregory A. Gearhart, P.E.
Jeffery T. Knight, P.E.
Billy W. Owen, P.E.
Michael K. McKenzie, P.E.

LETTER OF TRANSMITTAL

BOARD APPROVED

TO: RICHARD BROOME, P.E.

RE: CITY OF CLINTON
2002 SRF WATER IMPROVEMENTS

WGK No.:01-249

DATE: May 1, 2002
[X] ATTACHED ARE THE FOLLOWING ITEMS:

[] UNDER SEPARATE COVER WE ARE SENDING YOU THE FOLLOWING ITEMS:

	Shop Drawings		Prints		Plans		Samples
	Specifications		Copy of Letter		Change Order		Other.
COPIES	DATE	NO.	DESCRIPTION				
1	5/1/02		RESOLUTION TO APPLY FOR SRF LOAN				

THESE ARE TRANSMITTED as checked below:

	For approval		Approved as submitted		Resubmit _____ copies for distribution
X	For your use		Approved as noted		RETURN _____ REVISED PRINTS/COPIES
	As requested		Returned for correction		
	For review and comment		Resubmit copies for approval		

COMMENTS: PER OUR CONVERSATION, PLEASE PLACE ON AGENDA FOR MAY 7TH BOARD MEETING. THANKS

Copies: File

SIGNED: GREG GEARHART

BOARD APPROVED

7. PROJECT COST BREAKDOWN

ITEM	TOTAL PROJECT COST	LOAN ELIG- IBLE COST*	LOAN AMOUNT REQUESTED
Construction	\$ 880,760	\$ 880,760	\$ 880,760
Equipment	\$ 200,000	\$ 200,000	\$ 200,000
Supplies	\$ 0	\$ 0	\$ 0
Testing	\$ 0	\$ 0	\$ 0
Contingency	\$ 108,076	\$ 108,076	\$ 108,076
Land, Easements, Rights-of-Way	\$ 0	\$ 0	\$ 0
Allowance for Facilities Planning & Design	\$ 91,723	\$ 91,723	\$ 91,723
Allowance for Professional Services After Loan Award	\$ 105,840	\$ 105,840	\$ 105,840
Subtotal	\$1,386,399	\$1,386,399	\$1,386,399
DWSIRLF Administrative Fee	\$	\$	\$ 69,320
Total	\$	\$	\$1,445,719

*Do not include costs that have been, or will be, also requested or received from other State or Federal agency funding sources.

8. PROJECT FUNDING SOURCES

FUNDING SOURCE	AMOUNT
DWSIRLF Loan	\$1,445,719
CDBG Grant	\$
RUS Loan	\$
RUS Grant	\$
ARC Grant	\$
Bond Issue	\$
Local Funds (Specify)	\$
Other (Specify)	\$
	\$
Total	\$1,445,719

BOARD APPROVED

EXHIBIT VIII-W1. OPINION OF PROBABLE CONSTRUCTION COST
FOR WATER WELL AND DISTRIBUTION SYSTEM IMPROVEMENTS
2001 SRF WATER IMPROVEMENTS FACILITIES PLAN
CITY OF CLINTON, MISSISSIPPI
SEPTEMBER 2001

ITEM	DESCRIPTION	QTY.	UNIT	UNIT COST	TOTAL COST
1	24" CASING BORE AND JACK	400	L.F.	170.00	\$68,000
2	18" CASING BORE AND JACK	150	L.F.	130.00	\$19,500
3	16" D.I.P. WATER MAIN	550	L.F.	35.00	\$19,250
4	12" C900 WATER MAIN	5950	L.F.	18.00	\$107,100
5	CONNECTION TO EXISTING	5	EA.	3,500.00	\$17,500
6	16" BUTTERFLY VALVE WITH BOX	2	EA.	2,500.00	\$5,000
7	8" GATE VALVE WITH BOX	5	EA.	750.00	\$3,750
8	12" GATE VALVE WITH BOX	6	EA.	1,200.00	\$7,200
9	16" X 8" CROSS	1	EA.	1,200.00	\$1,200
10	16" X 16" CROSS	1	EA.	1,750.00	\$1,750
11	16" X 12" REDUCER	1	EA.	600.00	\$600
12	12" X 8" REDUCER	2	EA.	350.00	\$700
13	16" PLUG	3	EA.	400.00	\$1,200
14	12" X 12" TEE	2	EA.	1,000.00	\$2,000
15	8" X 8" TEE	1	EA.	500.00	\$500
16	12" SLEEVE	1	EA.	400.00	\$400
17	1,000 GPM WATER WELL TO INCLUDE TWO TEST WELLS, CHLORINATION AND FLUORIDATION EQUIPMENT, HOUSING DISCHARGE PIPING, AND SITE WORK	1	L.S.	600,000.00	\$600,000
18	SCADA SYTEM	1	L.S.	225,110.00	\$225,110
OPINION OF PROBABLE CONSTRUCITON COST					<u>\$1,080,760</u>
CONTINGENCIES @ 10%					\$108,076
DESIGN ENGINEERING @ 8.4869%					\$91,723
CONSTRUCTION ENGINEERING @ 9.7931%					\$105,840
SUB-TOTAL					<u>\$1,386,399</u>
OPC ADMINISTRATION @ 5%					\$69,320
OPINION OF TOTAL DEVELOPMENT COSTS					<u>\$1,455,719</u>

BOARD APPROVED

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THOSE DOCUMENTS AND AGREEMENTS REQUIRED IN CONNECTION WITH THE APPLICATION FOR THE DRINKING WATER SYSTEMS IMPROVEMENTS REVOLVING LOAN FUND PROGRAM THROUGH THE LOCAL GOVERNMENTS AND RURAL WATER SYSTEMS IMPROVEMENTS BOARD AND NAMING ROSEMARY AULTMAN AS THE AUTHORIZED REPRESENTATIVE FOR THE CITY OF CLINTON.

WHEREAS, the CITY OF CLINTON is making application for a Drinking Water Systems Improvements Revolving Loan Fund (DWSIRLF) loan from the Local Governments and Rural Water Systems Improvements Board; and

WHEREAS, in order to apply for such a loan, the CITY OF CLINTON must submit a DSWIRLF Loan application package in compliance with DWSIRLF Program Regulations; and

WHEREAS, such regulations require that the CITY OF CLINTON provide as part of such package a certified copy of a resolution which authorizes submission of the application and which designates an authorized representative to execute the application and to be the authorized representative for the project;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF CLINTON:

SECTION 1: That the submission of a DWSIRLF Loan application package is hereby authorized, with the proceeds from such loan to be used to finance and implement DWSIRLF Loan Program project DWI-H280088-01.

SECTION 2: That Rosemary Aultman, is authorized to execute and file an application for a DWSIRLF loan on behalf of City of Clinton with full authority to execute all documents pertaining to the project.

SECTION 3: That Rosemary Aultman is hereby authorized to be the authorized representative of the project.

_____ moved and _____ seconded the adoption of the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

<u>Jehu W. Brabham</u>	_____
<u>Tony Hisaw</u>	_____
<u>Tony Greer</u>	_____
<u>Clint Brantley</u>	_____
<u>Phil Fisher</u>	_____
<u>Herb Touchton</u>	_____
<u>Sharbert K. Lott</u>	_____

This motion to adopt the resolution, having received the vote shown above, was declared carried.

This 7 day of May, 2002.

Signed: _____

ATTEST:

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: May 7, 2002

Agenda Item No. 15

--

Discussion/Action: Final Resolution on Clinton -Raymond Road/Banks Road Sewer Project Special Assessment

Introduced by: Richard Broome, City Engineer

Exhibits for Review:

Minutes: _____

Invoice: _____

Other: _____

Ordinance: _____

Plans, Maps: _____

Resolution: _____

Contract: _____

Recommendation:

Board Action:

Motion made by: _____

Seconded by: _____

Hisaw
Lott

Vote Cast:

"Aye":

"Nay":

Action Taken:

Brabham

Hisaw

Greer

Brantley

Fisher

Touchton

Lott

Mayor Aultman

Agenda items must be turned in to the City Clerk with all attachments no later than 5 P.M. on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, APPROVING AND CONFIRMING ALL ASSESSMENTS AS FINALLY FIXED AND DETERMINED AND CONFIRMING ASSESSMENTS AND ASSESSMENT ROLL IN CONNECTION WITH THE SPECIAL ASSESSMENT IMPROVEMENTS OF THE CLINTON-RAYMOND ROAD/BANKS ROAD SEWER PROJECT AND FOR RELATED PURPOSES

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, being the governing authorities thereof, did cause local improvements designated in Section 21-41-3, Mississippi Code of 1972, to be made, at the cost of the property owners benefited thereby; and,

WHEREAS, the levying and collecting of said costs of said improvements is provided in Section 21-41-1, et seq., Mississippi Code of 1972; and,

WHEREAS, a resolution declaring necessary the proposed improvements, describing the nature and extent of the work, the material to be used, defining the boundary of the areas in which the improvements were to be made, and fixing a date to hear objections or remonstrances that may be made to said improvements was duly approved and adopted on the 20th day of July, 1999, all as contemplated by Section 21-41-5, Mississippi Code of 1972; and,

WHEREAS, a resolution determining to proceed with the same improvements and directing that the total cost and expenses of the improvements shall be a charge upon the property benefited was duly approved and adopted by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, on the 2nd day of November, 1999, as contemplated by Section 21-41-9, Mississippi Code of 1972; and,

WHEREAS, said improvements were duly authorized to be made and constructed, and by Resolution approved and adopted by the Mayor and Board of Aldermen of the City of Clinton on the 5th day of March, 2002, the costs of the improvements was ascertained and determined to be in the amount of \$30,209.59 after application of certain grant funds; and,

WHEREAS, said improvements are now complete and the Mayor and Board of Aldermen have determined the cost of same pursuant to Section 21-41-11, Mississippi Code Annotated of 1972 (Supp. 1999) to be in the amount of \$30,209.59 after application of certain grant funds; and,

WHEREAS, pursuant to Section 21-41-3, Mississippi Code Annotated of 1972, the Mayor and Board of Aldermen of the City of Clinton is required to cause to be prepared a roll or list to be called the "assessment roll" showing the names of the property owners, and, opposite each name a description of each parcel and land to be assessed; and,

WHEREAS, said assessments have been determined and the assessment roll prepared and such has been delivered to the Clerk of the City of Clinton, who has informed the Mayor and Board of Aldermen that said rolls are opened for inspection at the Clerk's office and that on April 2, 2002, at 7:00 o'clock p.m., at the Municipal Courtroom, 305 Monroe Street, Clinton, Mississippi, the governing authorities of said City of Clinton met to hear and determine any objections or defense to said assessments and assessment roll.

WHEREAS, a notice was duly published in the Clarion Ledger for three successive weeks, being issues of March 13, 20, and 27, 2001, as required by statute providing the notice and information contemplated by law, proof of publication of same being on file with the City Clerk; and,

WHEREAS, the governing authorities did meet to hear and determine all objections and protests to the proposed assessment roll at their First Regular April, 2001 Meeting held on April 2, 2001, under reasonable rules and regulations adopted, said rules being as follows: (1) that the protest be reduced to writing and filed with the City Clerk not later than the time and date of the meeting and hearing on objections; (2) that the specific bases for the objection be set forth in writing; and (3) that the objection contain in writing the sum and calculation which the objector asserts to be correct and appropriate, if any; and,

NOW, THEREFORE:

BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, that the costs of improvements heretofore ascertained and determined to be the total costs in connection with the construction of sanitary sewer utilities by Resolution duly approved and adopted by the Mayor and Board of Aldermen dated November 5, 1996, entitled "Resolution Finding Lack of Objection or Protest Sufficient to Preclude the Municipality from Proceeding with the Construction of a Sanitary Sewer System and the Assessment of the Cost of Such Sewer System Against the Property Benefited", as altered, changed and corrected, to the extent of \$ 3356.62 should be apportioned and assessed against all property owners affected by or having an interest in the lots or parcels of property to be assessed with such costs, in the amount as herein assessed.

BE IT FURTHER RESOLVED that all assessments as finally fixed are hereby approved and confirmed and from the date of such confirmation constitute a lien upon the respective lots or parcels of property to be assessed with such costs, in the amount as herein assessed.

BE IT FURTHER RESOLVED that all assessments as finally fixed at said hearing are hereby approved and confirmed and from the date of such confirmation constitute a lien upon the respective lots or parcels of land and other real property upon which they are levied and shall appear and be recorded by the Clerk in the following form:

See Exhibit "A" attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that all persons having been given the opportunity to be heard on this matter that the assessments finally fixed, approved and confirmed herein are hereby deemed to have consented to the approval and confirmation of said assessments.

BE IT FURTHER RESOLVED that the special assessments set forth hereinabove and levied under and pursuant to Sections 21-41-1 through 21-41-53, Mississippi Code of 1972, as amended, shall become due and shall be paid to the City Clerk of the City of Clinton, Mississippi, within ninety (90) days from the date of confirmation unless otherwise provided for by the Mayor and Board of Aldermen of the City of Clinton, Mississippi; and each property owner to be assessed with the costs of said special improvements having admitted to the legality of the assessment levied against him, the Mayor and Board of Aldermen do hereby

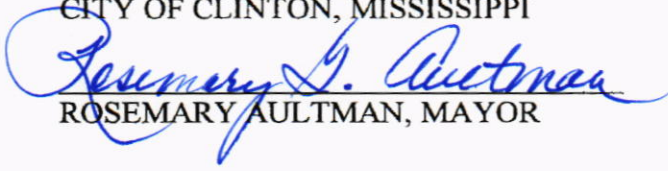
confer upon the property owners benefited by the improvements constructed the privilege of paying the assessment so levied in equal installments with interest from the date of confirmations at the rate of SIX PER CENT PER ANNUM

BE IT FURTHER RESOLVED that any property owner not taking an appeal from the assessment set forth herein shall, upon failure to pay said assessment within ninety (90) days from date of confirmation, be deemed to have elected to pay said assessment in installments as provided above and shall be deemed to have admitted the legality of the assessment, thereby waiving all right to contest the validity thereof. The installments of said assessment shall be due and payable at the same time that the annual municipal tax becomes due and payable commencing with the first municipal tax levy, which is payable after the expiration of ninety (90) days from the date of confirmation of the assessment.

SO RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, in First Regular May, 2002, Meeting assembled, on this the 7th day of MAY, 2002.

APPROVED:

CITY OF CLINTON, MISSISSIPPI


ROSEMARY AULTMAN, MAYOR

ATTEST:


W. WAYNE DERRICK, CITY CLERK

(SEAL)

mw\resolution-final crr-banks road
May 2, 2002 - jbell

Exhibit "A"
Clinton-Raymond Road/Banks Road Project

<u>Name and Address</u>	<u>Parcel Number</u>	<u>Original Assessment</u>
Ronald & Willie G. Evans 1460 Clinton-Raymond Road Clinton, MS 39056	(9110)2862-119	\$3,356.62
Charles & Essie Mounger 1524 Clinton-Raymond Road Clinton, MS 39056	(9110)2862-119-1	\$3,356.62
Ronald & Willie G. Evans 1460 Clinton-Raymond Road Clinton, MS 39056	(9110)2862-119-2	\$3,356.62
Charles & Essie Mounger 1524 Clinton-Raymond Road Clinton, MS 39056	(9110)2862-119-4	\$3,356.62
James & Eddie M. Mounger 1524 Clinton-Raymond Road Clinton, MS 39056	(9110)2862-119-5	\$3,356.62
Ronald & Willie G. Evans 1460 Clinton-Raymond Road Clinton, MS 39056	(9110)2862-119-6	\$3,356.62
Lawrence Mitchell Cap MGT Group LTD06 P.O. Box 310 Madison, MS 39120	(9110)2862-120	\$3,356.62
James Cooper ET UX 424 Ravine Ave. Waukegan, ILL 60085	(9110)2862-121	\$3,356.62
Charles N. Jr. & Jimmie J. Banks 1416 Clinton-Raymond Road Clinton, MS 39056	(9110)2862-122	\$3,356.62

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: May 7, 2002

Agenda Item No. 16

--

Discussion/Action: Final Resolution on Hobby Farms Sewer Project Special Assessment

Introduced by: Richard Broome, City Engineer

Exhibits for Review:

Minutes: _____

Invoice: _____

Other: _____

Ordinance: _____

Plans, Maps: _____

Resolution: _____

Contract: _____

Recommendation:

Board Action:

Motion made by: Brantley

Seconded by: Brabham

Vote Cast:

"Aye":

"Nay":

Action Taken:

Brabham

Hisaw

Greer

Brantley

Fisher

Touchton

Lott

Mayor Aultman

Agenda items must be turned in to the City Clerk with all attachments no later than 5 P.M. on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, APPROVING AND CONFIRMING ALL ASSESSMENTS AS FINALLY FIXED AND DETERMINED AND CONFIRMING ASSESSMENTS AND ASSESSMENT ROLL IN CONNECTION WITH THE SPECIAL ASSESSMENT IMPROVEMENTS OF THE HOBBY FARMS SEWER PROJECT FOR SANITARY SEWER UTILITIES AND FOR RELATED PURPOSES

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, being the governing authorities thereof, did cause local improvements designated in Section 21-41-3, Mississippi Code of 1972, to be made, at the cost of the property owners benefited thereby; and,

WHEREAS, the levying and collecting of said costs of said improvements is provided in Section 21-41-1, et seq., Mississippi Code of 1972; and,

WHEREAS, a resolution declaring necessary the proposed improvements, describing the nature and extent of the work, the material to be used, defining the boundary of the areas in which the improvements were to be made, and fixing a date to hear objections or remonstrances that may be made to said improvements was duly approved and adopted on the 20th day of July, 1999, all as contemplated by Section 21-41-5, Mississippi Code of 1972; and,

WHEREAS, a resolution determining to proceed with the same improvements and directing that the total cost and expenses of the improvements shall be a charge upon the property benefited was duly approved and adopted by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, on the 2nd day of November, 1999, as contemplated by Section 21-41-9, Mississippi Code of 1972; and,

WHEREAS, said improvements were duly authorized to be made and constructed, and by Resolution approved and adopted by the Mayor and Board of Aldermen of the City of Clinton on the 5th day of March, 2002, the costs of the improvements was ascertained and determined to be in the amount of \$229,706.05 after application of certain grant funds; and,

WHEREAS, said improvements are now complete and the Mayor and Board of Aldermen have determined the cost of same pursuant to Section 21-41-11, Mississippi Code Annotated of 1972 (Supp. 1999) to be in the amount of \$229,706.05 after application of certain grant funds; and,

WHEREAS, pursuant to Section 21-41-3, Mississippi Code Annotated of 1972, the Mayor and Board of Aldermen of the City of Clinton is required to cause to be prepared a roll or list to be called the "assessment roll" showing the names of the property owners, and, opposite each name a description of each parcel and land to be assessed; and,

WHEREAS, said assessments have been determined and the assessment roll prepared and such has been delivered to the Clerk of the City of Clinton, who has informed the Mayor and Board of Aldermen that said rolls are opened for inspection at the Clerk's office and that on April 2, 2002, at 7:00 o'clock p.m., at the Municipal Courtroom, 305 Monroe Street, Clinton, Mississippi, the governing authorities of said City of Clinton met to hear and determine any objections or defense to said assessments and assessment roll.

WHEREAS, a notice was duly published in the Clarion Ledger for three successive weeks, being issues of March 13, 20, and 27, 2002, as required by statute providing the notice and information contemplated by law, proof of publication of same being on file with the City Clerk; and,

WHEREAS, the governing authorities did meet to hear and determine all objections and protests to the proposed assessment roll at their First Regular April, 2002 Meeting held on April 2, 2002, under reasonable rules and regulations adopted, said rules being as follows: (1) that the protest be reduced to writing and filed with the City Clerk not later than the time and date of the meeting and hearing on objections; (2) that the specific bases for the objection be set forth in writing; and (3) that the objection contain in writing the sum and calculation which the objector asserts to be correct and appropriate, if any; and,

NOW, THEREFORE:

BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, that the costs of improvements heretofore ascertained and determined to be the total costs in connection with the construction of sanitary sewer utilities by Resolution duly approved and adopted by the Mayor and Board of Aldermen dated November 2, 1999, entitled "Resolution Finding Lack of Objection or Protest Sufficient to Preclude the Municipality from Proceeding with the Construction of a Sanitary Sewer System and the Assessment of the Cost of Such Sewer System Against the Property Benefited", as altered, changed and corrected, to the extent of \$3,235.30 should be apportioned and assessed against all property owners affected by or having an interest in the lots or parcels of property to be assessed with such costs, in the amount as herein assessed.

BE IT FURTHER RESOLVED that all assessments as finally fixed are hereby approved and confirmed and from the date of such confirmation constitute a lien upon the respective lots or parcels of property to be assessed with such costs, in the amount as herein assessed.

BE IT FURTHER RESOLVED that all assessments as finally fixed at said hearing are hereby approved and confirmed and from the date of such confirmation constitute a lien upon the respective lots or parcels of land and other real property upon which they are levied and shall appear and be recorded by the Clerk in the following form:

See Exhibit "A" attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that all persons having been given the opportunity to be heard on this matter that the assessments finally fixed, approved and confirmed herein are hereby deemed to have consented to the approval and confirmation of said assessments.

BE IT FURTHER RESOLVED that the special assessments set forth hereinabove and levied under and pursuant to Sections 21-41-1 through 21-41-53, Mississippi Code of 1972, as amended, shall become due and shall be paid to the City Clerk of the City of Clinton, Mississippi, within ninety (90) days from the date of confirmation unless otherwise provided for by the Mayor and Board of Aldermen of the City of Clinton, Mississippi; and each property owner to be assessed with the costs of said special improvements having admitted to the legality of the assessment levied against him, the Mayor and Board of Aldermen do hereby

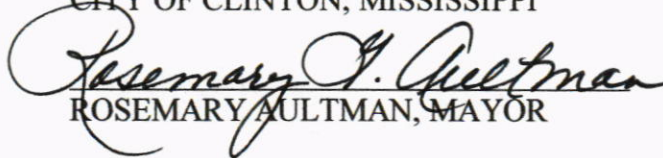
confer upon the property owners benefited by the improvements constructed the privilege of paying the assessment so levied in twenty equal annual installments with interest from the date of confirmations at the rate of six percent.

BE IT FURTHER RESOLVED that any property owner not taking an appeal from the assessment set forth herein shall, upon failure to pay said assessment within ninety (90) days from date of confirmation, be deemed to have elected to pay said assessment in installments as provided above and shall be deemed to have admitted the legality of the assessment, thereby waiving all right to contest the validity thereof. The installments of said assessment shall be due and payable at the same time that the annual municipal tax becomes due and payable commencing with the first municipal tax levy, which is payable after the expiration of ninety (90) days from the date of confirmation of the assessment.

SO RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, in First Regular May, 2002, Meeting assembled, on this the 7th day of May, 2002.

APPROVED:

CITY OF CLINTON, MISSISSIPPI


ROSEMARY AULTMAN, MAYOR

ATTEST:


W. WAYNE DERRICK, CITY CLERK



mw/resolution-final hobby farms
May 7, 2002- jbell

Exhibit "A"
Hobby Farms Road Project

<u>Name and Address</u>	<u>Parcel Number</u>	<u>Original Assessment</u>
Bill W. & Deborah A. Depriest P. O. Box 204 Clinton, MS 39060	(1110)2860-208	\$3,235.30
C.S. Whittington ET UX 573 Hobby Farms Road Clinton, MS 39056	(1110)2860-207	\$3,235.30
Hopson & Cheryl Barnett 521 Hobby Farms Road Clinton, MS 39056	(1110)2860-202	\$3,235.30
M.L. Nail ET UX 503 Hobby Farms Road Clinton, MS 39056	(9110)2860-205	\$3,235.30
M.L. Nail ET UX 503 Hobby Farms Road Clinton, MS 39056	(1110)2860-203	\$3,235.30
James W. Guy 493 Hobby Farms Road Clinton, MS 39056	(1110)2860-204	\$3,235.30
T.D. Short ET UX 479 Hobby Farms Road Clinton, MS 39056	(1110)2860-201	\$3,235.30
Lee A. Ivy ET UX 437 Hobby Farms Road Clinton, MS 39056	(1110)2860-200	\$3,235.30
L.A. Ivy ET UX 437 Hobby Farms Road Clinton, MS 39056	(9110)2860-199	\$3,235.30
Mary E. Phillips 2910 Meadow Forest Drive Jackson, MS 39212	(9110)2860-198	\$3,235.30

John R. & Linda J. Dykes 423 Hobby Farms Road Clinton, MS 39056	(1110)2860-197	\$3,235.30
Gary D. & Judy L. Stewart 413 Hobby Farms Road Clinton, MS 39056	(1110)2860-196	\$3,235.30
L.W. Stewart ET UX Rt. 2 Box 191-D 399 Hobby Farms Road Clinton, MS 39056	(1110)2860-195	\$3,235.30
Elise G. Stewart 371 Hobby Farms Road Clinton, MS 39056	(1410)2860-194	\$3,235.30
Anne B. Giles 369 Hobby Farms Road Clinton, MS 39056	(9110)2860-193	\$3,235.30
Anne B. Giles 369 Hobby Farms Road Clinton, MS 39056	(9110)2860-192	\$3,235.30
Henry D. & Carolyn Bishop Jasmine Elkins 1660 Askew Road Edwards, MS 39066	(1110)2860-191	\$3,235.30
Henry D. and Jeanette Bishop 1660 Askew Road Edwards, MS 39066	(1110)2860-190	\$3,235.30
Donald L. Smith ET UX 301 Hobby Farms Road Clinton, MS 39056	(1110)2860-188	\$3,235.30
D.L. Smith ET UX 301 Hobby Farms Road Clinton, MS 39056	(9110)2860-187	\$3,235.30
Donald L. Smith 301 Hobby Farms Road Clinton, MS 39056	(1110)2860-186	\$3,235.30

Donald L. Smith 301 Hobby Farms Road Clinton, MS 39056	(9110)2860-185	\$3,235.30
Harveylene L. Peterson 211 Hobby Farms Road Clinton, MS 39056	(1110)2860-184	\$3,235.30
Tommy J. & Maybelle G. Cagle 193 Hobby Farms Road Clinton, MS 39056	(1110)2860-183	\$3,235.30
Harveylene L. Peterson 211 Hobby Farms Road Clinton, MS 39056	(9110)2860-116	\$3,235.30
J.M. Wilson & Audrey W. Life Est. c/o Marianne Tackett 157 Peggy Drive Florence, MS 39073	(1110)2860-118	\$3,235.30
Morgan Wilson & Audrey W. Life Est. Wilson Jerry E. c/o Jerry Wilson 4253 Willow Wood Blvd. Jackson, MS 39212	(1110)2860-117	\$3,235.30
O.J. Horne ET UX 2211 Old Vicksburg Road Clinton, MS 39056	(1110)2860-180	\$3,235.30
Bobbie J. Hughes 179 Hobby Farms Road Clinton, MS 39056	(1110)2860-182-2	\$3,235.30
Margaret G. Bullock 121 Hobby Farms Road Clinton, MS 39056	(1110)2860-182-1	\$3,235.30
Juanita P. Wilson 100 Hobby Farms Road Clinton, MS 39056	(9110)2860-146	\$3,235.30

Juanita P. Wilson 100 Hobby Farms Road Clinton, MS 39056	(1110)2860-145	\$3,235.30
Juanita P. Wilson 100 Hobby Farms Road Clinton, MS 39056	(9110)2860-147	\$3,235.30
Rodney E. Crosby ET IX 2219 Old Vicksburg Road Clinton, MS 39056	(9110)2860-149-1	\$3,235.30
Phyllis J. & Timothy H. Kelly c/o Allison Juanita 100 Hobby Farms Road Clinton, MS 39056	(9110)2860-147-1	\$3,235.30
Rodney E. Crosby ET UX 2219 Old Vicksburg Road Clinton, MS 39056	(1110)2860-149	\$3,235.30
Felix O. & Delores Ivy 2221 Old Vicksburg Road Clinton, MS 39056	(1110)2860-150	\$3,235.30
Felix O. & Delores Ivy 2221 Old Vicksburg Road Clinton, MS 39056	(9110)2860-151	\$3,235.30
Felix O. & Delores Ivy 2221 Old Vicksburg Road Clinton, MS 39056	(9110)2860-152	\$3,235.30
Hortense Gaddis 157 Magnolia Road Clinton, MS 39056	(9110)2860-153	\$3,235.30
Charley A. Cheney, Jr. and Catherine M. Cheney 102 Longwood Drive Clinton, MS 39056	(5480)2860-153-1	\$3,235.30
Hammersmith Contractors, Inc. P.O. Box 16661 Jackson, MS 39236	(3990)2860-154	

Charley A. Cheney, Jr. and Catherine M. Cheney 102 Longwood Drive Clinton, MS 39056	(5000)2860-154-4	\$3,235.30
B.L. & Hautense Gaddis 157 Magnolia Road Clinton, MS 39056	(1110)2860-154-1	\$3,235.30
D.L. & Barbara K. Gaddis 147 Magnolia Road Clinton, MS 39056	(1110)2860-154-2	\$3,235.30
Robert H. & Patricia A. Lucroy 177 Magnolia Road Clinton, MS 39056	(1110)2860-155	\$3,235.30
Robert H. & Patricia A. Lucroy 177 Magnolia Road Clinton, MS 39056	(9110)2860-156	\$3,235.30
Willie J. & Vivian M. Mraz 239 Magnolia Road Clinton, MS 39056	(1410)2860-157	\$3,235.30
Willie J. & Vivian M. Mraz 239 Magnolia Road Clinton, MS 39056	(9110)2860-158	\$3,235.30
Bob Lucroy Renovations, Inc. 277 Magnolia Road Clinton, MS 39056	(1110)2860-159	\$3,235.30
Joe W. & Magdline Odom 834 Flag Chapel Road Jackson, MS 39209	(1110)2860-160	\$3,235.30
Billy P. Haimes ET UX P. O. Box 2474 Robertsdale, AL 36567-2474	(1110)2860-161	\$3,235.30
T.G. & Alice V. Holland 333 Magnolia Road Clinton, MS 39056	(1110)2860-162	\$3,235.30

Robert H. & Patricia A. Lucroy 177 Magnolia Road Clinton, MS 39056	(1110)2860-163	\$3,235.30
W.R. Day ET UX 367 Magnolia Road Clinton, MS 39056	(1110)2860-164	\$3,235.30
Ernest R. & Michelle F. Chappell 367 Magnolia Road Clinton, MS 39056	(1110)2860-165	\$3,235.30
Joyce M. Landry 389 Magnolia Road Clinton, MS 39056	(1110)2860-166	\$3,235.30
Ruth W. Dickinson 411 Magnolia Road Clinton, MS 39056	(1110)2860-167	\$3,235.30
Margaret E. Wilson 546 Hobby Farms Road Clinton, MS 39056	(1110)2860-167-1	\$3,235.30
Janice H. McLaurin 498 Hobby Farms Road Clinton, MS 39056	(1110)2860-179	\$3,235.30
Martin Nail 503 Hobby Farms Road Clinton, MS 39056	(91110)2860-179-1	\$3,235.30
Edith M. Bishop 3402 Marguerite Road Pearl, MS 39208	(1110)2860-178	\$3,235.30
Richard A. Short 446 Hobby Farms Road Clinton, MS 39056	(1110)2860-176	\$3,235.30
David & Fay B. Morris 300 Hobby Farms Road Clinton, MS 39056	(9110)2860-175	\$3,235.30

David E. and Fay B. Morris 300 Hobby Farms Road Clinton, MS 39056	(1410)2860-175-1	\$3,235.30
Joe W. & Magdline Odom 834 Flag Chapel Road Jackson, MS 39209	(9110)2860-174	\$3,235.30
Magdline Odom Billy R. Smith 834 Flag Chapel Road Jackson, MS 39209	(1110)32860-173	\$3,235.30
Barbara L. Shields 244 Hobby Farms Road Clinton, MS 39056	(1110)2860-172	\$3,235.30
Dan R. Pettit 220 Hobby Farms Road Clinton, MS 39056	(1110)2860-171	\$3,235.30
Ennis M. & Mary S. Petit 200 Hobby Farms Road Clinton, MS 39056	(1110)2860-170	\$3,235.30
Rex F. & Sandra F. Bullock c/o Rex Bullock 229 Canton Club Cir. Jackson, MS 39211	(1110)2860-169	\$3,235.30

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: May 7, 2002

Agenda Item No. 17

Consent Agenda: For:	To:
Account No.	

Discussion/Action: Requesting permission to advertise for bids on Maintenance Facility to be built at Traceway Park.	
Introduced by: Michael E. Taggart	Telephone No. 601-924-6082

Exhibits for Review: See Attachment(s).

Minutes: _____	Invoice: _____	Other: _____
Ordinance: _____	Plans, Maps: _____	_____
Resolution: _____	Contract: _____	_____

Recommendation:

Board Action:

Motion made by: Greer
Seconded by: Lott

<u>Vote Cast:</u>	<u>"Aye":</u>	<u>"Nay":</u>	<u>Action Taken:</u>
Brabham	<u>/</u>	_____	_____
Hisaw	<u>/</u>	_____	_____
Greer	<u>/</u>	_____	_____
Brantley	<u>/</u>	_____	_____
Fisher	<u>/</u>	_____	_____
Touchton	<u>/</u>	_____	_____
Lott	<u>/</u>	_____	_____
Mayor Aultman	_____	_____	_____

Agenda items must be turned in to the City Clerk with all attachments no later than 5 PM on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: May 7, 2002

Agenda Item No. 18

Consent Agenda: For:	To: Account No.
-------------------------	----------------------------

Discussion/Action: Approval of Purchasing Lightning Detection Device from ThorGuard (Sole Source \$11,525.00)	
Introduced by: Michael E. Taggart	Telephone No. 601-924-6082

Exhibits for Review: See Attachments.

Minutes: _____	Invoice: _____	Other: _____
Ordinance: _____	Plans, Maps: _____	_____
Resolution: _____	Contract: _____	_____

Recommendation: _____

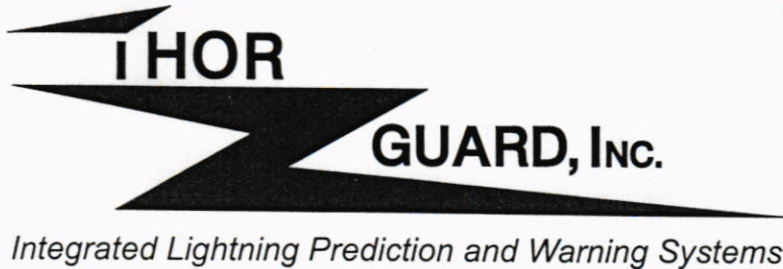
Board Action:

Motion made by: Greer
Seconded by: Brantley

<u>Vote Cast:</u>	<u>"Aye":</u>	<u>"Nay":</u>	<u>Action Taken:</u>
Brabham	_____	_____	_____
Hisaw	_____	_____	_____
Greer	_____	_____	_____
Brantley	_____	_____	_____
Fisher	_____	_____	_____
Touchton	_____	_____	_____
Lott	_____	_____	_____
Mayor Aultman	_____	_____	_____

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BOARD APPROVED



April 15, 2002

Mr. Michael Taggart
City of Clinton, MS
200 Soccer Row
Clinton, MS 39056

Dear Mr. Taggart:

Please be advised that we are both the sole manufacturer and the sole distributor of the THOR GUARD Lightning Prediction and Warning Systems. As a matter of fact, THOR GUARD is the only company that manufactures a lightning **prediction** system in the entire world. Our products are manufactured in Sunrise, Florida.

We look forward to the opportunity to furnish and install our systems at your facility.

Very truly yours,

R. A. Miller
Vice President

RAM/jz



June 25, 2001

Integrated Lightning Prediction and Warning Systems

Thank you for requesting information on THOR GUARD integrated lightning prediction and warning systems. We manufacture these systems in southern Florida as we have for more than 25 years, and stand alone in offering the world's only true lightning PREDICTION system. No company has been manufacturing lightning warning systems for as long as THOR GUARD and no other system can compete with our track record of safety.

THOR GUARD uses a highly sophisticated sensor and computer to measure and analyze the electrostatic field in the atmosphere. Lightning originates within this field, thus allowing THOR GUARD to make calculations predicting its occurrence, even though there may be no visible evidence of lightning. Only THOR GUARD can provide advance warning of a first strike or the very dangerous return strike. All lightning "detection" systems require the occurrence of an actual lightning strike before a warning is given. According to recent studies on lightning by the Severe Storms Laboratories in Norman, OK, 85% of all deaths and injuries occur away from a storm cell, so reacting to a strike occurring within 5 to 10 miles is frequently too late! THOR GUARD's PREDICTION capability also minimizes false alarms, a significant departure from even the best detection systems, all of which are prone to unnecessary and costly shutdowns!

THOR GUARD is the only stand-alone lightning warning device used by the PGA Tour, USGA Associations and the PGA of America. We are the choice of Little League Baseball, the NCAA National Championships, Clemson University, Texas Christian University, Hamilton County, OH, Park Ridge, IL and more than 100 schools, city parks and municipalities in the United States. The flexibility of our system allows the client to dictate the amount of advance warning time considered necessary for students, family and friends to proceed to a safe location. Couple our PREDICTION capability with our own designed and manufactured Voice of THOR horn/strobe light warning system or our affordable one-piece THORGUARDIAN, you have a true, automatic advance warning package second to none!

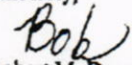
One THOR GUARD prediction console will monitor the threat of lightning in an area up to 25 square miles. Typically, a park facility of about 60 acres requires one base Voice of THOR horn warning system or a THORGUARDIAN. Each horn has an audible range of about 700 yards with a 360° radius. Larger facilities may need additional VOT remotes. VOT remotes are radio controlled, battery powered and designed to be solar charged. No wires are required to operate the remote horns and the entire system has been designed to facilitate the installation process for the end user. However, we will gladly quote a "turn key" installation, if desired.

In 2000, THOR GUARD announced a new warranty policy for all of our own manufactured products, a warranty which will protect your investment for many years to come. We now provide two full years on our Voice of THOR horn system, four years on any THOR GUARD lightning prediction console, and a full 10 year FREE upgrade policy on all THOR GUARD lightning prediction operating systems. Also, you'll never be charged an "analysis" fee prior to any out-of-warranty repair, unlike our competitors!

THOR GUARD has provided accurate and dependable lightning protection for a broad base of clients since 1974. This represents literally tens of millions of hours of safe operations for clients that range from the U.S. Government, airlines, state and local agencies, the explosives industry, and schools, to a variety of recreational users. It is THOR GUARD's unique ability to PREDICT lightning that continues to make the difference.

Mr. Goolsby, if you would like to take the next step towards a safer facility, contact me at Extension 104 or your local sales representative, Jay Ferguson, at (662)-489-0205.

Sincerely,


Robert M. Dugan
President
RMD/jm

1193 Sawgrass Corporate Parkway • Sunrise, Florida 33323 • (954) 835-0900 • Fax: (954) 835-0808
www.thorguard.com

BOARD APPROVED

September 30, 2000

Michael Taggart
Clinton Park and Recreation
P.O. Box 156
Clinton, MS 39060

Dear Mr. Taggart,

I sincerely appreciate the time you and I spent discussing ThorGuard Lightning Prediction and Warning Equipment and its future applications at your facility last Thursday. As you requested, please accept this as a formal bid to equip your course with ThorGuard lightning prediction equipment.

ThorGuard Proposal

ThorGuard L150 Computer including Master Alarm Control	\$6,600
Base Radio Transmitter and horn cluster	\$2,400
One (1) Remote Horn Cluster with radio receiver	\$2,400
Shipping and Handling	\$ 125*
Total	\$11,525

As earlier discussed, shipping and handling charges are approximations.

Again, thank you for your time and interest in ThorGuard Lightning Prediction and Warning Equipment. I am looking forward to having your equipment installed and protecting your city in the near future. I will make contact with you the week of October 8th to confirm receipt of this proposal and to field any further questions that may arise.

Sincerely,

Jay Ferguson
National Sales Manager
ThorGuard Lightning Prediction and Warning Equipment, Inc.

**ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF
THE CITY OF CLINTON, MISSISSIPPI, TO PREVENT, CONTROL
AND ESTABLISH RESPONSIBILITY FOR EROSION OF SEDIMENT,
DEBRIS AND OTHER MATERIALS FROM CONSTRUCTION
SITES TO ADJOINING PROPERTIES, SETTING PENALTIES
FOR VIOLATIONS AND FOR RELATED MATTERS**

1. This Ordinance may be referred to as the City of Clinton Erosion Control Ordinance.
2. The owner (or his designated agent) of any property upon which residential, commercial, or other types of development of any nature are proposed or are in progress following enactment of this Ordinance shall be responsible for taking necessary action to prevent erosion of the construction site and any resultant accumulation of sediment, debris or other materials upon property owned by the City of Clinton or any other person.
3. Such action or actions shall be carried out to the satisfaction of the Building Inspector (for all development other than subdivisions) or Superintendent of Public Works or City Engineer (for subdivisions). Said necessary action may consist of the distribution of hay upon the construction site after grading, the placement of sedimentation cloth or geotextile material on the construction site, the placement of hay bales and silt fencing at selected locations, the construction of sedimentation pools, and/or other action considered satisfactory by the Building Inspector, Superintendent of Public Works and/or City Engineer.
4. If soil erosion occurs on any construction site resulting in accumulation of sediment and other materials on any other property, the responsible City official shall advise by certified or registered mail (return receipt requested) the owner or his designated agent that there is a violation of this Ordinance and shall advise him to take corrective action. The responsible City official may also hand deliver the notice of violation to the owner or his designated agent. If corrective action is not taken within three (3) days following the

owner's receipt of notice of violation, each day following said period shall constitute a separate violation and be subject to the penalties imposed by this Ordinance.

5. Sediment or other materials accumulated as a result of any construction shall be cleaned up and removed at the expense of the owner or his designated agent. This provision shall apply to construction underway at the effective date of this Section as well as construction initiated on or after the effective date of this Ordinance. The property impacted by such construction shall be restored to its condition at the time prior to the damage at the expense of owner of the property being developed.

6. Any person who shall knowingly and willfully violate the terms, conditions or provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction therefore shall be sentenced to pay a fine not to exceed one hundred dollars (\$100.00), and in case of continuing violations without reasonable effort on the part of the defendant to correct same, each day the violation continues thereafter shall be a separate offense.

7. This Ordinance shall become effective 30 days from and after its adoption.

ORDAINED, ADOPTED AND APPROVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, at a meeting thereof held on the 7th day of May, 2002.

A Motion for adoption was made by Alderman Greer and seconded by Alderman Brantley and the foregoing Ordinance having been first reduced to writing, and no request being made by the Mayor or any member of the Board of Aldermen that the Ordinance be read by the City Clerk, before any vote was taken, it was submitted to the Board of Aldermen for the passage or rejection on roll call vote upon the vote being as follows, to-wit:

Alderman Brabham:	Yes
Alderman Hisaw:	Yes
Alderman Greer:	Yes
Alderman Brantley:	Yes
Alderman Fisher:	Yes
Alderman Touchton:	Yes
Alderman Lott:	Yes

Whereupon the Mayor declared the Motion carried and the Ordinance approved and adopted.

The foregoing Ordinance was approved this the 7th day of May, 2002.

CITY OF CLINTON, MISSISSIPPI

By: Rosemary J. Aultman
Rosemary Aultman, Mayor

ATTEST:

By: W. Wayne Derrick
W. WAYNE DERRICK, City Clerk

Prepared by:

Kenneth R. Dreher
KENNETH R. DREHER, P.A.
101-B Woodchase Park Drive
Clinton, MS 39056
Telephone: (601)924-1966

mw\Clinton\ordinance-erosion control
May 7, 2002\jbell

**ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF
THE CITY OF CLINTON, MISSISSIPPI, TO PREVENT, CONTROL
AND ESTABLISH RESPONSIBILITY FOR EROSION OF SEDIMENT,
DEBRIS AND OTHER MATERIALS FROM CONSTRUCTION
SITES TO ADJOINING PROPERTIES, SETTING PENALTIES
FOR VIOLATIONS AND FOR RELATED MATTERS**

1. This Ordinance may be referred to as the City of Clinton Erosion Control Ordinance.
2. The owner (or his designated agent) of any property upon which residential, commercial, or other types of development of any nature are proposed or are in progress following enactment of this Ordinance shall be responsible for taking necessary action to prevent erosion of the construction site and any resultant accumulation of sediment, debris or other materials upon property owned by the City of Clinton or any other person.
3. Such action or actions shall be carried out to the satisfaction of the Building Inspector (for all development other than subdivisions) or Superintendent of Public Works or City Engineer (for subdivisions). Said necessary action may consist of the distribution of hay upon the construction site after grading, the placement of sedimentation cloth or geotextile material on the construction site, the placement of hay bales and silt fencing at selected locations, the construction of sedimentation pools, and/or other action considered satisfactory by the Building Inspector, Superintendent of Public Works and/or City Engineer.
4. If soil erosion occurs on any construction site resulting in accumulation of sediment and other materials on any other property, the responsible City official shall advise by certified or registered mail (return receipt requested) the owner or his designated agent that there is a violation of this Ordinance and shall advise him to take corrective action. The responsible City official may also hand deliver the notice of violation to the owner or his designated agent. If corrective action is not taken within three (3) days following the

owner's receipt of notice of violation, each day following said period shall constitute a separate violation and be subject to the penalties imposed by this Ordinance.

5. Sediment or other materials accumulated as a result of any construction shall be cleaned up and removed at the expense of the owner or his designated agent. This provision shall apply to construction underway at the effective date of this Section as well as construction initiated on or after the effective date of this Ordinance. The property impacted by such construction shall be restored to its condition at the time prior to the damage at the expense of owner of the property being developed.

6. Any person who shall knowingly and willfully violate the terms, conditions or provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction therefore shall be sentenced to pay a fine not to exceed one hundred dollars (\$100.00), and in case of continuing violations without reasonable effort on the part of the defendant to correct same, each day the violation continues thereafter shall be a separate offense.

7. This Ordinance shall become effective 30 days from and after its adoption.

ORDAINED, ADOPTED AND APPROVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, at a meeting thereof held on the 7th day of May, 2002.

A Motion for adoption was made by Alderman Greer and seconded by Alderman Brantley and the foregoing Ordinance having been first reduced to writing, and no request being made by the Mayor or any member of the Board of Aldermen that the Ordinance be read by the City Clerk, before any vote was taken, it was submitted to the Board of Aldermen for the passage or rejection on roll call vote upon the vote being as follows, to-wit:

Alderman Brabham:	<u>yes</u>
Alderman Hisaw:	<u>yes</u>
Alderman Greer:	<u>yes</u>
Alderman Brantley:	<u>yes</u>
Alderman Fisher:	<u>yes</u>
Alderman Touchton:	<u>yes</u>
Alderman Lott:	<u>yes</u>

Whereupon the Mayor declared the Motion carried and the Ordinance approved and adopted.

The foregoing Ordinance was approved this the 7th day of May, 2002.

CITY OF CLINTON, MISSISSIPPI

By: _____
Rosemary Aultman, Mayor

ATTEST:

By: _____
W. WAYNE DERRICK, City Clerk

Prepared by:

Kenneth R. Dreher
KENNETH R. DREHER, P.A.
101-B Woodchase Park Drive
Clinton, MS 39056
Telephone: (601)924-1966

mw\Clinton\ordinance-erosion control
May 7, 2002\jbell



THOR GUARD Model L150

LIGHTNING PREDICTION SYSTEM



The **THOR GUARD Lightning Prediction System** scientifically predicts the probability of a lightning strike, **including the very first strike**, within a defined area of approximately five miles in diameter. Our goal is to provide adequate warning so customers may safely find appropriate shelter.

Thousands of hours have been invested in the evaluation of storm data to validate our sensing and prediction techniques. Rather than tracking actual lightning strikes like "detection" systems, **THOR GUARD** monitors and evaluates the changes and intensity of electrostatic energy associated with lightning activity.

Features

- Easy to Read Color Vacuum Fluorescent Display.
- "Field Collapse Count" indicator shows lightning discharges during storm activity.
- Unique "Activity Detector" displays projected time until resumption of safe operations.
- Instant Lightning Hazard Level (LHL) and Dynamic Index (DI) display during a storm.
- Three distinct warning levels of potential, electrical storm activity (Caution, Warning, Red Alert)
- Low, Medium & High levels of warning sensitivity range settings.
- Automatically self-tests itself every 24 hours (may also be manually tested).
- RS232 "Output" port to automatically interface with a DTN Weather Center.
- Automatically monitors the potential risk of a dangerous "Bolt out of the Blue" condition.
- Output for sending threat level data to off site, remote displays.
- Auto/Manual control to enable both monitored and unmonitored operations.
- Digital software control circuit that resets the system after power interruptions.
- RS422 "Output" for long range data transmission capability.
- 40 segment "Energy Level" LED Display to show instantaneous energy migrations.
- Volume-controlled internal audio alarm.
- Local Alarm power strip to activate a local strobe light or irrigation system.
- Interface for Voice of THOR external, multiple location RF alarm system.
- Airport Model (L150A) allows access to all alarm levels through internal relays.
- Output for real time interface with PC based "THOR PC" software.
- Automatic testing format for external alarm components.
- Secure operational settings are protected by security key access only.

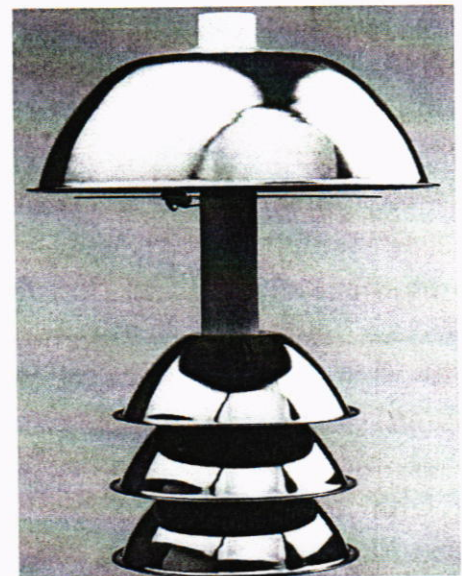
THOR GUARD Model L150

Specifications

Model:	L150
Power Requirements:	110 Volts (60 Hz) AC
Power Supply:	Wall Mounted, Grounded 120 VAC, 60 Hz Dimensions: 3.45" H x 2.68" W x 2.19" D Safety Requirements: UL, CSA, VDE Meets: FCC Part 15 Class B Power Cord: 6 Ft.
L150 Console:	Dimensions: 8.25" W x 9.25" D x 6.50" H Weight: 5.5 Lbs.
Hyperstatic Sensor:	Dimensions: 16" W x 30" H Weight: 7.5 Lbs.
Sensor Cable:	3/8" Double Shielded Triaxial With Teflon Core Standard Length: 125 Ft.



Rear Panel



Sensor

(Specifications subject to change without notice)

THOR GUARD, Inc. • 1193 Sawgrass Corporate Parkway, Sunrise, FL 33323
Tel (954) 835-0900 • (888) 571-1212 • Fax (954) 835-0808 • E-mail: sales@thorguard.com

FOR IMMEDIATE RELEASE:
EFFECTIVE 03/31/00

THOR GUARD ANNOUNCES NEW EXTENDED WARRANTY TERMS

TEN YEAR WARRANTY ON SOFTWARE TECHNOLOGY UPGRADES

For a period of ten (10) years from date of purchase of all THOR GUARD Lightning Prediction Systems, the company will automatically upgrade the microprocessor with any new development in lightning evaluation software. This warranty covers all THOR GUARD models - so the customer need never worry that existing equipment will become outdated or obsolete. The Company is committed to providing every customer with the optimum in lightning prediction technology. THOR GUARD is the only company in lightning warning to make this commitment.

FOUR YEAR WARRANTY ON LIGHTNING PREDICTION HARDWARE

THOR GUARD will cover failures due to defects in materials or workmanship, which occur during normal use of its lightning prediction computer for **four years** from date of purchase. This warranty covers console models L25, L50 and L150 and has been extended due to the enduring reliability and quality of all THOR GUARD products.

Due to variations in local environmental conditions we will continue to provide a two-year warranty on the Hyperstatic Sensor and Voice of THOR equipment. Non manufactured items such as batteries, solar panels and UPS units will continue to carry a one-year warranty.

NOVEMBER / DECEMBER 1997

Public Risk

Published by the Public Risk Management Association



In
the
Same
Boat

Environmental Teamwork

Lightning Prediction Saves Lives

BY STEVEN K. MEYER

A LITTLE MORE THAN ONE year ago, a tragic accident occurred on a soccer field at Northeast Park in the Park Ridge Recreation and Park District. After a short rain delay in the game, the skies started clearing and a referee decided to resume play. A rogue lightning bolt—some called it a “bolt out of the blue”—struck a young man named John Scott Wade. CPR and quick medical attention couldn't save him.

Four groups, the Park Ridge Recreation and Park District, Youth Baseball, Indian Scouts and the Park Ridge Rotary Club formed a committee in an effort to minimize lightening-related injuries. Research on available lightning detection and prediction systems led them to a system used at the Atlanta Olympic Games and on golf courses nationwide.

Citywide Protection

Committee members quickly concurred that the Thor Guard system was the best solution for Park Ridge. The system consists of sensors that measure electrostatic charges at ground level



Master Alarm Control (MAC)

and in the air. Lightning is created within the earth's invisible electrostatic atmosphere. The charges, which are invisible to the naked eye, always build prior to lightning occurrences. When conditions indicate that lightning is probable, a signal is sent to horns which sound an eight-to-12-minute warning to clear the area and seek shelter. Ninety-seven percent of the time when the alarm system is activated, lightning is visible within 15 to 30 minutes. Other times lightning is extremely probable. An all-clear signal announces when it's safe to return to the area.

Although the company had never taken on a project of this magnitude, Park Ridge agreed to be the first to test a citywide lightning prediction system

covering all parks, schools and playing fields.

Decisions and Dollars

Matters of zones, times of operation, testing, noise levels and installation procedures needed to be worked out. The special projects technician for the parks department became the district liaison and worked on coordinating installation.

Instant Benefits

One year after the deadly bolt struck John Scott Wade, the new system was installed and dedicated in his memory. Ironically, less than two hours after the dedication of the system, on June 20 of this year, the warning alarm was activated at Hinkley Park, interrupting organized baseball and volleyball games. Baseball officials and park district staff cleared the fields and courts as instructed. Ten minutes later, lightning struck the middle of the baseball diamond, knocking out a light pole and an irrigation system. One boy who cleared the baseball diamond said he felt the lightning from where he sought shelter.

Had the warning signal not been activated, had the system not been operational, would

Ninety-seven

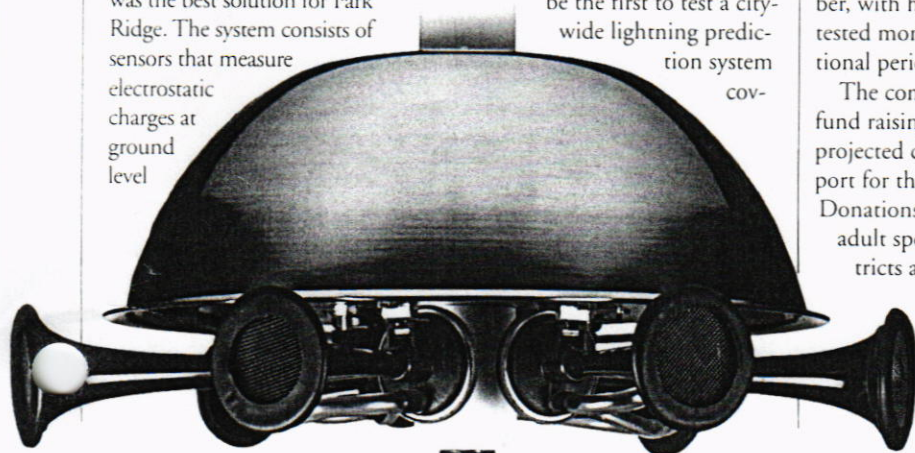
percent of the time when the alarm system is activated, lightning is visible within 15 to 30 minutes.

The system would cover 18 park and school sites in three zones. The committee decided the system should be operational from 8 a.m. to 11 p.m. on a daily basis from April to November, with horns and systems to be tested monthly during the operational period.

The committee also began fund raising efforts to cover the projected cost of \$55,000. Support for the system was citywide. Donations came from youth and adult sports teams, school districts and PTOs, service organizations, local hospitals, the United Way and the city itself.

there have been another tragic event? Three people were injured and one killed by lightning that night in the Chicago area. Thankfully, due to the foresight and planning of the committee and the generous donations from the community, no one in Park Ridge was injured. ♦

Steven K. Meyer is director of the Park Ridge Recreation and Park District in Park Ridge, Ill.



Remote horn cluster.

Recreation Management

BIG IDEAS FOR FACILITY MANAGERS

THE RISK FILE: LIGHTNING

RISK MANAGEMENT

Before Lightning Strikes

A look at an integrated lightning prediction and warning system

Jenny E. Beeh

Location: Northeast Park in Park Ridge, Ill.

Date: 1996

Re: A 20-year-old referee is struck and killed by lightning during a youth soccer game; others are injured.

Transcript: A rogue lightning bolt struck the college student 10 minutes after a storm had passed. At the time, the strike was described as "rogue" because weather experts indicated that such strikes were rare and not likely to reoccur.

Notes:

In the year after the man's death, the Park Ridge Park District installed lightning predictors throughout the city. The local Rotary Club, youth baseball league and Indian Guides groups raised the \$50,000 for the new system. While other U.S. parks and golf courses have similar equipment, Park Ridge was the first community in the country to establish a citywide prediction system.

"We were the first to have a multiple-site installation," says Bill Neumann, park district supervisor of development and operations in Park Ridge, a Chicago suburb with a population of about 36,000. The system has evolved since its installation in 1997. "We've gone through the engineering changes with the company," he says. Consisting of three base stations and 18 alarm locations units, Park Ridge's system was made by Thor Guard, Inc. in Sunrise, Fla.

"It senses the conditions that could produce lightning," says Jim Lange, park district director. "It works wonderfully. It's using technology to improve the quality of safety at the parks."

Unlike a detection system that detects lightning as it strikes—often too late to give much warning—Park Ridge's prediction system tracks storm activity, constantly monitoring for the potential for lightning. Using electronic sensors, it measures static electricity in the atmosphere. When conditions are prime for lightning, the device sounds a long, air-horn-like blast, giving people warning and allowing them to take cover. Flashing strobe lights remain on to alert someone who has just arrived on the scene or the hearing-impaired. Once conditions change, and the storm moves on, an all clear is signaled by three short blasts, and the lights turn off.

So far, the city has had good luck with the system.

"It's another tool for park users, and it shouldn't be a substitute for common sense," Neumann says. "We have to avoid complete dependence on a mechanical system—you still have to be aware. But if it's used properly, it can be a good thing. It's a wonderful invention, and it can only get better."

One innovation Park Ridge is hoping for is a central monitor that would allow supervisors to check all parts of the city from the main park office. Currently, they have no central way of finding out if an alert has sounded in another part of the city.

Earlier, on the evening of the system's dedication ceremony, exactly one year to the day of the 1996 tragedy, the new Thor Guard equipment sounded at one of the city's parks where youth baseball teams were warming up. Although there was no indication of severe weather, 10 minutes after the warning sounded and the fields had been cleared, lightning struck the field. Luckily, everyone had time to take cover, and no one was hurt. **RM**

For more information
Thor Guard: 888-571-1212

The Lightning Round

You really do have a better chance of being struck by lightning than winning the lottery—actually, a one in 250,000 to 400,000 chance in any given year in the United States.

A lightning strike may seem like an infrequent and random act, but in reality, lightning kills more Americans each year than tornadoes, floods and hurricanes combined.

On average, there are probably 1,500 to 2,000 thunderstorms active around the world at any moment, with an estimated 100 lightning occurrences every second, with about 25 strikes to the ground every second.

Of the 40 million lightning strikes per year in the United States, about 400 of those strikes hit people, killing half and seriously injuring the other half, though the statistics vary.

Outdoor recreation facilities account for the highest percentage of lightning fatalities. For most areas of the country, lightning probably hit the ground about 5,000 times in a year within a 10-mile area surrounding your facility. In Florida or Texas, the frequency is two to three times higher.

While highly variable, the average lightning strike has a peak current of about 30,000 amps. The core of a lightning bolt can reach an estimated 54,000 °F, six times hotter than the surface of the sun.

By holding an umbrella, standing under a tree, swinging a golf club or batting with an aluminum bat, you are turning yourself into a lightning rod.

Early detection systems can be key in preventing injuries and damage. With a warning system in place, staff members can be alerted to an approaching storm, dangerous areas can be cleared, and people can take cover.

THE GAME'S MOST WIDELY READ PUBLICATION

GOLF

M A G A Z I N E

MAY 2001

CLUBTEST 2001



NOW ON THE TEE

EMPLOYEE OF THE MONTH

Tour Weatherman Stewart Williams

As a Weather Channel meteorologist, I watch the skies for the PGA Tour wherever each week's event is being played. I arrive on Tuesday to set up before Wednesday's pro-am, and stay on-site each day from 6 a.m. until the final group signs its scorecard.

I'm usually hidden from view, sharing a construction trailer with the Tour's communications staff. With two laptops, one connected to satellite pictures, the other to the National Lightning Detection Network, and our Thorguard lightning prediction system [pictured], I can track weather disturbances nationwide. I anchor Thorguard to the roof of the trailer, and its sensors pick up electrical charges in the clouds and on the ground. The receiver tells me the chance of lightning within 12 miles, and the chance within two miles. As the percentages rise, I update Tour

officials. By the time there's an 80 percent chance of lightning within 12 miles, play has been suspended. The Tour gives people at least 30 minutes' notice before a storm hits to seek shelter.

So what do I do on clear, sunny days? I get out, walk around, and watch some golf. But I don't stray too far—just in case.



PGA TOUR GOLF COURSE PROPERTIES, INC.

A subsidiary of PGA TOUR, INC.
100 PGA TOUR Boulevard
Ponte Vedra Beach, FL 32082
Office: 904/285-3700



Peter S. Davison
Senior Vice President
Chief Operating Officer
Tournament Players Clubs
PGA TOUR Golf Course Properties, Inc.

Mr. Robert M. Dugan
THOR GUARD, INC.
1193 Sawgrass Parkway
Sunrise, FL 33323

Dear Bob:

In 1992, the Tournament Players Clubs wanted to provide timely and accurate lightning warning for all of our members, guests and employees throughout our national network. Based on our research and thoughtful consideration, we chose THOR GUARD.

We now have many years' experience with all of our properties utilizing THOR GUARD and Voice of THOR systems. Our professional golf staff is confident about not receiving surprise weather problems since THOR GUARD has consistently predicted lightning and been immune to false alerts. Your company's excellent service and THOR GUARD's reliable performance has added to the service we have been able to provide our facility visitors. THOR GUARD is a significant contributor to our daily operations at each and every TPC property.

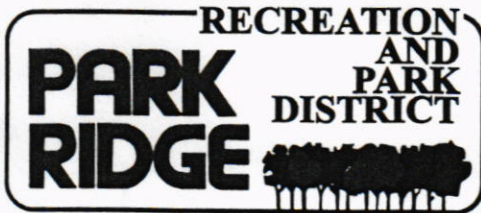
Bob, best wishes and continued good fortune to you and the THOR GUARD staff.

Sincerely yours,

Pete Davison

PSD/cad





2701 Sibley Avenue
Park Ridge, Illinois 60068
(847) 692-5127
Fax: (847) 318-6808

Mr. Robert Dugan
THOR GUARD, Inc.
1193 Sawgrass Corporate Parkway
Sunrise, FL 33323

Dear Bob:

As you know, a popular Park Ridge student and soccer referee was killed by a rogue lightning strike in 1996. The lightning struck Scott ten minutes after the storm had passed. At the time, the strike was described as "rogue" because weather experts indicated that such strikes were rare and not likely to reoccur.

The Park Ridge Park District researched the lightning warning product marketplace and decided to purchase THOR GUARD on the strength of your customers' success with the system.

The evening of our dedication ceremony, exactly one year to the day of Scott's tragic death, the Voice of THOR at Hinkley Field sounded with no indication of severe weather anywhere. As you and Chicago are now well aware, ten minutes after the warning sounded and the fields cleared, another rogue strike struck the field, a first strike from ten or more miles away. This time no one was injured! Had we not installed THOR GUARD, someone would have been killed or injured.

Park Ridge now has several years' use of THOR under its belt, and we are grateful to your very supportive customers for directing us to your company. Your personnel have been helpful every step of the way and our community is a safer place to live and play because THOR GUARD is a daily part of our lives.

Bob, again, thank you for playing an important role in our past, present and future.

Sincerely,

PARK RIDGE RECREATION AND PARK DISTRICT

Steven K. Meyer, Director

SKM:js

March 14, 2000

ThorGuard, Inc.
Mr. Robert M. Dugan, Executive V.P.
1193 Sawgrass Corporate Parkway
Sunrise, FL 33323

Re: Atlanta Committee for the Olympic Games – ThorGuard System

Dear Mr. Dugan:

I am writing this letter to confirm the use of your product during the 1996 Centennial Olympic Games in Atlanta, GA.

As you know, I served as the Manager of Safety and Loss Control for the Atlanta Committee for the Olympic Games (ACOG) for four years. Although there were other safety and health professionals, such as local authorities, who were involved with the Olympic Games, I was the only person in that capacity working directly for and employed by ACOG. I reported directly to the CFO and indirectly to the COO and Director of Venues. In the planning stages for the Olympics we were very concerned about lightning at our outdoor venues. While we were in direct contact with the National Weather Service, we wanted every opportunity for early warning since evacuation timing for the large crowds was a concern. There were times during test events that we were under storm and lightning conditions even though the National Weather Service showed no storms in our area. We purchased the ThorGuard system for all of our outdoor venues to supplement our risk management efforts. In fact, I do not know of any other vendor that was utilized for any safety and loss control products other than ThorGuard. I only heard positive comments from the venue managers on the use of the system at the venues. There are probably some things we would do differently if we were to hold the Olympic Games again tomorrow. However, I can assure you that the ThorGuard system would still be in place at the outdoor venues based on the feedback I received from the venue managers.

Please don't hesitate to give me a call if you require any more information relating to the use of the ThorGuard system at the 1996 Olympic Games.

Sincerely,



Barry Donnelly, P.E.

Former Manager of Safety and Loss Control - Atlanta Committee for the Olympic Games



MOBILE WEATHER TEAM, INC.

26243 SCHUCK RD.

WASHINGTON, IL 61571

(309) 444-7706

(309) 444-4841 FAX

November 24, 1998

Mr. Bob Dugan
Thor Guard, V.P. Marketing & Sales
1926 Prairie Square
Suite 213
Schaumburg, IL 60159-0340

Dear Mr. Dugan:

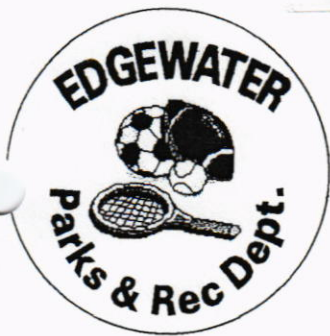
On behalf of my staff and me, I would like to thank Thor Guard and its staff for all the support over the years. The Mobile Weather Team started using Thor Guard in 1993 and have not found any other piece of equipment that even comes close to doing what Thor Guard can do.

As a meteorologist for 16 years, and owner/president of the Mobile Weather Team, it is my job to make sure my staff always uses the best meteorological equipment available. Thor Guard continues to meet our standards day after day, even amazing us on occasion with its ability to predict lightning accurately.

Our meteorologists use the L-100 Thor Guard approximately 12 hours a day, 6 days a week, 48 weeks a year at nearly 130 outdoor sporting events. We have used it in 35 states and 4 different countries with various types of terrain, creating a variety of atmospheric challenges for Thor Guard. It continues to meet every challenge and perform flawlessly. Congratulations again on a true lightning prediction system!

Sincerely,

Mike McClellan
President



City of Edgewater

Parks and Recreation

P.O. Box 100 Edgewater, FL 32132-0100

(904) 424-2485

Fax (904) 424-2416

Thor Guard, Inc.
1193 Sawgrass Corporate Parkway
Sunrise, FL 33323

To Whom It May Concern:

We here at the City of Edgewater Recreation Department are extremely satisfied with the way Thor Guard works and the support that your team has helped us setting things up.

We highly recommend any and all recreation departments to install this lightning system through all of their parks where outside sports take place!

We have now purchased two different Thor Guard systems and have them placed at both field locations. Every coach, parent and kid now understands just what to do should the alarm sound.

The system makes decisions on canceling games and practices easy!

Both locations for our systems are next to the two elementary schools in our town. The school staff has seen the video and both schools also use the alarms for outside safety.

Our state of Florida has lightning strikes two to three times higher than most other states and most storms are in the afternoon when sports programs are getting started.

No recreation department should be without a Thor Guard!

Respectfully,

City of Edgewater Recreation Department

**CITY OF CLINTON
REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN
TUESDAY, MAY 7, 2002 – 7:00 P.M.
MUNICIPAL COURTROOM - 305 MONROE STREET**

WELCOME AND CALL TO ORDER - Mayor Rosemary Aultman

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

The invocation was led by Alderman Greer followed by the Pledge of Allegiance to the Flag led by Alderman Brantley.

ROLL CALL - City Clerk Wayne Derrick

Present: Jehu Brabham - Alderman-At-Large
 Tony Hisaw - Alderman Ward 1
 Tony Greer - Alderman Ward 2
 Clint Brantley - Alderman Ward 3
 Phil Fisher - Alderman Ward 4
 Herb Touchton – Alderman Ward 5
 Sharbert Lott – Alderman Ward 6
 Ken Dreher - City Attorney

APPROVAL OF AGENDA ITEMS A-AA

MOTION made by Alderman Brantley and **SECONDED** by Alderman Brabham to approve Consent Agenda Items A-AA. **MOTION CARRIED UNANIMOUSLY**

PLANNING & ZONING:

APPROVAL OF RESOLUTION FOR CONDITIONAL USE OF SOUTHWEST CORNER OF INDUSTRIAL PARK DRIVE AND WEST NORTHSIDE DRIVE – TRANSPRO, INC.

Upon recommendation by Gary Ward, Zoning Administrator, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Brabham to approve the Resolution requesting conditional use for Transpro, Inc. for property located at Southwest corner of Industrial Park Drive and West Northside Drive, Clinton, Mississippi. A copy of the Resolution is attached. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF RESOLUTION CONCERNING THE UNKEMPT PROPERTY LOCATED AT LOT 315, MEADOW OAKS SUBDIVISION

Upon recommendation by Gary Ward, Zoning Administrator, **MOTION** made by Alderman Fisher and **SECONDED** by Alderman Brabham to approve the Resolution determining the necessity for the cleaning of private property located at Lot 315 Meadow Oaks Subdivision, Clinton, Mississippi, under the authority granted to municipalities by Section 21-19-11, Mississippi Code of 1972 as amended, and other applicable statues and ordinances. **MOTION CARRIED UNANIMOUSLY**

APPOINTMENT OF DANNY DEYOUNG TO PARKS AND RECREATION ADVISORY BOARD

Upon recommendation by Sharbert Lott, Alderman Ward 6, **MOTION** was made by Alderman Lott and **SECONDED** by Alderman Hisaw to approve the appointment of Danny DeYoung to the Parks and Recreation Advisory Board. This appointment begins on May 7, 2002 and ends on June 30, 2005. **MOTION CARRIED UNANIMOUSLY**

APPROVAL TO ADVERTISE FOR BIDS FOR TWO THERMAL IMAGERS

Upon recommendation by Darrell McQuirter, Fire Chief, **MOTION** was made by Alderman Touchton and **SECONDED** by Alderman Greer for the approval to advertise for bids for two thermal imagers. The cost of the imagers will be offset by a \$16,110.00 Federal grant, which has been received by the City. **MOTION CARRIED UNANIMOUSLY**

AMENDMENT TO THE ORDINANCE REGULATING THE SALE OF ALCOHOLIC BEVERAGES

Mike Chasion of the Mississippi Restaurant Association made a presentation to the Mayor and Board in support of an amendment to the current City ordinance dealing with the sale of beer and light wine.

Mr. Chasion outlined the importance of restaurants to the City as a source of jobs and taxes. He stated that due to the current ordinance, Clinton restaurants are losing business to nearby cities. Business development would increase by bringing additional national chains and independent operators if the ordinance was amended. The Mississippi Restaurant Association and its members support responsible service, responsible consumption and mandatory compliance and training.

The Mayor requested that the City Attorney review the proposed amendments for the Mayor and Board after which a **MOTION** was made by Alderman Fisher and **SECONDED** by Alderman Touchton to adopt the proposed Ordinance.

Alderman Brabham expressed his view that this was a difficult matter because there are different opinions on the effect of the proposed ordinance changes on the City and that he would have to vote "no" on this matter because of his accountability to the citizens of the City, his accountability to his family and his personal Christian training, faith and work.

Alderman Brantley conveyed that he would vote "no"; that when he ran for alderman in 1997, he made a commitment to his constituents that he would not support a change in the City's ordinance related to the sale of beer and light wine and that he was honoring his commitment to his Ward.

Alderman Lott declared that he would vote "no" on this issue because of his personal commitment to and support of Friends of Alcoholics.

Alderman Fisher reiterated that the proposed ordinance change was an effective way to improve the City and stressed the controls and regulations the City would have over the sale of beer and light wine. Sale would be restricted to restaurants, country clubs and golf courses and the Ordinance would avoid beer halls and juke joints.

The Mayor then called for a vote on the matter. **MOTION PREVAILED WITH FOUR VOTES FOR AND THREE VOTES AGAINST** Aldermen Hisaw, Greer, Fisher and Touchton voted "yes"; Aldermen Brabham, Brantley and Lott voted "no". A Copy of the Ordinance is attached.

APPROVAL OF JOHNSTON PLACE BUSINESS PARK RIGHT-OF-WAY

Upon recommendation by Richard Broome, City Engineer, **MOTION** made by Alderman Brabham and **SECONDED** by Alderman Lott to approve the right-of-way for the Johnston Place Business Park located North of Interstate 20 and East of Springridge Road, Clinton, Mississippi. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF NEW EROSION CONTROL ORDINANCE

Upon recommendation by Richard Broome, City Engineer, **MOTION** made by Alderman Greer and **SECONDED** by Alderman Brantley to approve the New Erosion Control Ordinance which prevents, controls, and establishes responsibility for erosion of sediment, debris and other materials from construction sites to adjoining properties and setting penalties for violations and related matters. A copy of the Ordinance is attached. **MOTION CARRIED UNANIMOUSLY**

APPROVE THE RESOLUTION TO APPLY FOR THE DRINKING WATER SYSTEMS IMPROVEMENT REVOLVING LOAN FUND

Upon recommendation by Richard Broome, City Engineer, **MOTION** made by Alderman Brantley and **SECONDED** by Alderman Touchton to approve the Resolution authorizing the Mayor to execute documents and agreements required in connection with the application for the drinking water systems improvement revolving loan fund program through the local governments and rural water systems improvements board and naming Rosemary Aultman as the authorized representative for the City of Clinton. A copy of the Resolution is attached. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF FINAL RESOLUTION ON CLINTON-RAYMOND ROAD/BANKS ROAD SEWER PROJECT SPECIAL ASSESSMENT

Upon recommendation by Richard Broome, City Engineer, **MOTION** made by Alderman Hisaw and **SECONDED** by Alderman Lott to approve the Final Resolution on Clinton-Raymond Road/Banks Road Sewer Project Special Assessment. A copy of the Resolution is attached. **MOTION CARRIED UNANIMOUSLY**

APPROVAL OF FINAL RESOLUTION ON HOBBY FARMS SEWER PROJECT SPECIAL ASSESSMENT

Upon recommendation by Richard Broome, City Engineer, **MOTION** made by Alderman Brantley and **SECONDED** by Alderman Brabham to approve the Final Resolution on Hobby Farms Sewer Project Special Assessment. A copy of the Resolution is attached. **MOTION CARRIED UNANIMOUSLY**

APPROVAL TO ADVERTISE FOR BIDS ON MAINTENANCE FACILITY TO BE BUILT AT TRACEWAY PARK

Upon recommendation by Michael Taggart, Parks & Recreation Director, **MOTION** made by Alderman Greer and **SECONDED** by Alderman Lott to approve the request to advertise for bids on maintenance facility to be built at Traceway Park. **MOTION CARRIED UNANIMOUSLY**

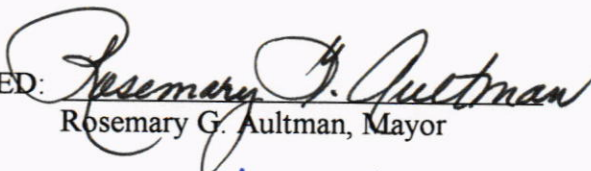
APPROVAL OF PURCHASE OF LIGHTING DETECTION DEVICE FROM THORGUARD

Upon recommendation by Michael Taggart, Parks & Recreation Director, **MOTION** made by Alderman Greer and **SECONDED** by Alderman Brantley to approve the purchase of a lightning detection device from Thorguard, the sole source, in the amount of \$11,525.00. **MOTION CARRIED UNANIMOUSLY**

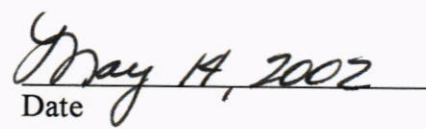
ADJOURN 8:00 P.M.

MOTION made by Alderman Brantley and **SECONDED** by Alderman Lott to adjourn. **MOTION CARRIED UNANIMOUSLY**

APPROVED:


Rosemary G. Aultman, Mayor

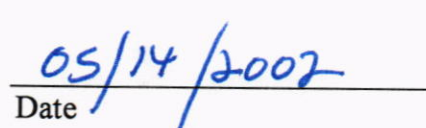
Date


May 14, 2002

ATTEST:


Wayne Derrick, City Clerk

Date


05/14/2002

SEAL:

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: May 7, 2002

Agenda Item No. 7

Consent Agenda:

To:

For:

Acct. No.

Introduced by:

Telephone:

Discussion/Action: Conditional Use
Southwest corner of Industrial Park Drive and W. Northside Drive
Transpro Inc.

Introduced by: Gary Ward

Telephone: 924-2256

Exhibits for Review:

Minutes _____

Ordinance _____

Resolution _____

Invoice _____

Plans, Maps _____

Contract _____

Other:

Letter from R. J. Williams,
Transpro, Inc. - Owner

Recommendation: Planning and Zoning Commission recommends approval.

Board Action:

Motion made by: Hisaw
Seconded by: Brubham

Vote Cast:

"Aye"

"Nay"

Action Taken:

Brubham

Hisaw

Greer

Brantley

Fisher

Touchton

Lott

Mayor Aultman

*Carol - Gary will bring a revised version
to you on Wednesday. Wayne*

Agenda items must be turned in to the City Clerk with all attachments no later than 5 P.M. on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.

BOARD APPROVED

Transpro, Inc.

**1205 Industrial Park Dr.
Clinton, MS 39056
601/924-4047**

**3003 Brick Church Pike
Nashville, TN 37207
877/316-7140**

April 15, 2002

Dear Sirs:

We would like to open by stating that we are glad to be a current part of a city as great as Clinton. We are excited about the future growth prospects and want to be an intricate part of that growth. In light of this, we are hoping to expand across the street from where we are now have a location. This property is located on the corners of Battery Drive, Northside Drive and Industrial Park Dr.

We are currently on the south corner of Industrial Park Dr. and Battery Dr. We have completely renovated the land by bringing it up to grade, adding gravel and clearing away debris that made the area unsightly. We are in the process of fencing this property to add a finished effect. Our current use of the property is multi-functional. We furnish offices for a Pest Control Service that employees approximately 25 employees, a Wire Rope division that employees 5 employees and a storage facility for semi-trailers which employees 15 employees. This storage facility for trailers is the proposed use for the property in question.

We wish to convert the property on the corners of Northside and Industrial Park Dr. to a similar storage facility. This storage facility simply houses these trailers until they go out on rent/lease which is usually for 1 to 5 years per lease, therefore eliminating the excess in and out traffic usually associated with trailers and trucks. Therefore, we are more than willing for it to remain zoned commercially with a request for conditional use.

At this time we only wish to clear and gravel the discussed property. A fence will be placed around the property and the entrance will be on the corner of Industrial Park Dr. and Battery Drive. We will also comply with all requirements for this conditional use as with buffering the side of the property along Northside Dr. to give a more pleasing appearance to the area from that side. In the future we will possibly construct a building to house additional offices. We will of course meet all requirements for this addition. Please find attached photos of the properties we now have at our other locations. These

BOARD APPROVED

buildings are attractive and modern. They add a professional, prosperous look to the area as well as improving the current job market. These locations are in Nashville, TN as well as Pearl, MS. We also have a location in Birmingham, AL that is built from the same plan as the facility in Nashville. This facility works well in almost any situation. It is versatile and attractive as well as functional.

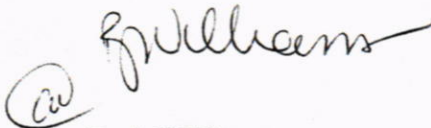
As you can note from enclosed photo copies of the proposed property, the land is now undeveloped and unimproved. It serves no purpose as it is, except as an unsightly entrance for an area that is trying to improve its appeal to business owners. We are interested in making the necessary improvements in this piece of property, therefore assisting the entire Industrial Park area toward their ultimate goal of a prosperous appearance. Signs of growth in this area will in turn draw attention to the area and increase business revenue for the City of Clinton. As land goes, this is a relatively small tract at 10 acres, but being located in an entrance area it is important to have an attractive appearance. The site that we are proposing will be buffered along Northside Drive as well as Industrial Park Dr. with trees and foliage that will have an appealing appearance as you enter the area and drive by.

We are also conscious of the safety factor, therefore the reasoning for putting an entrance closer to Battery Drive than to Northside Dr. With this facility being more of a storage type facility for trailers, the truck traffic will not increase noticeably. There are already trucking business all along the Industrial Park Drive and well as Northside Dr. We do not feel that our business will create any additional safety hazards.

In closing, we would like to thank you for your consideration in this matter. We feel that we can bring a lot to the City of Clinton from business revenue to addition employee opportunities. We look forward to growth and expansion in the City of Clinton.

Sincerely,

Transpro, Inc.

A handwritten signature in cursive script, appearing to read "R. J. Williams". To the left of the signature is a small, circular handwritten mark that looks like "CW".

R. J. Williams

**RESOLUTION APPROVING A CONDITIONAL USE FOR
TRANSPRO, INC. FOR PROPERTY LOCATED AT
SOUTHWEST CORNER OF INDUSTRIAL PARK DRIVE AND WEST NORTHSIDE
DRIVE, CLINTON, MISSISSIPPI**

WHEREAS, Transpro Inc., did file a request for a conditional use for the property located at the southwest corner of Industrial Park Drive and West Northside Drive to operate a truck leasing/sales business; and

WHEREAS, all notice requirements of the Zoning Ordinance of the City of Clinton were accomplished and a public hearing was held on April 23, 2002, as required; and,

WHEREAS, the Planning and Zoning Commission upon conclusion of the public hearing on April 23, 2002, adopted a motion to approve the request of Transpro, Inc. for a conditional use of the property located at southwest corner of Industrial Park Drive and West Northside Drive to operate a truck leasing/sales business and that the motion be forwarded to the next meeting of the Mayor and Board of Aldermen for their consideration.

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, have the final authority with regard to all matters involving the Zoning Ordinances; and

WHEREAS, the Mayor and Board of Aldermen are fully familiar with the request and the area involved in the request; and

BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Clinton, Mississippi that the request of Transpro, Inc. for a Conditional Use of the property located at southwest corner of Industrial Park Drive and West Northside Drive to operate a truck leasing/sales business and hereby granted and such action is taken pursuant to the findings of fact set out as follows:

1. The Mayor and Board of Aldermen of the City of Clinton, Mississippi, have the final authority with regard to all matters involving the Zoning Ordinance.
2. The recommendation of the Planning and Zoning Commission is advisory in nature.
3. The Mayor and Board of Aldermen have knowledge of the area involved and are aware of the need for the conditional use.

4. The requested designation meets the definitions of a Conditional Use of the Zoning Ordinance.
5. The Conditional-Use will promote the general welfare of the City of Clinton and will not adversely affect adjacent property. Future projects within the designation area will remain subject to the Zoning Ordinance and approval of site plans or other matter will allow the City to continue to monitor the area.
6. The Mayor and Board of Aldermen find that Section 402 of the Zoning Ordinances has been complied with and that the requirements of Section 2405.01 of the Zoning Ordinances are satisfied based upon the presentation of the applicants and the site plan presented to the Planning Commission and to the Mayor and Board of Aldermen.
7. The granting of this conditional-use does not relieve the requested from compliance with any applicable law, court order, covenants or contracts.
8. The granting of this conditional use is subject to the following conditions:
 - a. Trees and foliage shall be planted within thirty-one (31) days of completion of grade.
 - b. Ingress and egress to property shall be on Industrial Park Drive at Battery Drive. No access to or from the property shall be on W. Northside Drive.
 - c. No storage or transportation of hazardous materials on property.
 - d. No repairs of machinery other than trailers on property.
 - e. Presentation by Mr. Williams including letter and site plan made part of record filed with City Clerk.

The foregoing Resolution, having been reduced to writing, Alderman _____ moved that said Resolution be adopted. Alderman _____ seconded. The vote was as follows:

Alderman Brabham voted: _____

Alderman Hisaw voted: _____

Alderman Greer voted: _____

Alderman Brantley voted: _____

Alderman Fisher voted: _____

Alderman Touchton voted: _____

Alderman Lott voted: _____

Whereupon the Mayor declared the Motion carried and the ordinance approved and adopted.

The foregoing ordinance was approved this the 7th day of May, 2002.

CITY OF CLINTON

BY: _____
Rosemary Aultman, Mayor

ATTEST:

Wayne Derrick, City Clerk

(S E A L)

PLANNING AND ZONING COMMISSION

Clinton, Mississippi
Tuesday, April 23, 2002
Public Hearing - 7:00 P.M.
Municipal Courtroom
305 Monroe Street

Minutes

Present: Commission members Bill Campbell, Edward Taylor, Gayle Albritton, Kathy Peace, Bettye King, Janet Sherer and city officials Gary Ward (Zoning Administrator), and Ken Dreher (City Attorney).

I. Call to Order

Commission chairman Bill Campbell called the meeting to order at 7:00 p.m.

II. Consideration and approval of March 26, 2002 minutes

MOTION was made by Kathy Peace to accept the Minutes of the March 26, 2002 meeting. SECOND by Gayle Albritton. MOTION carried, none opposed.

III. Considerations from previous meetings

There were no considerations from previous meetings.

IV. New Considerations

1. **Transpro Inc. (Southwest corner of Industrial Park Drive and W. Northside Drive)**
 - a. Request for Conditional Use

Representatives present: R. J. Williams and Nancy Cahill

Gary Ward informed the Commission that R. J. Williams is requesting a conditional use of this parcel of land (approx. 10 acres) for expansion his trucking business. Mr. Williams currently owns the property that joins this parcel. This parcel is currently zoned C-2 and this type of business is allowed as a conditional use.

Mr. R. J. Williams, owner of Transpro, Inc, stated that he has offices in Nashville, TN Birmingham, AL and Pearl, MS as well as one in Clinton. He is planning on moving his Pearl office to Clinton but will need the extra storage and office space due to the rapid growth of his business. Transpro, Inc. is a semi-truck and trailer sales and leasing company. He will be storing empty trailers at this location. Mr. Williams plans to grade the area, build up the low areas then cover with gravel and put up a security fence around the property prior to any construction beginning. The Commission asked Mr. Williams to submit a grading plan and erosion control plan to engineering before he begins this land improvement.

Mr. Williams presented a letter and pictures documenting the plans and purposes of this land to the Zoning Administrator. This documentation was distributed to the Commission members prior to this meeting. (See Exhibit "A" attached)

It was also noted by Mr. Williams, that within 31 days of reaching the grade, foliage (ie Evergreen and Bradford Pear trees) would be planted for screening purposes on the Northside Drive side.

The City of Clinton Zoning Ordinance Section 2405.01 *Requirements for Granting a Special Exception or Conditional Use Permit* states that the following criteria must be addressed: Ingress and Egress; parking, refuse and service areas, utilities, screening, required yards and other open space, and compatibility with adjacent properties. All these issues have been addressed in the packet of information distributed to the members. (See Exhibit "A")

Janet Sherer inquired as to whether or not a wood fence would be installed on the Northside Drive side of the property. Mr. Williams replied that he is proposing a cyclone fence around the property with a single gate for ingress and egress on Battery Drive and cedar and bradford pear trees on the Northside Drive side for buffer/screening purposes.

Bettye King asked if there would be only one entrance to the property and Mr. Williams replied there would be only one entrance to the property and this would be on Battery Drive.

A public hearing was held.

Mr. Potter, 104 San Carlos Drive in Northside Estates, stated that he and other members of the community had voiced their concerns to the Mayor and Board of Aldermen at their last meeting. However, since that time, Mr. Williams has met with them and all their concerns have been resolved and they are no longer opposed as long as Mr. Williams upholds the following conditions that were agreed upon:

- 1) Trees and foliage to be done within 31 days of completion of grade
- 2) Only entrance on Battery Drive
- 3) No transportation of hazardous materials
- 4) No repair of machinery other than trailers/semi-trucks
- 5) Presentation part of record

A MOTION was made by Janet Sherer to recommend to the Mayor and Board of Aldermen to approve the request for a conditional use of the property the southwest corner of Industrial Park Drive and W. Northside Drive contingent upon meeting the conditions as stated in Mr. R. J. Williams presentation packet. Bettye King amended motion to include no transportation of hazardous materials and no repair of machinery other than trailer/semi-trucks on this site. SECOND by Kathy Peace. MOTION carried unanimously, none opposed.

V. Other Business

There were no other business items to be discussed.

VI. Confirmation of next meeting

Confirmation of the next Planning and Zoning Commission Meeting to be held on May 28, 2002 at 7:00 P.M. with the Informational Meeting set for 6:30 P.M.

VII. Adjournment

MOTION to adjourn was made by Edward Taylor. SECOND by Gayle Albritton. MOTION carried unanimously, none opposed.

Transpro, Inc.

**1205 Industrial Park Dr.
Clinton, MS 39056
601/924-4047**

**3003 Brick Church Pike
Nashville, TN 37207
877/316-7140**

April 15, 2002

Dear Sirs:

We would like to open by stating that we are glad to be a current part of a city as great as Clinton. We are excited about the future growth prospects and want to be an intricate part of that growth. In light of this, we are hoping to expand across the street from where we are now have a location. This property is located on the corners of Battery Drive, Northside Drive and Industrial Park Dr.

We are currently on the south corner of Industrial Park Dr. and Battery Dr. We have completely renovated the land by bringing it up to grade, adding gravel and clearing away debris that made the area unsightly. We are in the process of fencing this property to add a finished effect. Our current use of the property is multi-functional. We furnish offices for a Pest Control Service that employees approximately 25 employees, a Wire Rope division that employees 5 employees and a storage facility for semi-trailers which employees 15 employees. This storage facility for trailers is the proposed use for the property in question.

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buildings are attractive and modern. They add a professional, prosperous look to the area as well as improving the current job market. These locations are in Nashville, TN as well as Pearl, MS. We also have a location in Birmingham, AL that is built from the same plan as the facility in Nashville. This facility works well in almost any situation. It is versatile and attractive as well as functional.

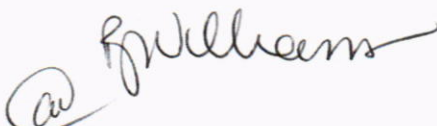
As you can note from enclosed photo copies of the proposed property, the land is now undeveloped and unimproved. It serves no purpose as it is, except as an unsightly entrance for an area that is trying to improve its appeal to business owners. We are interested in making the necessary improvements in this piece of property, therefore assisting the entire Industrial Park area toward their ultimate goal of a prosperous appearance. Signs of growth in this area will in turn draw attention to the area and increase business revenue for the City of Clinton. As land goes, this is a relatively small tract at 10 acres, but being located in an entrance area it is important to have an attractive appearance. The site that we are proposing will be buffered along Northside Drive as well as Industrial Park Dr. with trees and foliage that will have an appealing appearance as you enter the area and drive by.

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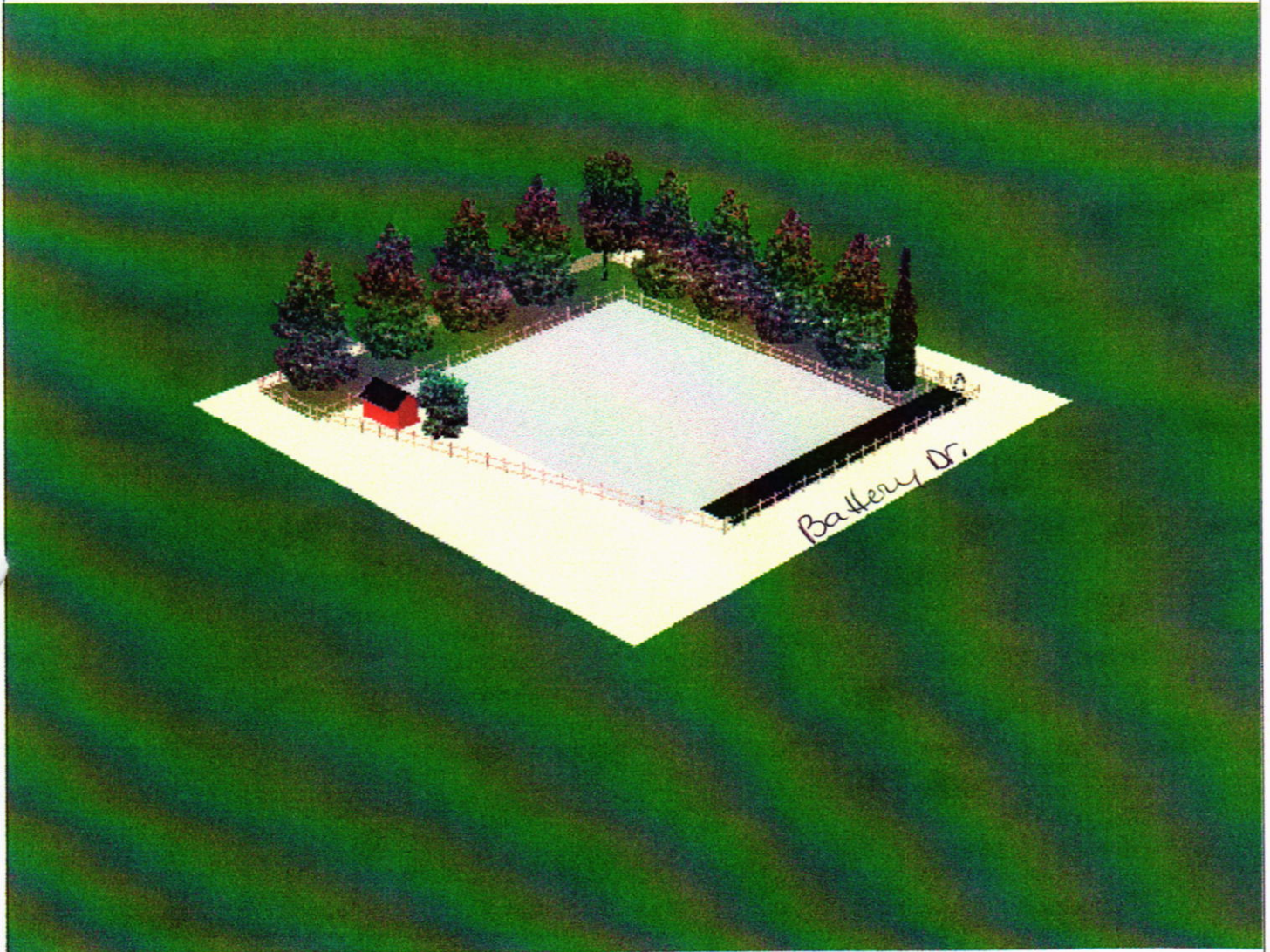
In closing, we would like to thank you for your consideration in this matter. We feel that we can bring a lot to the City of Clinton from business revenue to addition employee opportunities. We look forward to growth and expansion in the City of Clinton.

Sincerely,

Transpro, Inc.

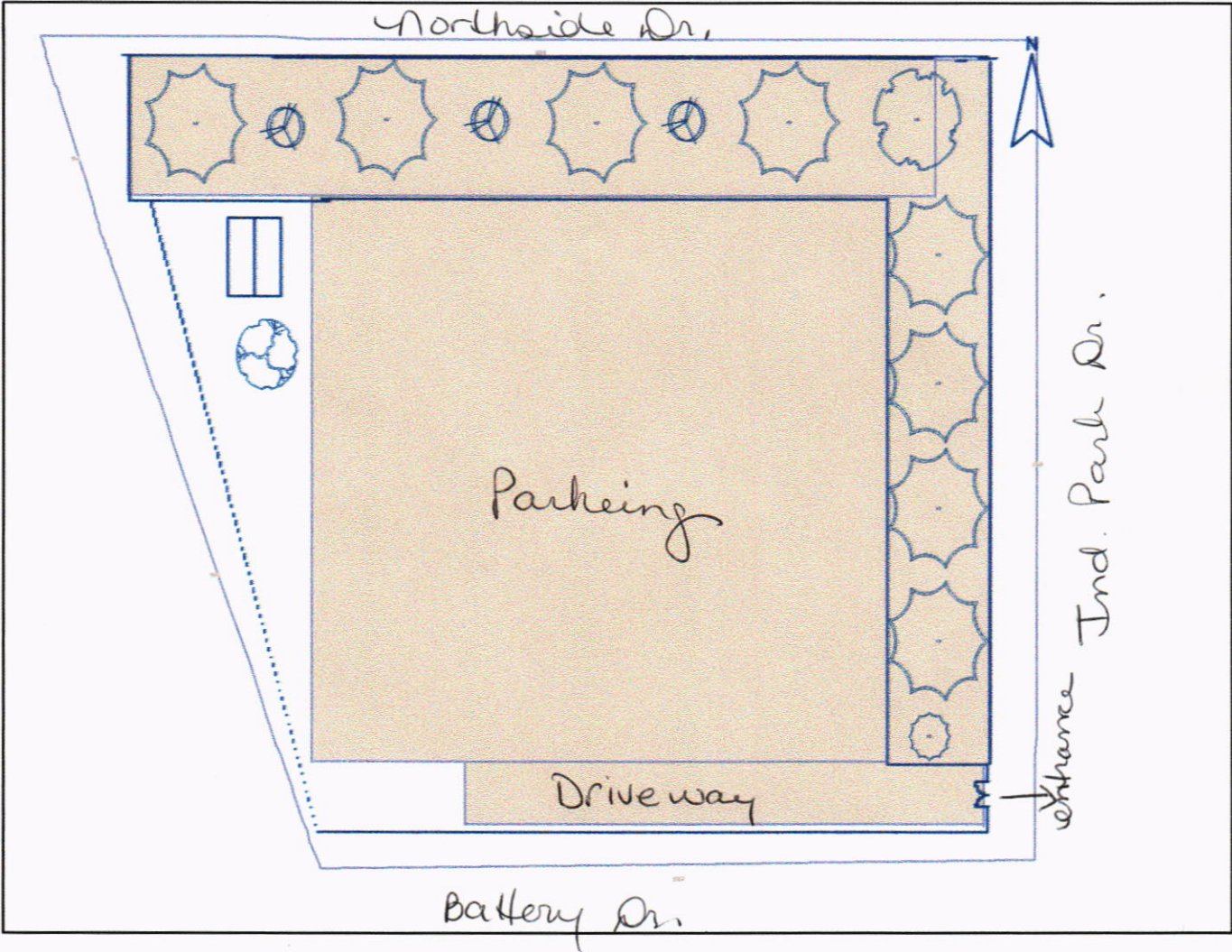
A handwritten signature in cursive script, appearing to read "R. J. Williams". To the left of the signature is a small, circular handwritten mark that looks like the letters "aw".

R. J. Williams



Transpro, Inc.





CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: May 7, 2002

Agenda Item No. 8

Consent Agenda: For: Acct. No. Introduced by:	To: Telephone:
--	---

Discussion/Action: Unkempt Property Lot 315 Meadow Oaks Subdivision Susie Buie	
Introduced by: Gary Ward	Telephone: 924-2256

Exhibits for Review:			
Minutes _____ Ordinance _____ Resolution _____	Invoice _____ Plans, Maps _____ Contract _____		Other:

Recommendation:

Board Action:	Motion made by: <u>Fisher</u> Seconded by: <u>Brabham</u>	
Vote Cast:	“Aye” “Nay” Action Taken:	
Brabham	_____	_____
Hisaw	_____	_____
Greer	_____	_____
Brantley	_____	_____
Fisher	_____	_____
Touchton	_____	_____
Lott	_____	_____
Mayor Aultman	_____	_____

RESOLUTION

There came on for public hearing before the Mayor and Board of Aldermen of the City of Clinton, Mississippi, the matter of unclean property located at Lot 315 Meadow Oaks Subdivision, Clinton, Mississippi, and after full consideration of the matter, Alderman _____ offered the following Resolution:

**RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF CLINTON, MISSISSIPPI, DETERMINING
THE NECESSITY FOR THE CLEANING OF PRIVATE PROPERTY LOCATED
AT LOT 315 MEADOW OAKS SUBDIVISION, CLINTON, MISSISSIPPI,
UNDER THE AUTHORITY GRANTED TO MUNICIPALITIES BY
SECTION 21-19-11, MISSISSIPPI CODE OF 1972 AS AMENDED, AND
OTHER APPLICABLE STATUTES AND ORDINANCES.**

WHEREAS, it has come to the attention of the Mayor and Board of Aldermen that the property located at Lot 315 Meadow Oaks Subdivision, Clinton, Mississippi, may constitute a menace to the public health and safety of the community because of its present condition and state of uncleanness; and

WHEREAS, notice was given to the owner of said property as required Section 21-19-11 of the Miss. Code of 1972, as amended, of a public hearing on this matter; and

WHEREAS, a public hearing was held at 7:00 p.m., May 6, 2002, at the Municipal Room of the Public Safety Complex, 305 Monroe Street, Clinton, Mississippi; and

WHEREAS, based upon the information and evidence provided at said public hearing, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, has determined that this property, in its present condition and state of uncleanness, constitutes a menace to the public health and safety of the community and does adjudicate said property in its present condition to be a menace to the public health and safety of the community. The Director of the Public Works Department is directed to take such action as appropriate under Section 21-19-11 of the Miss. Code of 1972, as amended, and other applicable statutes and ordinances, to use municipal employees or, by contract, clean the property by cutting weeds, removing rubbish and dilapidated buildings and other debris.

NOW BE IT RESOLVED, by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, as follows:

1. It is hereby adjudicated that the property located at Lot 315 Meadow Oaks Subdivision, Clinton, Mississippi, in its present condition, constitutes to the public health and safety of the community.
2. The Director of Public Works is hereby directed to take such action as appropriate under Section 21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances, to clean the property by cutting

weeds, removing rubbish and dilapidated buildings and debris.

3. The Director of Public Works is hereby directed that upon completion of this cleaning that he advise the Mayor and Board of Aldermen of the City of Clinton, Mississippi, of the actual costs incurred in cleaning the property so that the Mayor and Board of Aldermen for the city of Clinton, Mississippi may adjudicate the costs of such action and impose such penalty as it adjudicates, all as provided by under Section 21-19-11, Miss. Code of 1972, as amended, and other applicable statutes and ordinances.

A Motion for adoption was seconded by Alderman _____ and the foregoing having been first reduced to writing, and no request by the Mayor or any member of the Board of Aldermen that it be read by the City Clerk, before the vote was taken, it was submitted to the Board of Alderman for the passage or rejection on roll call vote upon the vote being as follows, to-wit:

Alderman Brabham voted: _____

Alderman Hisaw voted: _____

Alderman Greer voted: _____

Alderman Brantley voted: _____

Alderman Fisher voted: _____

Alderman Touchton voted: _____

Alderman Lott voted: _____

Whereupon the Mayor declared the Motion carried and the Resolution approved and adopted.

The foregoing Resolution was approved this the 7th day of May 2002.

CITY OF CLINTON

BY: _____
ROSEMARY AULTMAN, Mayor

ATTEST:

WAYNE DERRICK, City Clerk

(S E A L)

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: May 7, 2002

Agenda Item No. 9

Consent Agenda: For:	To:
Account No.	

Discussion/Action: Danny DeYoung, Ward 6 Representative - Appointment to P & R Advisory Board	
June 30, 2005	
Introduced by: Sharbert Lott, Alderman Ward 6	Telephone No.

Exhibits for Review:

Minutes: _____	Invoice: _____	Other: _____
Ordinance: _____	Plans, Maps: _____	_____
Resolution: _____	Contract: _____	_____

Recommendation:

Board Action:

Motion made by: Lott
Seconded by: Hisaw

<u>Vote Cast:</u>	<u>"Aye":</u>	<u>"Nay":</u>	<u>Action Taken:</u>
Brabham	_____	_____	_____
Hisaw	_____	_____	_____
Greer	_____	_____	_____
Brantley	_____	_____	_____
Fisher	_____	_____	_____
Touchton	_____	_____	_____
Lott	_____	_____	_____
Mayor Aultman	_____	_____	_____

Agenda items must be turned in to the City Clerk with all attachments no later than 5 PM on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.

Danny DeYoung
207 Kitchings Drive
Clinton, MS 39056
924-9733
DOB 12/21/66

Born and raised in Clinton. Attended Clinton Public Schools 1st grade through High School. Attended Dordt College, Sioux Center, IA. And graduated from Louisiana Tech University with a B.S degree in Health and Physical Education.

Employed fulltime with the Jackson Metropolitan YMCA since 1990, serving in various positions including Sports Director, Fitness Director, Aquatics Director and Branch Director.

Married to Paula Barlow DeYoung for 14 years. Three children, Garrett 9, Callen 6, and Tanner 2. Family actively involved at Wildwood Baptist Church.

Involved with Clinton's Noon Rotary Club, sport's coach at the YMCA, past deacon at Willows Baptist Church, Sunday School and RA teacher.

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: May 7, 2002

Agenda Item No. 10

Consent Agenda:

To:

For:

Account:

Circle: Low quote, Sole Source, Emergency, etc. if applicable.

Discussion/Action: Board approval to go out for bid for two thermal imagers. This is being supplemented by a \$16,110 federal grant that we have already received.

Introduced by:


Chief Darrel McQuirter

Telephone: 925-1010

Exhibits for Review:

Minutes: _____

Invoice: _____

Other: _____

Ordinance: _____

Plans, Maps: _____

Resolution: _____

Contract: _____

Recommendation:

Board Action:

Motion made by: _____

Seconded by: _____

Touchton
Greer

Vote Cast:

"Aye":

"Nay":

Action Taken:

Brabham

Hisaw

Greer

Brantley

Fisher

Touchton

Lott

Mayor Aultman

Agenda items must be turned in to the City Clerk with all attachments no later than 5 P.M. on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: May 7, 2002

Agenda Item No. 11

Consent Agenda:
For:

To:

Account No.

Discussion/Action: Amendment to the ordinance regulating the sale of alcoholic beverages.

Introduced by: Mike Chasion, Mississippi Restaurant Assoc. Telephone No.

Exhibits for Review:

Minutes: _____

Invoice: _____

Other: _____

Ordinance: _____

Plans, Maps: _____

Resolution: _____

Contract: _____

Recommendation:

Board Action:

Motion made by: Fisher

Seconded by: Touchton

Vote Cast:

For:

Abstain:

Action Taken:

Brabham

no

Hisaw

yes

Greer

yes

Brantley

no

Fisher

yes

Touchton

yes

Lott

no

Mayor Aultman

Agenda items must be turned in to the City Clerk with all attachments no later than 5 P.M. on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: May 7, 2002

Agenda Item No. 12

Consent Agenda: For:	To:
Account No.	

Discussion/Action: Approval of Johnston Place Business Park Right-of -Way	
Introduced by: Richard Broome	Telephone No. 924-5462

Exhibits for Review:

Minutes: _____	Invoice: _____	Other: <u>Plat</u>
Ordinance: _____	Plans, Maps: _____	_____
Resolution: _____	Contract: _____	_____

Recommendation:

Board Action: Motion made by: Brabham
Seconded by: Lott

<u>Vote Cast:</u>	<u>"Aye":</u>	<u>"Nay":</u>	<u>Action Taken:</u>
Brabham	_____	_____	_____
Hisaw	_____	_____	_____
Greer	_____	_____	_____
Brantley	_____	_____	_____
Fisher	_____	_____	_____
Touchton	_____	_____	_____
Lott	_____	_____	_____
Mayor Aultman	_____	_____	_____

Agenda items must be turned in to the City Clerk with all attachments no later than 5 P.M. on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.

BOARD APPROVED



WILLIFORD, GEARHART & KNIGHT, INC.
ENGINEERS & SURVEYORS

PRINCIPALS
Charles H. Williford, P.E., P.L.S.
Gregory A. Gearhart, P.E.
Jeffery T. Knight, P.E.
Billy W. Owen, P.E.
Michael K. McKenzie, P.E.

May 1, 2002

Bert Kuyrkendall, P.E.
City of Clinton
P.O. Box 156
Clinton, Mississippi 39056

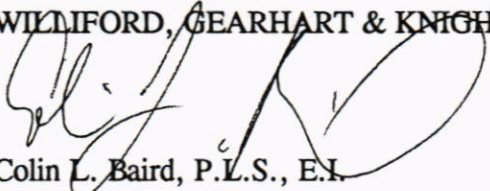
Re: Johnston Place
Right-of-Way Plat
Clinton, Mississippi

Dear Mr. Kuyrkendall:

Attached is a copy of the final Right-of-Way plat of Johnston Place which is located North of Interstate 20 and East of Springridge Road. All changes were made as per your previous request and our conversation of last week. Please review, comment and add to the agenda of the City of Clinton Board of Alderman for their review and acceptance.

Sincerely,

WILLIFORD, GEARHART & KNIGHT, INC.

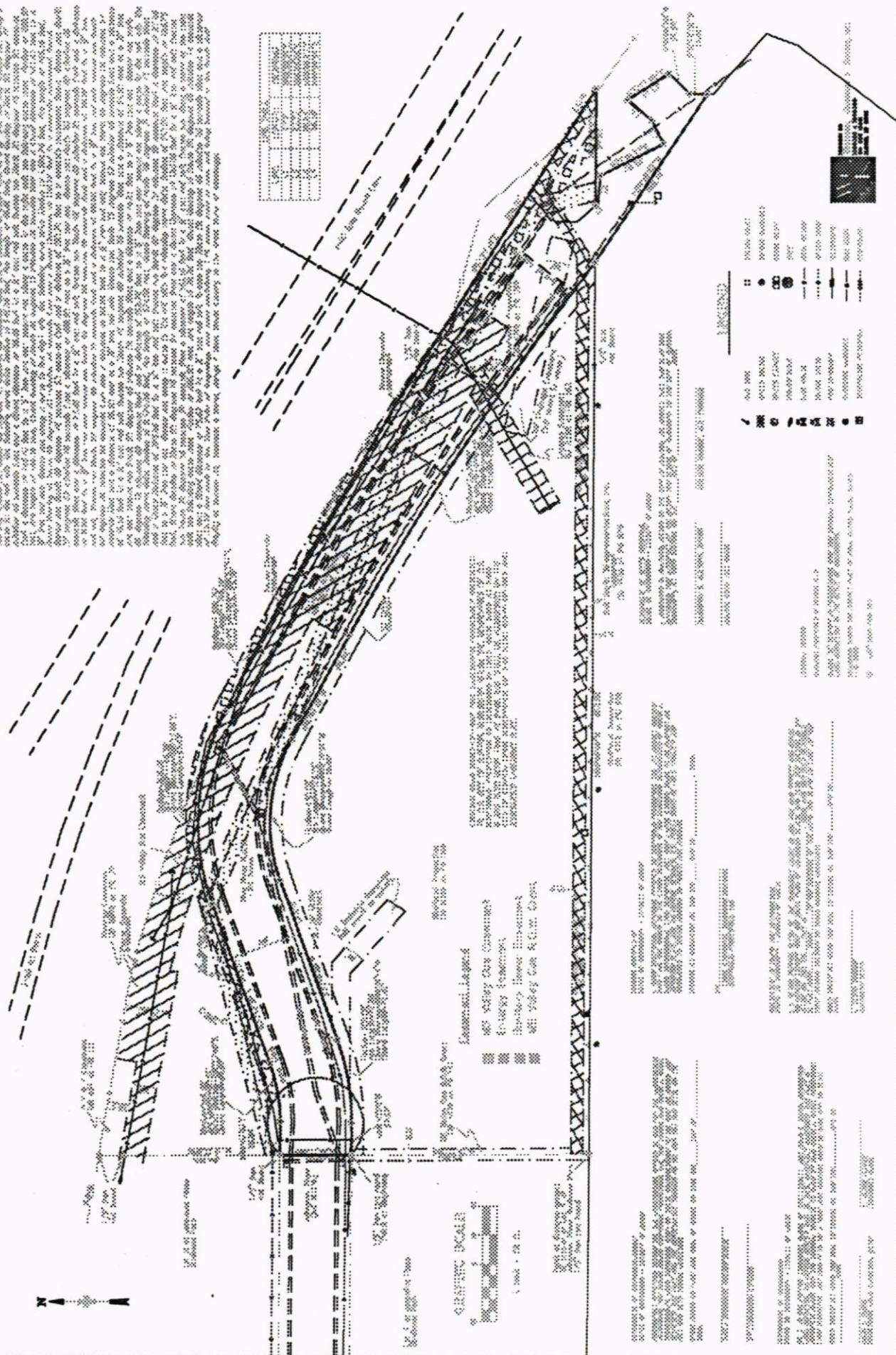


Colin L. Baird, P.L.S., E.I.
Professional Land Surveyor
Engineer

CC: Chris Stefferud

JOHNSTON PLACE

SITUATED IN THE NORTH 1/2 OF SECTION 36, TOWNSHIP 8 NORTH, RANGE 1 WEST,
CITY OF CLAYTON, HENNE COUNTY, MINNESOTA



BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: May 7, 2002

Agenda Item No. 13

Consent Agenda: For:	To:
Account No.	

Discussion/Action: New Erosion Control Ordinance	
Introduced by: Richard Broome	Telephone No. 924-5462

Exhibits for Review:

Minutes: _____	Invoice: _____	Other: _____
Ordinance: _____	Plans, Maps: _____	_____
Resolution: _____	Contract: _____	_____

Recommendation:

Board Action:

Motion made by: Greer
Seconded by: Brantley

<u>Vote Cast:</u>	<u>"Aye":</u>	<u>"Nay":</u>	<u>Action Taken:</u>
Brabham	☒	☐	_____
Hisaw	☒	☐	_____
Greer	☒	☐	_____
Brantley	☒	☐	_____
Fisher	☒	☐	_____
Touchton	☒	☐	_____
Lott	☒	☐	_____
Mayor Aultman	☐	☐	_____

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CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: May 7, 2002

Agenda Item No. 14

Consent Agenda: For:	To:
Account No.	

Discussion/Action: Resolution to apply for the drinking water systems improvement revolving loan fund.

Introduced by: Richard Broome

Telephone No. 924-5462

Exhibits for Review:

Minutes: _____
Ordinance: _____
Resolution: X

Invoice: _____
Plans, Maps: _____
Contract: _____

Other: transmittal letter

Recommendation:

Board Action:

Motion made by: Brantley
Seconded by: Touchton

<u>Vote Cast:</u>	<u>"Aye":</u>	<u>"Nay":</u>	<u>Action Taken:</u>
Brabham	<u>/</u>	_____	_____
Hisaw	<u>/</u>	_____	_____
Greer	<u>/</u>	_____	_____
Brantley	<u>/</u>	_____	_____
Fisher	<u>/</u>	_____	_____
Touchton	<u>/</u>	_____	_____
Lott	<u>/</u>	_____	_____
Mayor Aultman	_____	_____	_____

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WILLIFORD, GEARHART & KNIGHT, INC. .
ENGINEERS & SURVEYORS

PRINCIPALS
Charles H. Williford, P.E., P.L.S.
Gregory A. Gearhart, P.E.
Jeffery T. Knight, P.E.
Billy W. Owen, P.E.
Michael K. McKenzie, P.E.

LETTER OF TRANSMITTAL

BOARD APPROVED

TO: RICHARD BROOME, P.E.

RE: CITY OF CLINTON
2002 SRF WATER IMPROVEMENTS

WGK No.:01-249

DATE: May 1, 2002
[X] ATTACHED ARE THE FOLLOWING ITEMS:

[] UNDER SEPARATE COVER WE ARE SENDING YOU THE FOLLOWING ITEMS:

	Shop Drawings		Prints		Plans		Samples
	Specifications		Copy of Letter		Change Order		Other.
COPIES	DATE	NO.	DESCRIPTION				
1	5/1/02		RESOLUTION TO APPLY FOR SRF LOAN				

THESE ARE TRANSMITTED as checked below:

	For approval		Approved as submitted		Resubmit _____ copies for distribution
X	For your use		Approved as noted		RETURN _____ REVISED PRINTS/COPIES
	As requested		Returned for correction		
	For review and comment		Resubmit copies for approval		

COMMENTS: PER OUR CONVERSATION, PLEASE PLACE ON AGENDA FOR MAY 7TH BOARD MEETING. THANKS

Copies: File

SIGNED: GREG GEARHART

BOARD APPROVED

7. PROJECT COST BREAKDOWN			
ITEM	TOTAL PROJECT COST	LOAN ELIG- IBLE COST*	LOAN AMOUNT REQUESTED
Construction	\$ 880,760	\$ 880,760	\$ 880,760
Equipment	\$ 200,000	\$ 200,000	\$ 200,000
Supplies	\$ 0	\$ 0	\$ 0
Testing	\$ 0	\$ 0	\$ 0
Contingency	\$ 108,076	\$ 108,076	\$ 108,076
Land, Easements, Rights-of-Way	\$ 0	\$ 0	\$ 0
Allowance for Facilities Planning & Design	\$ 91,723	\$ 91,723	\$ 91,723
Allowance for Professional Services After Loan Award	\$ 105,840	\$ 105,840	\$ 105,840
Subtotal	\$1,386,399	\$1,386,399	\$1,386,399
DWSIRLF Administrative Fee	\$	\$	\$ 69,320
Total	\$	\$	\$1,445,719

*Do not include costs that have been, or will be, also requested or received from other State or Federal agency funding sources.

8. PROJECT FUNDING SOURCES	
FUNDING SOURCE	AMOUNT
DWSIRLF Loan	\$1,445,719
CDBG Grant	\$
RUS Loan	\$
RUS Grant	\$
ARC Grant	\$
Bond Issue	\$
Local Funds (Specify)	\$
Other (Specify)	\$
	\$
Total	\$1,445,719

BOARD APPROVED

EXHIBIT VIII-W1. OPINION OF PROBABLE CONSTRUCTION COST
FOR WATER WELL AND DISTRIBUTION SYSTEM IMPROVEMENTS
2001 SRF WATER IMPROVEMENTS FACILITIES PLAN
CITY OF CLINTON, MISSISSIPPI
SEPTEMBER 2001

ITEM	DESCRIPTION	QTY.	UNIT	UNIT COST	TOTAL COST
1	24" CASING BORE AND JACK	400	L.F.	170.00	\$68,000
2	18" CASING BORE AND JACK	150	L.F.	130.00	\$19,500
3	16" D.I.P. WATER MAIN	550	L.F.	35.00	\$19,250
4	12" C900 WATER MAIN	5950	L.F.	18.00	\$107,100
5	CONNECTION TO EXISTING	5	EA.	3,500.00	\$17,500
6	16" BUTTERFLY VALVE WITH BOX	2	EA.	2,500.00	\$5,000
7	8" GATE VALVE WITH BOX	5	EA.	750.00	\$3,750
8	12" GATE VALVE WITH BOX	6	EA.	1,200.00	\$7,200
9	16" X 8" CROSS	1	EA.	1,200.00	\$1,200
10	16" X 16" CROSS	1	EA.	1,750.00	\$1,750
11	16" X 12" REDUCER	1	EA.	600.00	\$600
12	12" X 8" REDUCER	2	EA.	350.00	\$700
13	16" PLUG	3	EA.	400.00	\$1,200
14	12" X 12" TEE	2	EA.	1,000.00	\$2,000
15	8" X 8" TEE	1	EA.	500.00	\$500
16	12" SLEEVE	1	EA.	400.00	\$400
17	1,000 GPM WATER WELL TO INCLUDE TWO TEST WELLS, CHLORINATION AND FLUORIDATION EQUIPMENT, HOUSING DISCHARGE PIPING, AND SITE WORK	1	L.S.	600,000.00	\$600,000
18	SCADA SYTEM	1	L.S.	225,110.00	\$225,110
OPINION OF PROBABLE CONSTRUCITON COST					<u>\$1,080,760</u>
CONTINGENCIES @ 10%					\$108,076
DESIGN ENGINEERING @ 8.4869%					\$91,723
CONSTRUCTION ENGINEERING @ 9.7931%					\$105,840
SUB-TOTAL					<u>\$1,386,399</u>
OPC ADMINISTRATION @ 5%					\$69,320
OPINION OF TOTAL DEVELOPMENT COSTS					<u>\$1,455,719</u>

BOARD APPROVED

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THOSE DOCUMENTS AND AGREEMENTS REQUIRED IN CONNECTION WITH THE APPLICATION FOR THE DRINKING WATER SYSTEMS IMPROVEMENTS REVOLVING LOAN FUND PROGRAM THROUGH THE LOCAL GOVERNMENTS AND RURAL WATER SYSTEMS IMPROVEMENTS BOARD AND NAMING ROSEMARY AULTMAN AS THE AUTHORIZED REPRESENTATIVE FOR THE CITY OF CLINTON.

WHEREAS, the CITY OF CLINTON is making application for a Drinking Water Systems Improvements Revolving Loan Fund (DWSIRLF) loan from the Local Governments and Rural Water Systems Improvements Board; and

WHEREAS, in order to apply for such a loan, the CITY OF CLINTON must submit a DSWIRLF Loan application package in compliance with DWSIRLF Program Regulations; and

WHEREAS, such regulations require that the CITY OF CLINTON provide as part of such package a certified copy of a resolution which authorizes submission of the application and which designates an authorized representative to execute the application and to be the authorized representative for the project;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF CLINTON:

SECTION 1: That the submission of a DWSIRLF Loan application package is hereby authorized, with the proceeds from such loan to be used to finance and implement DWSIRLF Loan Program project DWI-H280088-01.

SECTION 2: That Rosemary Aultman, is authorized to execute and file an application for a DWSIRLF loan on behalf of City of Clinton with full authority to execute all documents pertaining to the project.

SECTION 3: That Rosemary Aultman is hereby authorized to be the authorized representative of the project.

_____ moved and _____ seconded the adoption of the foregoing resolution, and the question being put to a roll call vote, the result was as follows:

Jehu W. Brabham _____

Tony Hisaw _____

Tony Greer _____

Clint Brantley _____

Phil Fisher _____

Herb Touchton _____

Sharbert K. Lott _____

This motion to adopt the resolution, having received the vote shown above, was declared carried.

This 7 day of May, 2002.

Signed: _____

ATTEST:

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: May 7, 2002

Agenda Item No. 15

--

Discussion/Action: Final Resolution on Clinton -Raymond Road/Banks Road Sewer Project Special Assessment

Introduced by: Richard Broome, City Engineer

Exhibits for Review:

Minutes: _____

Invoice: _____

Other: _____

Ordinance: _____

Plans, Maps: _____

Resolution: _____

Contract: _____

Recommendation:

Board Action:

Motion made by: Hisaw

Seconded by: Lott

Vote Cast:

"Aye":

"Nay":

Action Taken:

Brabham

Hisaw

Greer

Brantley

Fisher

Touchton

Lott

Mayor Aultman

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RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, APPROVING AND CONFIRMING ALL ASSESSMENTS AS FINALLY FIXED AND DETERMINED AND CONFIRMING ASSESSMENTS AND ASSESSMENT ROLL IN CONNECTION WITH THE SPECIAL ASSESSMENT IMPROVEMENTS OF THE CLINTON-RAYMOND ROAD/BANKS ROAD SEWER PROJECT AND FOR RELATED PURPOSES

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, being the governing authorities thereof, did cause local improvements designated in Section 21-41-3, Mississippi Code of 1972, to be made, at the cost of the property owners benefited thereby; and,

WHEREAS, the levying and collecting of said costs of said improvements is provided in Section 21-41-1, et seq., Mississippi Code of 1972; and,

WHEREAS, a resolution declaring necessary the proposed improvements, describing the nature and extent of the work, the material to be used, defining the boundary of the areas in which the improvements were to be made, and fixing a date to hear objections or remonstrances that may be made to said improvements was duly approved and adopted on the 20th day of July, 1999, all as contemplated by Section 21-41-5, Mississippi Code of 1972; and,

WHEREAS, a resolution determining to proceed with the same improvements and directing that the total cost and expenses of the improvements shall be a charge upon the property benefited was duly approved and adopted by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, on the 2nd day of November, 1999, as contemplated by Section 21-41-9, Mississippi Code of 1972; and,

WHEREAS, said improvements were duly authorized to be made and constructed, and by Resolution approved and adopted by the Mayor and Board of Aldermen of the City of Clinton on the 5th day of March, 2002, the costs of the improvements was ascertained and determined to be in the amount of \$30,209.59 after application of certain grant funds; and,

WHEREAS, said improvements are now complete and the Mayor and Board of Aldermen have determined the cost of same pursuant to Section 21-41-11, Mississippi Code Annotated of 1972 (Supp. 1999) to be in the amount of \$30,209.59 after application of certain grant funds; and,

WHEREAS, pursuant to Section 21-41-3, Mississippi Code Annotated of 1972, the Mayor and Board of Aldermen of the City of Clinton is required to cause to be prepared a roll or list to be called the "assessment roll" showing the names of the property owners, and, opposite each name a description of each parcel and land to be assessed; and,

WHEREAS, said assessments have been determined and the assessment roll prepared and such has been delivered to the Clerk of the City of Clinton, who has informed the Mayor and Board of Aldermen that said rolls are opened for inspection at the Clerk's office and that on April 2, 2002, at 7:00 o'clock p.m., at the Municipal Courtroom, 305 Monroe Street, Clinton, Mississippi, the governing authorities of said City of Clinton met to hear and determine any objections or defense to said assessments and assessment roll.

WHEREAS, a notice was duly published in the Clarion Ledger for three successive weeks, being issues of March 13, 20, and 27, 2001, as required by statute providing the notice and information contemplated by law, proof of publication of same being on file with the City Clerk; and,

WHEREAS, the governing authorities did meet to hear and determine all objections and protests to the proposed assessment roll at their First Regular April, 2001 Meeting held on April 2, 2001, under reasonable rules and regulations adopted, said rules being as follows: (1) that the protest be reduced to writing and filed with the City Clerk not later than the time and date of the meeting and hearing on objections; (2) that the specific bases for the objection be set forth in writing; and (3) that the objection contain in writing the sum and calculation which the objector asserts to be correct and appropriate, if any; and,

NOW, THEREFORE:

BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, that the costs of improvements heretofore ascertained and determined to be the total costs in connection with the construction of sanitary sewer utilities by Resolution duly approved and adopted by the Mayor and Board of Aldermen dated November 5, 1996, entitled "Resolution Finding Lack of Objection or Protest Sufficient to Preclude the Municipality from Proceeding with the Construction of a Sanitary Sewer System and the Assessment of the Cost of Such Sewer System Against the Property Benefited", as altered, changed and corrected, to the extent of \$ 3356.62 should be apportioned and assessed against all property owners affected by or having an interest in the lots or parcels of property to be assessed with such costs, in the amount as herein assessed.

BE IT FURTHER RESOLVED that all assessments as finally fixed are hereby approved and confirmed and from the date of such confirmation constitute a lien upon the respective lots or parcels of property to be assessed with such costs, in the amount as herein assessed.

BE IT FURTHER RESOLVED that all assessments as finally fixed at said hearing are hereby approved and confirmed and from the date of such confirmation constitute a lien upon the respective lots or parcels of land and other real property upon which they are levied and shall appear and be recorded by the Clerk in the following form:

See Exhibit "A" attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that all persons having been given the opportunity to be heard on this matter that the assessments finally fixed, approved and confirmed herein are hereby deemed to have consented to the approval and confirmation of said assessments.

BE IT FURTHER RESOLVED that the special assessments set forth hereinabove and levied under and pursuant to Sections 21-41-1 through 21-41-53, Mississippi Code of 1972, as amended, shall become due and shall be paid to the City Clerk of the City of Clinton, Mississippi, within ninety (90) days from the date of confirmation unless otherwise provided for by the Mayor and Board of Aldermen of the City of Clinton, Mississippi; and each property owner to be assessed with the costs of said special improvements having admitted to the legality of the assessment levied against him, the Mayor and Board of Aldermen do hereby

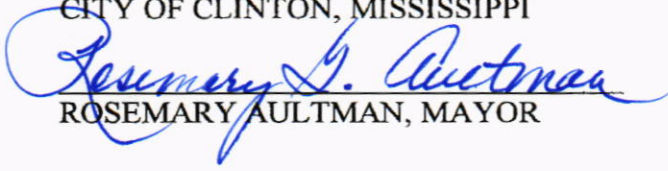
confer upon the property owners benefited by the improvements constructed the privilege of paying the assessment so levied in equal installments with interest from the date of confirmations at the rate of SIX PER CENT PER ANNUM

BE IT FURTHER RESOLVED that any property owner not taking an appeal from the assessment set forth herein shall, upon failure to pay said assessment within ninety (90) days from date of confirmation, be deemed to have elected to pay said assessment in installments as provided above and shall be deemed to have admitted the legality of the assessment, thereby waiving all right to contest the validity thereof. The installments of said assessment shall be due and payable at the same time that the annual municipal tax becomes due and payable commencing with the first municipal tax levy, which is payable after the expiration of ninety (90) days from the date of confirmation of the assessment.

SO RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, in First Regular May, 2002, Meeting assembled, on this the 7th day of MAY, 2002.

APPROVED:

CITY OF CLINTON, MISSISSIPPI


ROSEMARY AULTMAN, MAYOR

ATTEST:


W. WAYNE DERRICK, CITY CLERK

(SEAL)

mw\resolution-final crr-banks road
May 2, 2002-jbell

Exhibit "A"
Clinton-Raymond Road/Banks Road Project

<u>Name and Address</u>	<u>Parcel Number</u>	<u>Original Assessment</u>
Ronald & Willie G. Evans 1460 Clinton-Raymond Road Clinton, MS 39056	(9110)2862-119	\$3,356.62
Charles & Essie Mounger 1524 Clinton-Raymond Road Clinton, MS 39056	(9110)2862-119-1	\$3,356.62
Ronald & Willie G. Evans 1460 Clinton-Raymond Road Clinton, MS 39056	(9110)2862-119-2	\$3,356.62
Charles & Essie Mounger 1524 Clinton-Raymond Road Clinton, MS 39056	(9110)2862-119-4	\$3,356.62
James & Eddie M. Mounger 1524 Clinton-Raymond Road Clinton, MS 39056	(9110)2862-119-5	\$3,356.62
Ronald & Willie G. Evans 1460 Clinton-Raymond Road Clinton, MS 39056	(9110)2862-119-6	\$3,356.62
Lawrence Mitchell Cap MGT Group LTD06 P.O. Box 310 Madison, MS 39120	(9110)2862-120	\$3,356.62
James Cooper ET UX 424 Ravine Ave. Waukegan, ILL 60085	(9110)2862-121	\$3,356.62
Charles N. Jr. & Jimmie J. Banks 1416 Clinton-Raymond Road Clinton, MS 39056	(9110)2862-122	\$3,356.62

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: May 7, 2002

Agenda Item No. 16

Discussion/Action: Final Resolution on Hobby Farms Sewer Project Special Assessment

Introduced by: Richard Broome, City Engineer

Exhibits for Review:

Minutes: _____

Invoice: _____

Other: _____

Ordinance: _____

Plans, Maps: _____

Resolution: _____

Contract: _____

Recommendation:

Board Action:

Motion made by: _____

Seconded by: _____

Brantley
Brabham

Vote Cast:

"Aye":

"Nay":

Action Taken:

Brabham

Hisaw

Greer

Brantley

Fisher

Touchton

Lott

Mayor Aultman

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RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, APPROVING AND CONFIRMING ALL ASSESSMENTS AS FINALLY FIXED AND DETERMINED AND CONFIRMING ASSESSMENTS AND ASSESSMENT ROLL IN CONNECTION WITH THE SPECIAL ASSESSMENT IMPROVEMENTS OF THE HOBBY FARMS SEWER PROJECT FOR SANITARY SEWER UTILITIES AND FOR RELATED PURPOSES

WHEREAS, the Mayor and Board of Aldermen of the City of Clinton, Mississippi, being the governing authorities thereof, did cause local improvements designated in Section 21-41-3, Mississippi Code of 1972, to be made, at the cost of the property owners benefited thereby; and,

WHEREAS, the levying and collecting of said costs of said improvements is provided in Section 21-41-1, et seq., Mississippi Code of 1972; and,

WHEREAS, a resolution declaring necessary the proposed improvements, describing the nature and extent of the work, the material to be used, defining the boundary of the areas in which the improvements were to be made, and fixing a date to hear objections or remonstrances that may be made to said improvements was duly approved and adopted on the 20th day of July, 1999, all as contemplated by Section 21-41-5, Mississippi Code of 1972; and,

WHEREAS, a resolution determining to proceed with the same improvements and directing that the total cost and expenses of the improvements shall be a charge upon the property benefited was duly approved and adopted by the Mayor and Board of Aldermen of the City of Clinton, Mississippi, on the 2nd day of November, 1999, as contemplated by Section 21-41-9, Mississippi Code of 1972; and,

WHEREAS, said improvements were duly authorized to be made and constructed, and by Resolution approved and adopted by the Mayor and Board of Aldermen of the City of Clinton on the 5th day of March, 2002, the costs of the improvements was ascertained and determined to be in the amount of \$229,706.05 after application of certain grant funds; and,

WHEREAS, said improvements are now complete and the Mayor and Board of Aldermen have determined the cost of same pursuant to Section 21-41-11, Mississippi Code Annotated of 1972 (Supp. 1999) to be in the amount of \$229,706.05 after application of certain grant funds; and,

WHEREAS, pursuant to Section 21-41-3, Mississippi Code Annotated of 1972, the Mayor and Board of Aldermen of the City of Clinton is required to cause to be prepared a roll or list to be called the "assessment roll" showing the names of the property owners, and, opposite each name a description of each parcel and land to be assessed; and,

WHEREAS, said assessments have been determined and the assessment roll prepared and such has been delivered to the Clerk of the City of Clinton, who has informed the Mayor and Board of Aldermen that said rolls are opened for inspection at the Clerk's office and that on April 2, 2002, at 7:00 o'clock p.m., at the Municipal Courtroom, 305 Monroe Street, Clinton, Mississippi, the governing authorities of said City of Clinton met to hear and determine any objections or defense to said assessments and assessment roll.

WHEREAS, a notice was duly published in the Clarion Ledger for three successive weeks, being issues of March 13, 20, and 27, 2002, as required by statute providing the notice and information contemplated by law, proof of publication of same being on file with the City Clerk; and,

WHEREAS, the governing authorities did meet to hear and determine all objections and protests to the proposed assessment roll at their First Regular April, 2002 Meeting held on April 2, 2002, under reasonable rules and regulations adopted, said rules being as follows: (1) that the protest be reduced to writing and filed with the City Clerk not later than the time and date of the meeting and hearing on objections; (2) that the specific bases for the objection be set forth in writing; and (3) that the objection contain in writing the sum and calculation which the objector asserts to be correct and appropriate, if any; and,

NOW, THEREFORE:

BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, that the costs of improvements heretofore ascertained and determined to be the total costs in connection with the construction of sanitary sewer utilities by Resolution duly approved and adopted by the Mayor and Board of Aldermen dated November 2, 1999, entitled "Resolution Finding Lack of Objection or Protest Sufficient to Preclude the Municipality from Proceeding with the Construction of a Sanitary Sewer System and the Assessment of the Cost of Such Sewer System Against the Property Benefited", as altered, changed and corrected, to the extent of \$3,235.30 should be apportioned and assessed against all property owners affected by or having an interest in the lots or parcels of property to be assessed with such costs, in the amount as herein assessed.

BE IT FURTHER RESOLVED that all assessments as finally fixed are hereby approved and confirmed and from the date of such confirmation constitute a lien upon the respective lots or parcels of property to be assessed with such costs, in the amount as herein assessed.

BE IT FURTHER RESOLVED that all assessments as finally fixed at said hearing are hereby approved and confirmed and from the date of such confirmation constitute a lien upon the respective lots or parcels of land and other real property upon which they are levied and shall appear and be recorded by the Clerk in the following form:

See Exhibit "A" attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that all persons having been given the opportunity to be heard on this matter that the assessments finally fixed, approved and confirmed herein are hereby deemed to have consented to the approval and confirmation of said assessments.

BE IT FURTHER RESOLVED that the special assessments set forth hereinabove and levied under and pursuant to Sections 21-41-1 through 21-41-53, Mississippi Code of 1972, as amended, shall become due and shall be paid to the City Clerk of the City of Clinton, Mississippi, within ninety (90) days from the date of confirmation unless otherwise provided for by the Mayor and Board of Aldermen of the City of Clinton, Mississippi; and each property owner to be assessed with the costs of said special improvements having admitted to the legality of the assessment levied against him, the Mayor and Board of Aldermen do hereby

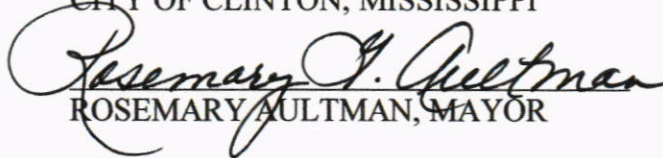
confer upon the property owners benefited by the improvements constructed the privilege of paying the assessment so levied in twenty equal annual installments with interest from the date of confirmations at the rate of six percent.

BE IT FURTHER RESOLVED that any property owner not taking an appeal from the assessment set forth herein shall, upon failure to pay said assessment within ninety (90) days from date of confirmation, be deemed to have elected to pay said assessment in installments as provided above and shall be deemed to have admitted the legality of the assessment, thereby waiving all right to contest the validity thereof. The installments of said assessment shall be due and payable at the same time that the annual municipal tax becomes due and payable commencing with the first municipal tax levy, which is payable after the expiration of ninety (90) days from the date of confirmation of the assessment.

SO RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, in First Regular May, 2002, Meeting assembled, on this the 7th day of May, 2002.

APPROVED:

CITY OF CLINTON, MISSISSIPPI


ROSEMARY AULTMAN, MAYOR

ATTEST:


W. WAYNE DERRICK, CITY CLERK



mw/resolution-final hobby farms
May 7, 2002- jbell

Exhibit "A"
Hobby Farms Road Project

<u>Name and Address</u>	<u>Parcel Number</u>	<u>Original Assessment</u>
Bill W. & Deborah A. Depriest P. O. Box 204 Clinton, MS 39060	(1110)2860-208	\$3,235.30
C.S. Whittington ET UX 573 Hobby Farms Road Clinton, MS 39056	(1110)2860-207	\$3,235.30
Hopson & Cheryl Barnett 521 Hobby Farms Road Clinton, MS 39056	(1110)2860-202	\$3,235.30
M.L. Nail ET UX 503 Hobby Farms Road Clinton, MS 39056	(9110)2860-205	\$3,235.30
M.L. Nail ET UX 503 Hobby Farms Road Clinton, MS 39056	(1110)2860-203	\$3,235.30
James W. Guy 493 Hobby Farms Road Clinton, MS 39056	(1110)2860-204	\$3,235.30
T.D. Short ET UX 479 Hobby Farms Road Clinton, MS 39056	(1110)2860-201	\$3,235.30
Lee A. Ivy ET UX 437 Hobby Farms Road Clinton, MS 39056	(1110)2860-200	\$3,235.30
L.A. Ivy ET UX 437 Hobby Farms Road Clinton, MS 39056	(9110)2860-199	\$3,235.30
Mary E. Phillips 2910 Meadow Forest Drive Jackson, MS 39212	(9110)2860-198	\$3,235.30

John R. & Linda J. Dykes 423 Hobby Farms Road Clinton, MS 39056	(1110)2860-197	\$3,235.30
Gary D. & Judy L. Stewart 413 Hobby Farms Road Clinton, MS 39056	(1110)2860-196	\$3,235.30
L.W. Stewart ET UX Rt. 2 Box 191-D 399 Hobby Farms Road Clinton, MS 39056	(1110)2860-195	\$3,235.30
Elise G. Stewart 371 Hobby Farms Road Clinton, MS 39056	(1410)2860-194	\$3,235.30
Anne B. Giles 369 Hobby Farms Road Clinton, MS 39056	(9110)2860-193	\$3,235.30
Anne B. Giles 369 Hobby Farms Road Clinton, MS 39056	(9110)2860-192	\$3,235.30
Henry D. & Carolyn Bishop Jasmine Elkins 1660 Askew Road Edwards, MS 39066	(1110)2860-191	\$3,235.30
Henry D. and Jeanette Bishop 1660 Askew Road Edwards, MS 39066	(1110)2860-190	\$3,235.30
Donald L. Smith ET UX 301 Hobby Farms Road Clinton, MS 39056	(1110)2860-188	\$3,235.30
D.L. Smith ET UX 301 Hobby Farms Road Clinton, MS 39056	(9110)2860-187	\$3,235.30
Donald L. Smith 301 Hobby Farms Road Clinton, MS 39056	(1110)2860-186	\$3,235.30

Donald L. Smith 301 Hobby Farms Road Clinton, MS 39056	(9110)2860-185	\$3,235.30
Harveylene L. Peterson 211 Hobby Farms Road Clinton, MS 39056	(1110)2860-184	\$3,235.30
Tommy J. & Maybelle G. Cagle 193 Hobby Farms Road Clinton, MS 39056	(1110)2860-183	\$3,235.30
Harveylene L. Peterson 211 Hobby Farms Road Clinton, MS 39056	(9110)2860-116	\$3,235.30
J.M. Wilson & Audrey W. Life Est. c/o Marianne Tackett 157 Peggy Drive Florence, MS 39073	(1110)2860-118	\$3,235.30
Morgan Wilson & Audrey W. Life Est. Wilson Jerry E. c/o Jerry Wilson 4253 Willow Wood Blvd. Jackson, MS 39212	(1110)2860-117	\$3,235.30
O.J. Horne ET UX 2211 Old Vicksburg Road Clinton, MS 39056	(1110)2860-180	\$3,235.30
Bobbie J. Hughes 179 Hobby Farms Road Clinton, MS 39056	(1110)2860-182-2	\$3,235.30
Margaret G. Bullock 121 Hobby Farms Road Clinton, MS 39056	(1110)2860-182-1	\$3,235.30
Juanita P. Wilson 100 Hobby Farms Road Clinton, MS 39056	(9110)2860-146	\$3,235.30

Juanita P. Wilson 100 Hobby Farms Road Clinton, MS 39056	(1110)2860-145	\$3,235.30
Juanita P. Wilson 100 Hobby Farms Road Clinton, MS 39056	(9110)2860-147	\$3,235.30
Rodney E. Crosby ET IX 2219 Old Vicksburg Road Clinton, MS 39056	(9110)2860-149-1	\$3,235.30
Phyllis J. & Timothy H. Kelly c/o Allison Juanita 100 Hobby Farms Road Clinton, MS 39056	(9110)2860-147-1	\$3,235.30
Rodney E. Crosby ET UX 2219 Old Vicksburg Road Clinton, MS 39056	(1110)2860-149	\$3,235.30
Felix O. & Delores Ivy 2221 Old Vicksburg Road Clinton, MS 39056	(1110)2860-150	\$3,235.30
Felix O. & Delores Ivy 2221 Old Vicksburg Road Clinton, MS 39056	(9110)2860-151	\$3,235.30
Felix O. & Delores Ivy 2221 Old Vicksburg Road Clinton, MS 39056	(9110)2860-152	\$3,235.30
Hortense Gaddis 157 Magnolia Road Clinton, MS 39056	(9110)2860-153	\$3,235.30
Charley A. Cheney, Jr. and Catherine M. Cheney 102 Longwood Drive Clinton, MS 39056	(5480)2860-153-1	\$3,235.30
Hammersmith Contractors, Inc. P.O. Box 16661 Jackson, MS 39236	(3990)2860-154	

Charley A. Cheney, Jr. and Catherine M. Cheney 102 Longwood Drive Clinton, MS 39056	(5000)2860-154-4	\$3,235.30
B.L. & Hautense Gaddis 157 Magnolia Road Clinton, MS 39056	(1110)2860-154-1	\$3,235.30
D.L. & Barbara K. Gaddis 147 Magnolia Road Clinton, MS 39056	(1110)2860-154-2	\$3,235.30
Robert H. & Patricia A. Lucroy 177 Magnolia Road Clinton, MS 39056	(1110)2860-155	\$3,235.30
Robert H. & Patricia A. Lucroy 177 Magnolia Road Clinton, MS 39056	(9110)2860-156	\$3,235.30
Willie J. & Vivian M. Mraz 239 Magnolia Road Clinton, MS 39056	(1410)2860-157	\$3,235.30
Willie J. & Vivian M. Mraz 239 Magnolia Road Clinton, MS 39056	(9110)2860-158	\$3,235.30
Bob Lucroy Renovations, Inc. 277 Magnolia Road Clinton, MS 39056	(1110)2860-159	\$3,235.30
Joe W. & Magdline Odom 834 Flag Chapel Road Jackson, MS 39209	(1110)2860-160	\$3,235.30
Billy P. Haimes ET UX P. O. Box 2474 Robertsdale, AL 36567-2474	(1110)2860-161	\$3,235.30
T.G. & Alice V. Holland 333 Magnolia Road Clinton, MS 39056	(1110)2860-162	\$3,235.30

Robert H. & Patricia A. Lucroy 177 Magnolia Road Clinton, MS 39056	(1110)2860-163	\$3,235.30
W.R. Day ET UX 367 Magnolia Road Clinton, MS 39056	(1110)2860-164	\$3,235.30
Ernest R. & Michelle F. Chappell 367 Magnolia Road Clinton, MS 39056	(1110)2860-165	\$3,235.30
Joyce M. Landry 389 Magnolia Road Clinton, MS 39056	(1110)2860-166	\$3,235.30
Ruth W. Dickinson 411 Magnolia Road Clinton, MS 39056	(1110)2860-167	\$3,235.30
Margaret E. Wilson 546 Hobby Farms Road Clinton, MS 39056	(1110)2860-167-1	\$3,235.30
Janice H. McLaurin 498 Hobby Farms Road Clinton, MS 39056	(1110)2860-179	\$3,235.30
Martin Nail 503 Hobby Farms Road Clinton, MS 39056	(91110)2860-179-1	\$3,235.30
Edith M. Bishop 3402 Marguerite Road Pearl, MS 39208	(1110)2860-178	\$3,235.30
Richard A. Short 446 Hobby Farms Road Clinton, MS 39056	(1110)2860-176	\$3,235.30
David & Fay B. Morris 300 Hobby Farms Road Clinton, MS 39056	(9110)2860-175	\$3,235.30

David E. and Fay B. Morris 300 Hobby Farms Road Clinton, MS 39056	(1410)2860-175-1	\$3,235.30
Joe W. & Magdline Odom 834 Flag Chapel Road Jackson, MS 39209	(9110)2860-174	\$3,235.30
Magdline Odom Billy R. Smith 834 Flag Chapel Road Jackson, MS 39209	(1110)32860-173	\$3,235.30
Barbara L. Shields 244 Hobby Farms Road Clinton, MS 39056	(1110)2860-172	\$3,235.30
Dan R. Pettit 220 Hobby Farms Road Clinton, MS 39056	(1110)2860-171	\$3,235.30
Ennis M. & Mary S. Petit 200 Hobby Farms Road Clinton, MS 39056	(1110)2860-170	\$3,235.30
Rex F. & Sandra F. Bullock c/o Rex Bullock 229 Canton Club Cir. Jackson, MS 39211	(1110)2860-169	\$3,235.30

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: May 7, 2002

Agenda Item No. 17

Consent Agenda: For:	To:
Account No.	

Discussion/Action: Requesting permission to advertise for bids on Maintenance Facility to be built at Traceway Park.	
Introduced by: Michael E. Taggart	Telephone No. 601-924-6082

Exhibits for Review: See Attachment(s).

Minutes: _____	Invoice: _____	Other: _____
Ordinance: _____	Plans, Maps: _____	_____
Resolution: _____	Contract: _____	_____

Recommendation:

Board Action:

Motion made by: Greer
Seconded by: Lott

Vote Cast:	"Aye":	"Nay":	Action Taken:
Brabham	_____	_____	_____
Hisaw	_____	_____	_____
Greer	_____	_____	_____
Brantley	_____	_____	_____
Fisher	_____	_____	_____
Touchton	_____	_____	_____
Lott	_____	_____	_____
Mayor Aultman	_____	_____	_____

Agenda items must be turned in to the City Clerk with all attachments no later than 5 PM on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.

BOARD APPROVED

CITY OF CLINTON AGENDA ITEM FACT SHEET

Board Meeting Date: May 7, 2002

Agenda Item No. 18

Consent Agenda: For:	To: Account No.
-------------------------	----------------------------

Discussion/Action: Approval of Purchasing Lightning Detection Device from ThorGuard (Sole Source \$11,525.00)	
Introduced by: Michael E. Taggart	Telephone No. 601-924-6082

Exhibits for Review: See Attachments.

Minutes: _____	Invoice: _____	Other: _____
Ordinance: _____	Plans, Maps: _____	_____
Resolution: _____	Contract: _____	_____

Recommendation: _____

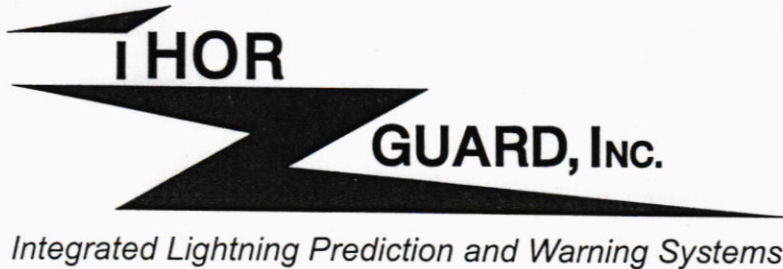
Board Action:

Motion made by: Greer
Seconded by: Brantley

<u>Vote Cast:</u>	<u>"Aye":</u>	<u>"Nay":</u>	<u>Action Taken:</u>
Brabham	_____	_____	_____
Hisaw	_____	_____	_____
Greer	_____	_____	_____
Brantley	_____	_____	_____
Fisher	_____	_____	_____
Touchton	_____	_____	_____
Lott	_____	_____	_____
Mayor Aultman	_____	_____	_____

Agenda items must be turned in to the City Clerk with all attachments no later than 5 PM on the Wednesday preceding the Tuesday Board Meeting to be included on the Agenda. This deadline will be strictly enforced.

BOARD APPROVED



April 15, 2002

Mr. Michael Taggart
City of Clinton, MS
200 Soccer Row
Clinton, MS 39056

Dear Mr. Taggart:

Please be advised that we are both the sole manufacturer and the sole distributor of the THOR GUARD Lightning Prediction and Warning Systems. As a matter of fact, THOR GUARD is the only company that manufactures a lightning **prediction** system in the entire world. Our products are manufactured in Sunrise, Florida.

We look forward to the opportunity to furnish and install our systems at your facility.

Very truly yours,

R. A. Miller
Vice President

RAM/jz



June 25, 2001

Integrated Lightning Prediction and Warning Systems

Thank you for requesting information on THOR GUARD integrated lightning prediction and warning systems. We manufacture these systems in southern Florida as we have for more than 25 years, and stand alone in offering the world's only true lightning PREDICTION system. No company has been manufacturing lightning warning systems for as long as THOR GUARD and no other system can compete with our track record of safety.

THOR GUARD uses a highly sophisticated sensor and computer to measure and analyze the electrostatic field in the atmosphere. Lightning originates within this field, thus allowing THOR GUARD to make calculations predicting its occurrence, even though there may be no visible evidence of lightning. Only THOR GUARD can provide advance warning of a first strike or the very dangerous return strike. All lightning "detection" systems require the occurrence of an actual lightning strike before a warning is given. According to recent studies on lightning by the Severe Storms Laboratories in Norman, OK, 85% of all deaths and injuries occur away from a storm cell, so reacting to a strike occurring within 5 to 10 miles is frequently too late! THOR GUARD's PREDICTION capability also minimizes false alarms, a significant departure from even the best detection systems, all of which are prone to unnecessary and costly shutdowns!

THOR GUARD is the only stand-alone lightning warning device used by the PGA Tour, USGA Associations and the PGA of America. We are the choice of Little League Baseball, the NCAA National Championships, Clemson University, Texas Christian University, Hamilton County, OH, Park Ridge, IL and more than 100 schools, city parks and municipalities in the United States. The flexibility of our system allows the client to dictate the amount of advance warning time considered necessary for students, family and friends to proceed to a safe location. Couple our PREDICTION capability with our own designed and manufactured Voice of THOR horn/strobe light warning system or our affordable one-piece THORGUARDIAN, you have a true, automatic advance warning package second to none!

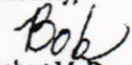
One THOR GUARD prediction console will monitor the threat of lightning in an area up to 25 square miles. Typically, a park facility of about 60 acres requires one base Voice of THOR horn warning system or a THORGUARDIAN. Each horn has an audible range of about 700 yards with a 360° radius. Larger facilities may need additional VOT remotes. VOT remotes are radio controlled, battery powered and designed to be solar charged. No wires are required to operate the remote horns and the entire system has been designed to facilitate the installation process for the end user. However, we will gladly quote a "turn key" installation, if desired.

In 2000, THOR GUARD announced a new warranty policy for all of our own manufactured products, a warranty which will protect your investment for many years to come. We now provide two full years on our Voice of THOR horn system, four years on any THOR GUARD lightning prediction console, and a full 10 year FREE upgrade policy on all THOR GUARD lightning prediction operating systems. Also, you'll never be charged an "analysis" fee prior to any out-of-warranty repair, unlike our competitors!

THOR GUARD has provided accurate and dependable lightning protection for a broad base of clients since 1974. This represents literally tens of millions of hours of safe operations for clients that range from the U.S. Government, airlines, state and local agencies, the explosives industry, and schools, to a variety of recreational users. It is THOR GUARD's unique ability to PREDICT lightning that continues to make the difference.

Mr. Goolsby, if you would like to take the next step towards a safer facility, contact me at Extension 104 or your local sales representative, Jay Ferguson, at (662)-489-0205.

Sincerely,


Robert M. Dugan
President
RMD/jm

1193 Sawgrass Corporate Parkway • Sunrise, Florida 33323 • (954) 835-0900 • Fax: (954) 835-0808
www.thorguard.com

BOARD APPROVED

September 30, 2000

Michael Taggart
Clinton Park and Recreation
P.O. Box 156
Clinton, MS 39060

Dear Mr. Taggart,

I sincerely appreciate the time you and I spent discussing ThorGuard Lightning Prediction and Warning Equipment and its future applications at your facility last Thursday. As you requested, please accept this as a formal bid to equip your course with ThorGuard lightning prediction equipment.

ThorGuard Proposal

ThorGuard L150 Computer including Master Alarm Control	\$6,600
Base Radio Transmitter and horn cluster	\$2,400
One (1) Remote Horn Cluster with radio receiver	\$2,400
Shipping and Handling	\$ 125*
Total	\$11,525

As earlier discussed, shipping and handling charges are approximations.

Again, thank you for your time and interest in ThorGuard Lightning Prediction and Warning Equipment. I am looking forward to having your equipment installed and protecting your city in the near future. I will make contact with you the week of October 8th to confirm receipt of this proposal and to field any further questions that may arise.

Sincerely,

Jay Ferguson
National Sales Manager
ThorGuard Lightning Prediction and Warning Equipment, Inc.

**ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF
THE CITY OF CLINTON, MISSISSIPPI, TO PREVENT, CONTROL
AND ESTABLISH RESPONSIBILITY FOR EROSION OF SEDIMENT,
DEBRIS AND OTHER MATERIALS FROM CONSTRUCTION
SITES TO ADJOINING PROPERTIES, SETTING PENALTIES
FOR VIOLATIONS AND FOR RELATED MATTERS**

1. This Ordinance may be referred to as the City of Clinton Erosion Control Ordinance.
2. The owner (or his designated agent) of any property upon which residential, commercial, or other types of development of any nature are proposed or are in progress following enactment of this Ordinance shall be responsible for taking necessary action to prevent erosion of the construction site and any resultant accumulation of sediment, debris or other materials upon property owned by the City of Clinton or any other person.
3. Such action or actions shall be carried out to the satisfaction of the Building Inspector (for all development other than subdivisions) or Superintendent of Public Works or City Engineer (for subdivisions). Said necessary action may consist of the distribution of hay upon the construction site after grading, the placement of sedimentation cloth or geotextile material on the construction site, the placement of hay bales and silt fencing at selected locations, the construction of sedimentation pools, and/or other action considered satisfactory by the Building Inspector, Superintendent of Public Works and/or City Engineer.
4. If soil erosion occurs on any construction site resulting in accumulation of sediment and other materials on any other property, the responsible City official shall advise by certified or registered mail (return receipt requested) the owner or his designated agent that there is a violation of this Ordinance and shall advise him to take corrective action. The responsible City official may also hand deliver the notice of violation to the owner or his designated agent. If corrective action is not taken within three (3) days following the

owner's receipt of notice of violation, each day following said period shall constitute a separate violation and be subject to the penalties imposed by this Ordinance.

5. Sediment or other materials accumulated as a result of any construction shall be cleaned up and removed at the expense of the owner or his designated agent. This provision shall apply to construction underway at the effective date of this Section as well as construction initiated on or after the effective date of this Ordinance. The property impacted by such construction shall be restored to its condition at the time prior to the damage at the expense of owner of the property being developed.

6. Any person who shall knowingly and willfully violate the terms, conditions or provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction therefore shall be sentenced to pay a fine not to exceed one hundred dollars (\$100.00), and in case of continuing violations without reasonable effort on the part of the defendant to correct same, each day the violation continues thereafter shall be a separate offense.

7. This Ordinance shall become effective 30 days from and after its adoption.

ORDAINED, ADOPTED AND APPROVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, at a meeting thereof held on the 7th day of May, 2002.

A Motion for adoption was made by Alderman Greer and seconded by Alderman Brantley and the foregoing Ordinance having been first reduced to writing, and no request being made by the Mayor or any member of the Board of Aldermen that the Ordinance be read by the City Clerk, before any vote was taken, it was submitted to the Board of Aldermen for the passage or rejection on roll call vote upon the vote being as follows, to-wit:

Alderman Brabham:	Yes
Alderman Hisaw:	Yes
Alderman Greer:	Yes
Alderman Brantley:	Yes
Alderman Fisher:	Yes
Alderman Touchton:	Yes
Alderman Lott:	Yes

Whereupon the Mayor declared the Motion carried and the Ordinance approved and adopted.

The foregoing Ordinance was approved this the 7th day of May, 2002.

CITY OF CLINTON, MISSISSIPPI

By: Rosemary J. Aultman
Rosemary Aultman, Mayor

ATTEST:

By: W. Wayne Derrick
W. WAYNE DERRICK, City Clerk

Prepared by:

Kenneth R. Dreher
KENNETH R. DREHER, P.A.
101-B Woodchase Park Drive
Clinton, MS 39056
Telephone: (601)924-1966

mw\Clinton\ordinance-erosion control
May 7, 2002\jbell

**ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF
THE CITY OF CLINTON, MISSISSIPPI, TO PREVENT, CONTROL
AND ESTABLISH RESPONSIBILITY FOR EROSION OF SEDIMENT,
DEBRIS AND OTHER MATERIALS FROM CONSTRUCTION
SITES TO ADJOINING PROPERTIES, SETTING PENALTIES
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3. Such action or actions shall be carried out to the satisfaction of the Building Inspector (for all development other than subdivisions) or Superintendent of Public Works or City Engineer (for subdivisions). Said necessary action may consist of the distribution of hay upon the construction site after grading, the placement of sedimentation cloth or geotextile material on the construction site, the placement of hay bales and silt fencing at selected locations, the construction of sedimentation pools, and/or other action considered satisfactory by the Building Inspector, Superintendent of Public Works and/or City Engineer.
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Alderman Brabham:	<u>yes</u>
Alderman Hisaw:	<u>yes</u>
Alderman Greer:	<u>yes</u>
Alderman Brantley:	<u>yes</u>
Alderman Fisher:	<u>yes</u>
Alderman Touchton:	<u>yes</u>
Alderman Lott:	<u>yes</u>

Whereupon the Mayor declared the Motion carried and the Ordinance approved and adopted.

The foregoing Ordinance was approved this the 7th day of May, 2002.

CITY OF CLINTON, MISSISSIPPI

By: _____
Rosemary Aultman, Mayor

ATTEST:

By: _____
W. WAYNE DERRICK, City Clerk

Prepared by:

Kenneth R. Dreher
KENNETH R. DREHER, P.A.
101-B Woodchase Park Drive
Clinton, MS 39056
Telephone: (601)924-1966

mw\Clinton\ordinance-erosion control
May 7, 2002\jbell



THOR GUARD Model L150

LIGHTNING PREDICTION SYSTEM



The **THOR GUARD Lightning Prediction System** scientifically predicts the probability of a lightning strike, **including the very first strike**, within a defined area of approximately five miles in diameter. Our goal is to provide adequate warning so customers may safely find appropriate shelter.

Thousands of hours have been invested in the evaluation of storm data to validate our sensing and prediction techniques. Rather than tracking actual lightning strikes like "detection" systems, **THOR GUARD** monitors and evaluates the changes and intensity of electrostatic energy associated with lightning activity.

Features

- Easy to Read Color Vacuum Fluorescent Display.
- "Field Collapse Count" indicator shows lightning discharges during storm activity.
- Unique "Activity Detector" displays projected time until resumption of safe operations.
- Instant Lightning Hazard Level (LHL) and Dynamic Index (DI) display during a storm.
- Three distinct warning levels of potential, electrical storm activity (Caution, Warning, Red Alert)
- Low, Medium & High levels of warning sensitivity range settings.
- Automatically self-tests itself every 24 hours (may also be manually tested).
- RS232 "Output" port to automatically interface with a DTN Weather Center.
- Automatically monitors the potential risk of a dangerous "Bolt out of the Blue" condition.
- Output for sending threat level data to off site, remote displays.
- Auto/Manual control to enable both monitored and unmonitored operations.
- Digital software control circuit that resets the system after power interruptions.
- RS422 "Output" for long range data transmission capability.
- 40 segment "Energy Level" LED Display to show instantaneous energy migrations.
- Volume-controlled internal audio alarm.
- Local Alarm power strip to activate a local strobe light or irrigation system.
- Interface for Voice of THOR external, multiple location RF alarm system.
- Airport Model (L150A) allows access to all alarm levels through internal relays.
- Output for real time interface with PC based "THOR PC" software.
- Automatic testing format for external alarm components.
- Secure operational settings are protected by security key access only.

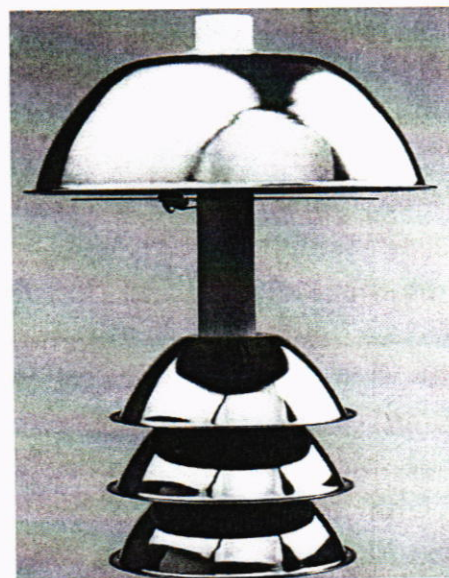
THOR GUARD Model L150

Specifications

Model:	L150
Power Requirements:	110 Volts (60 Hz) AC
Power Supply:	Wall Mounted, Grounded 120 VAC, 60 Hz Dimensions: 3.45" H x 2.68" W x 2.19" D Safety Requirements: UL, CSA, VDE Meets: FCC Part 15 Class B Power Cord: 6 Ft.
L150 Console:	Dimensions: 8.25" W x 9.25" D x 6.50" H Weight: 5.5 Lbs.
Hyperstatic Sensor:	Dimensions: 16" W x 30" H Weight: 7.5 Lbs.
Sensor Cable:	3/8" Double Shielded Triaxial With Teflon Core Standard Length: 125 Ft.



Rear Panel



Sensor

(Specifications subject to change without notice)

THOR GUARD, Inc. • 1193 Sawgrass Corporate Parkway, Sunrise, FL 33323
Tel (954) 835-0900 • (888) 571-1212 • Fax (954) 835-0808 • E-mail: sales@thorguard.com

FOR IMMEDIATE RELEASE:
EFFECTIVE 03/31/00

THOR GUARD ANNOUNCES NEW EXTENDED WARRANTY TERMS

TEN YEAR WARRANTY ON SOFTWARE TECHNOLOGY UPGRADES

For a period of ten (10) years from date of purchase of all THOR GUARD Lightning Prediction Systems, the company will automatically upgrade the microprocessor with any new development in lightning evaluation software. This warranty covers all THOR GUARD models - so the customer need never worry that existing equipment will become outdated or obsolete. The Company is committed to providing every customer with the optimum in lightning prediction technology. THOR GUARD is the only company in lightning warning to make this commitment.

FOUR YEAR WARRANTY ON LIGHTNING PREDICTION HARDWARE

THOR GUARD will cover failures due to defects in materials or workmanship, which occur during normal use of its lightning prediction computer for **four years** from date of purchase. This warranty covers console models L25, L50 and L150 and has been extended due to the enduring reliability and quality of all THOR GUARD products.

Due to variations in local environmental conditions we will continue to provide a two-year warranty on the Hyperstatic Sensor and Voice of THOR equipment. Non manufactured items such as batteries, solar panels and UPS units will continue to carry a one-year warranty.

Public Risk

Published by the Public Risk Management Association



Environmental Teamwork

Lightning Prediction Saves Lives

BY STEVEN K. MEYER

ALITTLE MORE THAN ONE year ago, a tragic accident occurred on a soccer field at Northeast Park in the Park Ridge Recreation and Park District. After a short rain delay in the game, the skies started clearing and a referee decided to resume play. A rogue lightning bolt—some called it a “bolt out of the blue”—struck a young man named John Scott Wade. CPR and quick medical attention couldn't save him.

Four groups, the Park Ridge Recreation and Park District, Youth Baseball, Indian Scouts and the Park Ridge Rotary Club formed a committee in an effort to minimize lightning-related injuries. Research on available lightning detection and prediction systems led them to a system used at the Atlanta Olympic Games and on golf courses nationwide.

Citywide Protection

Committee members quickly concurred that the Thor Guard system was the best solution for Park Ridge. The system consists of sensors that measure electrostatic charges at ground level



Master Alarm Control (MAC)

and in the air. Lightning is created within the earth's invisible electrostatic atmosphere. The charges, which are invisible to the naked eye, always build prior to lightning occurrences. When conditions indicate that lightning is probable, a signal is sent to horns which sound an eight-to-12-minute warning to clear the area and seek shelter. Ninety-seven percent of the time when the alarm system is activated, lightning is visible within 15 to 30 minutes. Other times lightning is extremely probable. An all-clear signal announces when it's safe to return to the area.

Although the company had never taken on a project of this magnitude, Park Ridge agreed to be the first to test a citywide lightning prediction system

covering all parks, schools and playing fields.

Decisions and Dollars

Matters of zones, times of operation, testing, noise levels and installation procedures needed to be worked out. The special projects technician for the parks department became the district liaison and worked on coordinating installation.

Instant Benefits

One year after the deadly bolt struck John Scott Wade, the new system was installed and dedicated in his memory. Ironically, less than two hours after the dedication of the system, on June 20 of this year, the warning alarm was activated at Hinkley Park, interrupting organized baseball and volleyball games. Baseball officials and park district staff cleared the fields and courts as instructed. Ten minutes later, lightning struck the middle of the baseball diamond, knocking out a light pole and an irrigation system. One boy who cleared the baseball diamond said he felt the lightning from where he sought shelter.

Had the warning signal not been activated, had the system not been operational, would

Ninety-seven

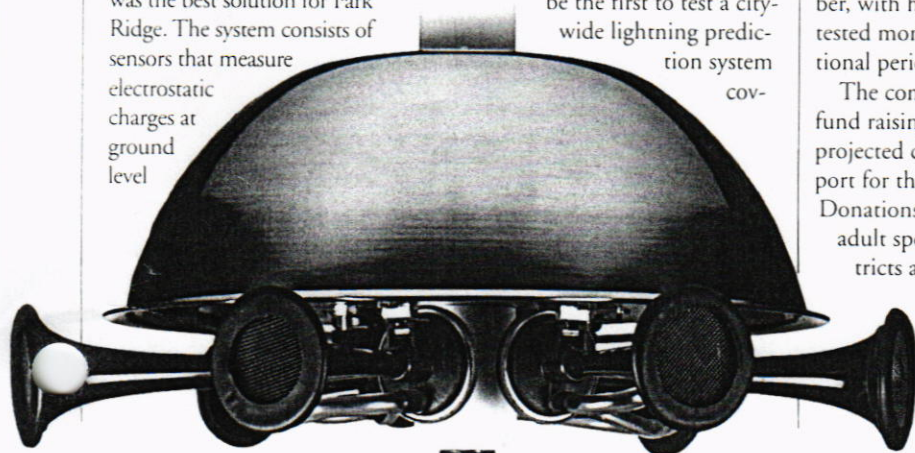
percent of the time when the alarm system is activated, lightning is visible within 15 to 30 minutes.

The system would cover 18 park and school sites in three zones. The committee decided the system should be operational from 8 a.m. to 11 p.m. on a daily basis from April to November, with horns and systems to be tested monthly during the operational period.

The committee also began fund raising efforts to cover the projected cost of \$55,000. Support for the system was citywide. Donations came from youth and adult sports teams, school districts and PTOs, service organizations, local hospitals, the United Way and the city itself.

there have been another tragic event? Three people were injured and one killed by lightning that night in the Chicago area. Thankfully, due to the foresight and planning of the committee and the generous donations from the community, no one in Park Ridge was injured. ♦

Steven K. Meyer is director of the Park Ridge Recreation and Park District in Park Ridge, Ill.



Remote horn cluster.

Recreation Management

BIG IDEAS FOR FACILITY MANAGERS

THE RISK FILE: LIGHTNING

RISK MANAGEMENT

Before Lightning Strikes

A look at an integrated lightning prediction and warning system

Jenny E. Beeh

Location: Northeast Park in Park Ridge, Ill.

Date: 1996

Re: A 20-year-old referee is struck and killed by lightning during a youth soccer game; others are injured.

Transcript: A rogue lightning bolt struck the college student 10 minutes after a storm had passed. At the time, the strike was described as "rogue" because weather experts indicated that such strikes were rare and not likely to reoccur.

Notes:

In the year after the man's death, the Park Ridge Park District installed lightning predictors throughout the city. The local Rotary Club, youth baseball league and Indian Guides groups raised the \$50,000 for the new system. While other U.S. parks and golf courses have similar equipment, Park Ridge was the first community in the country to establish a citywide prediction system.

"We were the first to have a multiple-site installation," says Bill Neumann, park district supervisor of development and operations in Park Ridge, a Chicago suburb with a population of about 36,000. The system has evolved since its installation in 1997. "We've gone through the engineering changes with the company," he says. Consisting of three base stations and 18 alarm locations units, Park Ridge's system

was made by Thor Guard, Inc. in Sunrise, Fla. "It senses the conditions that could produce lightning," says Jim Lange, park district director. "It works wonderfully. It's using technology to improve the quality of safety at the parks."

Unlike a detection system that detects lightning as it strikes—often too late to give much warning—Park Ridge's prediction system tracks storm activity, constantly monitoring for the potential for lightning. Using electronic sensors, it measures static electricity in the atmosphere. When conditions are prime for lightning, the device sounds a long, air-horn-like blast, giving people warning and allowing them to take cover. Flashing strobe lights remain on to alert someone who has just arrived on the scene or the hearing-impaired. Once conditions change, and the storm moves on, an all clear is signaled by three short blasts, and the lights turn off.

So far, the city has had good luck with the system.

"It's another tool for park users, and it shouldn't be a substitute for common sense," Neumann says. "We have to avoid complete dependence on a mechanical system—you still have to be aware. But if it's used properly, it can be a good thing. It's a wonderful invention, and it can only get better."

One innovation Park Ridge is hoping for is a central monitor that would allow supervisors to check all parts of the city from the main park office. Currently, they have no central way of finding out if an alert has sounded in another part of the city.

Earlier, on the evening of the system's dedication ceremony, exactly one year to the day of the 1996 tragedy, the new Thor Guard equipment sounded at one of the city's parks where youth baseball teams were warming up. Although there was no indication of severe weather, 10 minutes after the warning sounded and the fields had been cleared, lightning struck the field. Luckily, everyone had time to take cover, and no one was hurt. **RM**

For more information
Thor Guard: 888-571-1212

The Lightning Round

You really do have a better chance of being struck by lightning than winning the lottery—actually, a one in 250,000 to 400,000 chance in any given year in the United States.

A lightning strike may seem like an infrequent and random act, but in reality, lightning kills more Americans each year than tornadoes, floods and hurricanes combined.

On average, there are probably 1,500 to 2,000 thunderstorms active around the world at any moment, with an estimated 100 lightning occurrences every second, with about 25 strikes to the ground every second.

Of the 40 million lightning strikes per year in the United States, about 400 of those strikes hit people, killing half and seriously injuring the other half, though the statistics vary.

Outdoor recreation facilities account for the highest percentage of lightning fatalities. For most areas of the country, lightning probably hit the ground about 5,000 times in a year within a 10-mile area surrounding your facility. In Florida or Texas, the frequency is two to three times higher.

While highly variable, the average lightning strike has a peak current of about 30,000 amps. The core of a lightning bolt can reach an estimated 54,000 °F, six times hotter than the surface of the sun.

By holding an umbrella, standing under a tree, swinging a golf club or batting with an aluminum bat, you are turning yourself into a lightning rod.

Early detection systems can be key in preventing injuries and damage. With a warning system in place, staff members can be alerted to an approaching storm, dangerous areas can be cleared, and people can take cover.

THE GAME'S MOST WIDELY READ PUBLICATION

GOLF

M A G A Z I N E

MAY 2001

CLUBTEST 2001



NOW ON THE TEE

EMPLOYEE OF THE MONTH

Tour Weatherman Stewart Williams

As a Weather Channel meteorologist, I watch the skies for the PGA Tour wherever each week's event is being played. I arrive on Tuesday to set up before Wednesday's pro-am, and stay on-site each day from 6 a.m. until the final group signs its scorecard.

I'm usually hidden from view, sharing a construction trailer with the Tour's communications staff. With two laptops, one connected to satellite pictures, the other to the National Lightning Detection Network, and our Thorguard lightning prediction system [pictured], I can track weather disturbances nationwide. I anchor Thorguard to the roof of the trailer, and its sensors pick up electrical charges in the clouds and on the ground. The receiver tells me the chance of lightning within 12 miles, and the chance within two miles. As the percentages rise, I update Tour

officials. By the time there's an 80 percent chance of lightning within 12 miles, play has been suspended. The Tour gives people at least 30 minutes' notice before a storm hits to seek shelter.

So what do I do on clear, sunny days? I get out, walk around, and watch some golf. But I don't stray too far—just in case.



PGA TOUR GOLF COURSE PROPERTIES, INC.

A subsidiary of PGA TOUR, INC.
100 PGA TOUR Boulevard
Ponte Vedra Beach, FL 32082
Office: 904/285-3700



Peter S. Davison
Senior Vice President
Chief Operating Officer
Tournament Players Clubs
PGA TOUR Golf Course Properties, Inc.

Mr. Robert M. Dugan
THOR GUARD, INC.
1193 Sawgrass Parkway
Sunrise, FL 33323

Dear Bob:

In 1992, the Tournament Players Clubs wanted to provide timely and accurate lightning warning for all of our members, guests and employees throughout our national network. Based on our research and thoughtful consideration, we chose THOR GUARD.

We now have many years' experience with all of our properties utilizing THOR GUARD and Voice of THOR systems. Our professional golf staff is confident about not receiving surprise weather problems since THOR GUARD has consistently predicted lightning and been immune to false alerts. Your company's excellent service and THOR GUARD's reliable performance has added to the service we have been able to provide our facility visitors. THOR GUARD is a significant contributor to our daily operations at each and every TPC property.

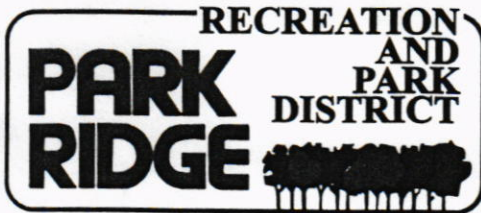
Bob, best wishes and continued good fortune to you and the THOR GUARD staff.

Sincerely yours,

Pete Davison

PSD/cad





2701 Sibley Avenue
Park Ridge, Illinois 60068
(847) 692-5127
Fax: (847) 318-6808

Mr. Robert Dugan
THOR GUARD, Inc.
1193 Sawgrass Corporate Parkway
Sunrise, FL 33323

Dear Bob:

As you know, a popular Park Ridge student and soccer referee was killed by a rogue lightning strike in 1996. The lightning struck Scott ten minutes after the storm had passed. At the time, the strike was described as "rogue" because weather experts indicated that such strikes were rare and not likely to reoccur.

The Park Ridge Park District researched the lightning warning product marketplace and decided to purchase THOR GUARD on the strength of your customers' success with the system.

The evening of our dedication ceremony, exactly one year to the day of Scott's tragic death, the Voice of THOR at Hinkley Field sounded with no indication of severe weather anywhere. As you and Chicago are now well aware, ten minutes after the warning sounded and the fields cleared, another rogue strike struck the field, a first strike from ten or more miles away. This time no one was injured! Had we not installed THOR GUARD, someone would have been killed or injured.

Park Ridge now has several years' use of THOR under its belt, and we are grateful to your very supportive customers for directing us to your company. Your personnel have been helpful every step of the way and our community is a safer place to live and play because THOR GUARD is a daily part of our lives.

Bob, again, thank you for playing an important role in our past, present and future.

Sincerely,

PARK RIDGE RECREATION AND PARK DISTRICT

Steven K. Meyer, Director

SKM:js

March 14, 2000

ThorGuard, Inc.
Mr. Robert M. Dugan, Executive V.P.
1193 Sawgrass Corporate Parkway
Sunrise, FL 33323

Re: Atlanta Committee for the Olympic Games – ThorGuard System

Dear Mr. Dugan:

I am writing this letter to confirm the use of your product during the 1996 Centennial Olympic Games in Atlanta, GA.

As you know, I served as the Manager of Safety and Loss Control for the Atlanta Committee for the Olympic Games (ACOG) for four years. Although there were other safety and health professionals, such as local authorities, who were involved with the Olympic Games, I was the only person in that capacity working directly for and employed by ACOG. I reported directly to the CFO and indirectly to the COO and Director of Venues. In the planning stages for the Olympics we were very concerned about lightning at our outdoor venues. While we were in direct contact with the National Weather Service, we wanted every opportunity for early warning since evacuation timing for the large crowds was a concern. There were times during test events that we were under storm and lightning conditions even though the National Weather Service showed no storms in our area. We purchased the ThorGuard system for all of our outdoor venues to supplement our risk management efforts. In fact, I do not know of any other vendor that was utilized for any safety and loss control products other than ThorGuard. I only heard positive comments from the venue managers on the use of the system at the venues. There are probably some things we would do differently if we were to hold the Olympic Games again tomorrow. However, I can assure you that the ThorGuard system would still be in place at the outdoor venues based on the feedback I received from the venue managers.

Please don't hesitate to give me a call if you require any more information relating to the use of the ThorGuard system at the 1996 Olympic Games.

Sincerely,



Barry Donnelly, P.E.

Former Manager of Safety and Loss Control - Atlanta Committee for the Olympic Games



MOBILE WEATHER TEAM, INC.

26243 SCHUCK RD.

WASHINGTON, IL 61571

(309) 444-7706

(309) 444-4841 FAX

November 24, 1998

Mr. Bob Dugan
Thor Guard, V.P. Marketing & Sales
1926 Prairie Square
Suite 213
Schaumburg, IL 60159-0340

Dear Mr. Dugan:

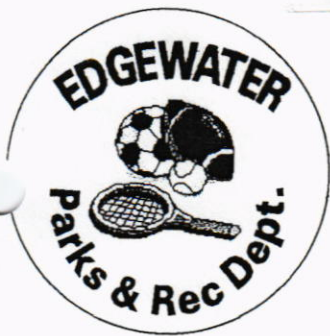
On behalf of my staff and me, I would like to thank Thor Guard and its staff for all the support over the years. The Mobile Weather Team started using Thor Guard in 1993 and have not found any other piece of equipment that even comes close to doing what Thor Guard can do.

As a meteorologist for 16 years, and owner/president of the Mobile Weather Team, it is my job to make sure my staff always uses the best meteorological equipment available. Thor Guard continues to meet our standards day after day, even amazing us on occasion with its ability to predict lightning accurately.

Our meteorologists use the L-100 Thor Guard approximately 12 hours a day, 6 days a week, 48 weeks a year at nearly 130 outdoor sporting events. We have used it in 35 states and 4 different countries with various types of terrain, creating a variety of atmospheric challenges for Thor Guard. It continues to meet every challenge and perform flawlessly. Congratulations again on a true lightning prediction system!

Sincerely,

Mike McClellan
President



City of Edgewater

Parks and Recreation

P.O. Box 100 Edgewater, FL 32132-0100

(904) 424-2485

Fax (904) 424-2416

Thor Guard, Inc.
1193 Sawgrass Corporate Parkway
Sunrise, FL 33323

To Whom It May Concern:

We here at the City of Edgewater Recreation Department are extremely satisfied with the way Thor Guard works and the support that your team has helped us setting things up.

We highly recommend any and all recreation departments to install this lightning system through all of their parks where outside sports take place!

We have now purchased two different Thor Guard systems and have them placed at both field locations. Every coach, parent and kid now understands just what to do should the alarm sound.

The system makes decisions on canceling games and practices easy!

Both locations for our systems are next to the two elementary schools in our town. The school staff has seen the video and both schools also use the alarms for outside safety.

Our state of Florida has lightning strikes two to three times higher than most other states and most storms are in the afternoon when sports programs are getting started.

No recreation department should be without a Thor Guard!

Respectfully,

City of Edgewater Recreation Department