

**RESOLUTION OF THE CITY OF DIAMONDHEAD APPOINTING JULIE BOUDREAUX TO SERVE AS MUNICIPAL ELECTION COMMISSIONER**

The City of Diamondhead hereby brings forth a Resolution appointing a municipal Election Commissioner to fill an appointment vacated by Louis Fuchs, former resident and Election Commission Appointee of the City of Diamondhead,

**WHEREAS**, the Mayor and City Council for the City of Diamondhead are authorized pursuant to Mississippi Code Ann §23-15-221 to appoint three (3) Municipal Election Commissioners to serve the City of Diamondhead with respect to all municipal elections; and

**WHEREAS**, the Mayor and City Council have before them a nomination to appoint Julie Boudreaux to serve as Municipal Election Commissioner for the City of Diamondhead to carry out the duties and responsibilities of election commissioner pursuant to Mississippi Code Ann 1972.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and City Council for the City of Diamondhead do hereby appoint Julie Boudreaux, a resident of the City of Diamondhead, to serve as Municipal Election Commissioner for the City of Diamondhead, Mississippi consistent with all provisions and requirements provided for in Mississippi Code Annotated 1972.

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING RESOLUTION WAS ADOPTED IN THE AFFIRMATIVE BY THE FOLLOWING VOTE OF COUNCIL OF THE CITY OF DIAMONDHEAD ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

	Aye	Nay
Mayor Schafer	_____	_____
Councilmember Knobloch	_____	_____
Councilmember Lopez	_____	_____
Councilmember Lafontaine	_____	_____
Councilmember Rech	_____	_____
Councilmember Sislow	_____	_____

ATTEST: \_\_\_\_\_  
KRISTIN VENTURA, CITY CLERK

APPROVED: \_\_\_\_\_  
THOMAS SHAFER, IV MAYOR

SEAL

City of Diamondhead, MS  
**Request for Council Action**

**TO:** Honorable Mayor and Members of Council  
**FROM:** City Manager

Ordinance  Resolution  Agreement/Contract  Info Only  Work Session Only

**AGENDA LOCATION:**  Consent Agenda  Regular Agenda

**FORMAL AGENDA DATE REQUESTED:**

August 18, 2015

<p><b><u>ORDINANCE/RESOLUTION CAPTIONS or ISSUE:</u></b></p> <p>Nomination of Julie Boudreaux to become an Election Commissioner in the City of Diamondhead.</p>
<p><b><u>SUMMARY BACKGROUND:</u></b> Due to the number of residents in Diamondhead, state law requires us to have a minimum of three (3) Election Commissioners. This requirement applies to Special Elections as well as regular elections. One of our previous Election Commissioners has moved out of DH leaving us with two Commissioners—Don Hopes and Tyrone Sartin. Mrs. Boudreaux has 12+ years of experience in supervising elections in DH.</p>
<p><b><u>IMPACT IF DENIED:</u></b> The City does not meet state requirements for holding an election</p>
<p><b><u>IMPACT IF APPROVED:</u></b> City meets state requirements for holding a Special Election.</p>
<p><b><u>FINANCIAL IMPACT:</u></b>                  Determination of pay for Election Commissioners has not been finalized at this time.</p>

**REQUIRED SIGNATURES**

**REQUESTED BY:**

Ernie Knobloch

**City Manager:**

**City Attorney:**

**COUNCIL ACTION:**

*Approved*  *Denied*  *Tabled/Deferred*  *Info Only* **Completed:**

RESOLUTION AUTHORIZING THE VACATION OF THE PLAT OF  
DIAMONDHEAD SUBDIVISION, PHASE 1, LOTS 4, 5, 6 and 7, BLOCK 1, UNIT 6,  
HANCOCK COUNTY, MISSISSIPPI  
(TAX PARCEL NOS. 068K-0-41-021.000; 068K-0-41-022.000;  
068K-0-41-023.000 & 068K-0-41-024.000)

**WHEREAS**, CANDR PROPERTIES, L.L.C., INC., a Mississippi limited liability company ("the Company"), is the owner of Lots 4, 5 and 6, Block 1, Unit 6, Diamondhead Subdivision, Phase 1 and WILLIAM D. HOWELL, JR. AND MARGARET B. HOWELL ("the Howells") are the owners of Lot 7, Block 1, Unit 6, Diamondhead Subdivision, Phase 1 ("the property") which are located in Hancock County, City of Diamondhead, Mississippi; and

**WHEREAS**, the Company and the Howells have requested that the City of Diamondhead, Mississippi ("the City") and Diamondhead Country Club and Homeowners Association ("the Association") vacate the plat of the subdivision as to the property in order to facilitate the donation of the lots to the Land Trust for the Mississippi Coastal Plain, a Mississippi non profit corporation ("Land Trust"); and

**WHEREAS**, the Company and the Howells propose to donate the lots to the Land Trust so that the property will not be developed and so that it will be preserved in its natural state; and

**WHEREAS**, the Company and the Howells believe that preserving the lots in their natural state will prevent potential drainage problems that might result from development of the lots; and

**WHEREAS**, the vacation of the subdivision plat as to those lots will eliminate the necessity of paying future dues to the Association; and

**WHEREAS**, the Company and the Howells will be filing a Complaint to Vacate the plat of Diamondhead Subdivision, Phase 1 as to the property in the Chancery Court of Hancock County, Mississippi pursuant to Section 17-1-23 of the Mississippi Code

Annotated; and

**WHEREAS**, Section 17-1-23 of the Code requires that all persons who could be adversely affected and the City be made aware of the filing of the Complaint and that approval of all interested parties is required prior to the filing of the Complaint; and

**WHEREAS**, owners of adjoining lots and the Board of Directors of the Association have indicated that they have no objection to the vacation of the plat as to the lots; and

**WHEREAS**, the City Council has reviewed the request and concurs that preserving the lots in their natural state is in the best interest of adjoining property owners and the City.

**NOW THEREFORE**, be it hereby resolved by the City Council of the City of Diamondhead, Mississippi that the findings, conclusions and statements of fact contained in the foregoing preamble are hereby adopted, ratified and incorporated herein; and that the Mayor is hereby authorized to execute a consent and joinder on behalf of the City in the Complaint to Vacate Plat proceeding that will be filed in the Chancery Court of Hancock County, Mississippi by the Company and the Municipal Clerk is directed to file a copy of this resolution in the land records of the Chancery Clerk of Hancock County, Mississippi.

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING RESOLUTION WAS ADOPTED IN THE AFFIRMATIVE BY THE FOLLOWING VOTE OF COUNCIL OF THE CITY OF DIAMONDHEAD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

	Aye	Nay
Mayor Schafer	_____	_____
Councilmember Knobloch	_____	_____
Councilmember Lopez	_____	_____
Councilmember Lafontaine	_____	_____
Councilmember Rech	_____	_____
Councilmember Sislow	_____	_____

\_\_\_\_\_  
THOMAS SCHAFFER, IV MAYOR

ATTEST: \_\_\_\_\_  
Kristin Ventura, City Clerk

seal