

State of Mississippi

County of Warren

At a regular meeting of the Board of Supervisors of said County, held according to law, at the Courthouse in the City of Vicksburg on Monday, June 2, 2008, being the time and place for the holding of the regular term of said Board, with proper Notice having been posted (Ex. A1), and the Agenda for the meeting being attached (Ex. A2), the following were present:

Honorable Richard George, President (5th District)
Charles Selmon, Vice President (3rd District)
David L. McDonald (1st District)
William Banks (2nd District)
Martin Pace, Sheriff, and Deputy
Dot McGee, Chancery Clerk, and Deputy

Absent: William Lauderdale (4th District)

The President of the Board, Richard George, called the meeting to order at 9:00 a.m., and Supervisor William Banks offered the invocation.

Approval of May Minutes

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to approve and authorize the President to sign the May 2008 minutes.

Supervisor William Lauderdale Excused

Motion was made by Supervisor David McDonald, seconded by Supervisor Charles Selmon and carried unanimously, to excuse Supervisor Lauderdale who is out of town.

Richard Winans, Road Manager

Monthly Road Department Reports Accepted for Information

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to accept the following Road Department reports: April 2008 Permits Report and May 2008 Work Order Report.

Temporary Easements Approved

Motion was made by Supervisor Williams Banks, seconded by Supervisor Charles Selmon and carried unanimously, to accept the recommendation of the Road Manager to approve the temporary easements contained in Exhibit A3.

Driveway Permits Approved

Motion was made by Supervisor Williams Banks, seconded by Supervisor David McDonald and carried unanimously, to accept the recommendation of the Road Manager to approve the driveway permits contained in Exhibit A4.

Kings Point Ferry -
Hours of Operation

Mr. Winans informed the Board that the river forecast for the week is below 40 feet, and Kings Point Ferry will open Wednesday morning at 6:00 a.m. He stated that currently Kings Point Ferry has two active pilots and the third pilot is still under doctor's care. Mr. Winans requested that the Board continue 12-hour operational days from 6:00 a.m. to 6:00 p.m. Motion was made by Supervisor William Banks, seconded by Supervisor Charles Selmon and carried unanimously, to approve continuing the operational hours for Kings Point Ferry from 6:00 a.m. to 6:00 p.m. daily, until further order of the Board.

Dexter Jones, Inventory Control Clerk

Fixed Asset Disposition Listing
for 05/01/2008 through 06/02/2008

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to approve the Fixed Asset Disposition Listing for 05/01/2008 through 06/02/2008. A copy of the report is on file in the office of the Chancery Clerk

John Smith, County Administrator

Interfund Loan Approved

Motion was made by Supervisor William Banks, seconded by Supervisor Charles Selmon and carried unanimously, to approve an interfund loan in the amount of \$4,991.75 from the General Fund (001) to the Homeland Security Fund (025); this loan will be repaid when reimbursement is received.

Warrant for Postage for
Justice Court Approved

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to approve a warrant in the amount of \$1,000.00 payable to the U. S. Postal Service for postage for Justice Court.

Payment of Invoices Approved

Motion was made by Supervisor William Banks, seconded by Supervisor Charles Selmon and carried unanimously, to approve payment to John E. McKee, Jr., P.E. for the following invoices: Invoice No. 28 in the amount of \$36,249.21 for 2007 miscellaneous engineering and surveying services and Invoice No. 1221-S87 in the amount of \$20,513.01 for State Aid and LSBP projects.

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to approve payment to Paul Winfield, Board Attorney, in the amount of \$3,937.50 for May legal services.

Application and Certificate for Payment No. 7
of Mayrant & Associates, LLC for Renovation to
1401 Clay Street for Vicksburg-Warren Emergency
Communication Center Approved

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to approve Application and Certificate for Payment No. 7 of Mayrant & Associates, LLC in the amount of \$4,991.23 for work performed on the renovations to 1401 Clay Street for Vicksburg-Warren Emergency Communication Center.

Dot McGee, Chancery Clerk

Monthly County Reports Accepted

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to accept for information the General Ledger Cash Balances for FY2007-2008 through May and Cash Receipts Journal for 05/01/2008 through 05/31/2008 for FY 10/2007 - 9/2008.

Approve Docket of Claims for May

Motion was made by Supervisor Williams Banks, seconded by Supervisor David McDonald and carried, to approve the Docket of Claims for May. Supervisors Banks, McDonald and George voted "Yea" and Supervisor Selmon abstained from voting on claims paid to River Region Medical Center and voted to pay all other claims. (Ex. A5).

Approve Justice Court Reports

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to approve the following Justice Court Reports: Clearing Account Cash Journal for 4/21/2008 to 5/20/2008; Criminal/Traffic Account Cash Journal for 4/21/2008 to 5/20/2008; and Civil Court Cash Journal for 4/21/2008 to 5/20/2008.

Warren County Parks and Recreation Commission
and Warren County Port Commission Minutes Accepted

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to accept the minutes of the Warren County Parks and Recreation Commission for April 15, 2008 and minutes of the Warren County Port Commission for April 21, 2008.

Constable Annual Financial Report
of Rudolph Walker for 2007

Motion was made by Supervisor William Banks, seconded by David McDonald and carried unanimously, to approve the 2007 Constable Annual Financial Report of Rudolph Walker.

Supplemental Claims Docket Approved

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried, to approve the Supplement Docket of Claims paid 06/02/2008 for May bills. Supervisors Banks, McDonald and George voted "Yea" and

Supervisor Selmon abstained from voting on claims paid to River Region Medical Center and voted to pay all other claims. (Ex. A6).

Paul Winfield, Board Attorney

Vicksburg Petroleum Products, LLC
v. Howell Refining, Inc., et al.
In the Chancery Court of Warren County
Mississippi, Cause No. 2008-113GN

Mr. Winfield stated that Vicksburg Petroleum Products, LLC had filed a suit in the Chancery Court of Warren County, Mississippi, Cause No. 2008-113GN, to quiet and confirm title to real estate and requested that the Board direct and allow dismissal of the lawsuit. Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to approve Mr. Winfield's request.

John McKee, County Engineer

Acceptance and Close Out of
Project No. LSBP-75(11)TP

Mr. McKee advised the Board that a final inspection has been made of Project No. LSBP-75(11)TP and that the necessary certificates, reports and other related documents to formally accept this project, in accordance with the terms of the contract, have been filed, and he recommends acceptance of the project. The acceptance date is May 21, 2008. Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to approve the recommendation and authorize the President to sign an Order and joint letter of formal contract acceptance in connection with this project. (Ex. A7).

Application for Emergency Work
NRCS EWP Program - LeTourneau Road

Mr. John McKee, Ms. Olie Elfer, and Mr. Raymond Joiner of NRCS discussed the LeTourneau Road Project. Mr. McKee stated that LeTourneau Road suffered damage due to flooding, and severe erosion occurred. He stated that the Board responded with an emergency contract to stabilize the road, which has been completed. The roadway is repaired; however, at some point, it will be impacted again by flood waters. Application for emergency work with NRCS appears favorable and would focus on reinforcement of the embankment on the south side of the roadbed. NRCS does not address certain items, such as paving, and Ms. Elfer of Jimmy G. Gouras Urban Planning Consultants, Inc. is checking on programs with MDA for additional funds. Mr. Joiner discussed the timeline and obligations connected with the project. The estimated cost is \$2,110,000.00, with Warren County's share estimated at \$316,500.00, plus engineering costs. Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to approve and authorize the President to sign the application and all related documents in connection with the emergency work for LeTourneau Road. (Ex. A8).

Application for Emergency Work
NRCS EWP Program - Ballground Road, Site 1
Ballground Road, Site 2, Boy Scout Road,
Dogwood Road, Kirkland Road, Oak Ridge Road
Redwood Road and Whatley Road

Mr. McKee stated that eight additional NRCS EWP sites have been identified: Ballground Road, Site 1, Ballground Road, Site 2, Boy Scout Road, Dogwood Road, Kirkland Road, Oak Ridge Road, Redwood Road and Whatley Road. Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to approve and authorize the President to sign applications and related documentation for emergency work under the NRCS EWP Program for the aforesaid sites. (Ex. A9).

Environmental Assessment and Construction
Plans and Design for LeTourneau Road

Motion was made by Supervisor David McDonald, seconded by Supervisor Charles Selmon and carried unanimously, to authorize an environmental assessment for the LeTourneau Road Project, if deemed necessary.

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried to authorize the County Engineer to proceed with the preparation of construction plans and design for the LeTourneau Road Project.

Advertisement for RFP for Planning/Consultant
Services For Correctional Facility

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to authorize advertisement for RFP for planning/consultant services for professional services as related to construction of a correctional facility.

School Board Lease Approved

Motion was made by Supervisor David McDonald, seconded by Supervisor Charles Selmon and carried unanimously, to approve and authorize the President to sign the Commercial Lease between the Board of Trustees of Vicksburg Warren School District and William M. Biggers, Jr. and Nancy J. Biggers, dated April 24, 2008, subject to review of the lease by the Board Attorney.

School Bus Turnaround

Motion was made by Supervisor David McDonald, seconded by Supervisor Charles Selmon and carried unanimously, to approve the request of the Vicksburg Warren School District for repairs to 2505 Warrior's Trail, Vicksburg, Mississippi.

Recess

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to recess until 10:00 a.m.

10:00 A.M. Bid Openings

Lease-Purchase of Wheel Loader
Bid File No. 04222008

The hour of 10:00 a.m. having passed, the President stated that the Warren County Board of Supervisors would accept bids for the lease-purchase of a wheel loader. Proof of publication of notice is attached as Exhibit A10. Two bids were received: Scott Equipment Company's purchase price is \$188,892.00, with a 48-month buyback of \$117,113.00 and a 60-month buyback of \$107,668.00; Puckett Machinery Company's price is \$180,376.00, with a 48-month buyback of \$98,000.00 and a 60-month buyback of \$80,000.00. Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to take the bids under advisement. (Ex. A11).

Purchase of One New Model Motor Grader,
With Buyback, Bid File No. 04212008

The hour of 10:00 a.m. having passed, the President stated that the Warren County Board of Supervisors would accept bids for the purchase of one new model motor grader, with buyback. Proof of publication of notice is attached as Exhibit A12. Two bids were received: Scott Equipment Company's purchase price is \$192,032.00, with 48 month buyback of \$122,000.00 and 60 month buyback of \$102,000.00; Puckett Machinery Company's price is \$191,971.00, with 48 month buyback of \$122,000.00 and 60 month buyback of \$105,000.00. Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to take the bids under advisement. (Ex. A13).

Continuation of Declaration of Emergency Due to Flooding

Motion was made by Supervisor William Banks, seconded by Supervisor Charles Selmon and carried unanimously, to extend the Declaration of Emergency due to flooding for an additional 30 days. (Ex. A14).

Recess

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to recess until Monday, June 16, at 3:00 p.m.

Richard George, President