

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, May 5, 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)
William Lauderdale (4th District)
Martin Pace, Sheriff, and Deputy
Dot McGee, Chancery Clerk, and Deputy

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

April Minutes Approved

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

Olie Elfer and John Randazzo of Jimmy Gouras Urban Planning Consultants

Resolution Designating a Slum or Blighted Area and Certifying the Area's Need for Redevelopment As a Result of a Flood or Hurricane and Other Factors; and For Related Purposes

Ms. Elfer introduced Mr. John Randazzo, a new member of the firm of Jimmy Gouras Urban Planning Consultants, and stated that he would present a matter that had been discussed with the Board at its informal meeting on Thursday.

Mr. Randazzo stated that in order to establish the eligibility of the Warren County Economic Development Project, namely the access road and bridge serving the E. W. Haining Industrial Center (Port of Vicksburg) and the Port Terminal Building, it is necessary that Warren County designate the project area as a slum or blighted area. Following discussion of the matter, motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to adopt a "Resolution Designating a Slum or Blighted Area and Certifying the Area's Need for Redevelopment as a Result of a Flood or Hurricane and Other Factors; and for Related Purposes," a copy of which is attached as Exhibit A3.

Richard Winans, Road Manager

Monthly Road Department Reports

Motion was made by Supervisor William Banks, seconded by Supervisor William Lauderdale and carried unanimously, to accept the Road Department's monthly Work Order Report for April 2008.

Accept Offer of Durham Auction

Motion was made by Supervisor David McDonald, seconded by Supervisor William Lauderdale and carried unanimously, to accept the offer of Durham Auction, and authorize the President to sign a contract, in regard to the Road Department's 12H grader to place the grader in the May 31st auction. Durham Auctions is offering a net guarantee of \$130,000.00 for the grader.

Approve Temporary Easements

Motion was made by Supervisor David McDonald, seconded by Supervisor William Lauderdale and carried unanimously, to accept the recommendation of the Road Manager to approve the temporary easements contained in Exhibit A4.

Approve Driveway Permits

Motion was made by Supervisor William Lauderdale, seconded by Supervisor David McDonald and carried unanimously, to accept the recommendation of the Road Manager to approve the driveway permits contained in Exhibit A5.

John McKee, County Engineer

Approve Contractors Estimate No. 8
and Final for 2007 Warren County NRCS
Erosion Project No. 2 (Six Sites)

Motion was made by Supervisor William Banks, seconded by Supervisor Charles Selmon and carried unanimously, to accept the recommendation of the County Engineer to approve payment of Contractors Estimate No. 8 and Final for the 2007 Warren County NRCS Erosion Control Project No. 2 (Six Sites) to Lampkin Construction Co., Inc. in the amount of \$27,679.55, for work performed on the above referenced project.

Resolution - Declaration of
Emergency LeTourneau Road

Mr. McKee discussed the section of LeTourneau Road that has failed due to damage by flood waters. He stated that it is his opinion that emergency circumstances exist and that the best interest of Warren County would be served for emergency repairs to be made to the damaged section of LeTourneau Road, pursuant to Section 31-7-1, et seq., Miss. Code of 1972. Further, Mr. McKee requested permission to meet with potential contractors at 3:00 p.m. today and to receive quotes for emergency repairs at 3:00 p.m. tomorrow. Following discussion of the matter, motion was made by Supervisor William Lauderdale, seconded by Supervisor David

McDonald and carried unanimously, to adopt "Resolution - Declaration of Emergency," and to authorize the County Engineer to meet with potential contractors today of 3:00 p.m and to receive quotes for emergency repairs tomorrow at 3:00 p.m. (Ex. A6).

Gwen Coleman, EMA Director

Emergency Management Assistance Application

Ms. Coleman presented the FY 2008 Emergency Management Assistance Application (from MEMA) and requested that the President be authorized to sign the application. Motion was made by Supervisor William Banks, seconded by Supervisor William Lauderdale and carried unanimously, to authorize the President to sign the FY 2008 Emergency Management Assistance Application.

Extension of Proclamation of Existence
of Local Emergency - Flooding

Ms. Coleman stated that the Proclamation of Existence of Local Emergency - Flooding should be renewed. Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to renew and extend the declaration of emergency due to river flooding commencing on or about 9:00 a.m. on the 25th day of March 2008.

John Smith, County Administrator

Approve Travel for County Administrator
to Attend CMPDD Meeting

Motion was made by Supervisor William Lauderdale, seconded by Supervisor Charles Selmon and carried unanimously, to approve travel for John Smith, County Administrator, to attend a luncheon meeting for county administrators at the CMPDD office in Jackson on May 16, 2008.

Approve Purchase of Advertisement
From Mississippi Chapter of Blacks
In Government

Motion was made by Supervisor William Banks, seconded by Supervisor William Lauderdale and carried unanimously, to approve purchasing a quarter page ad in the souvenir program booklet of the Mississippi Chapter of Blacks in Government for the Second Juneteenth Celebration. The cost of the ad is \$150.00.

Beaver Control and Assistance Program
Commitment to Participate Letter

Motion was made by Supervisor William Banks, seconded by Supervisor Charles Selmon and carried unanimously, to approve and commit to participate in the Beaver Control Assistance Program. The estimate of final cost per county will be no less than \$6,000.00 and no more than \$12,000.00, depending on the number of counties that commit.

Approve Loan From General Fund to
Homeland Security Grant Fund

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to approve the request of the Accounting Department to authorize a loan in the amount of \$22,356.40 from the General fund to the Homeland Security Grant Fund (Fund 25). The General Fund will be reimbursement upon receipt of reimbursement from the U.S. Treasury.

Approve Payment of Invoices

Motion was made by Supervisor William Lauderdale, seconded by Supervisor David McDonald and carried unanimously, to approve payment to John E. McKee, Jr., P.E. for the following invoices: Invoice No. 27 in the amount of \$35,356.52 for 2007 miscellaneous engineering and surveying services; Invoice No. 1221-S86 in the amount of \$18,324.23 for State Aid and LSBP projects; and Invoice No. 1221-C83 in the amount of \$8,125.05 for county funded projects.

Motion was made by Supervisor William Lauderdale, seconded by Supervisor David McDonald and carried unanimously, to approve payment to Paul Winfield, Board Attorney, in the amount of \$5,062.50 for April legal services.

Monthly District Attorney Reports

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to accept for information the following reports: District Attorney's Amended Report of Fines for October 2007; District Attorney's Amended Report of Fines for November 2007; District Attorney's Report of Fines for December 2007; District Attorney's Report of Fines for January 2008; and District Attorney's Report of Fines for February 2008.

Dot McGee, Chancery Clerk

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: Criminal/Traffic Account Cash Journal for 3/21/2008 to 4/20/2008; Clearing Account Cash Journal for 3/21/2008 to 4/20/2008; and Civil Court Cash Journal for 3/21/2008 to 4/20/2008.

Accept Monthly County Reports

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to accept for information the Cash Receipts Journal for 04/01/2008 through 04/30/2008 for FY 10/2007 - 9/2008 and the General Ledger Cash Balances for FY2007-2008 through April.

Approve Docket of Claims for April

Motion was made by Supervisor David McDonald, seconded by Supervisor William Lauderdale and carried, to approve the Docket of Claims for April. Supervisors Banks, Lauderdale, 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. A7).

Accept Minutes of E911 Commission, Parks
And Recreation Commission, and Port Commission

Motion was made by Supervisor William Lauderdale, seconded by Supervisor Charles Selmon and carried unanimously, to accept the following minutes for information: E911 Commission minutes for February 27, 2008 and March 26, 2008; Parks and Recreation Commission minutes for March 18, 2008; and Port Commission minutes for March 17, 2008.

Approve Reimbursement to Constable
John H. Heggins

Motion was made by Supervisor William Banks, seconded by William Lauderdale and carried unanimously, to approve a request from the Payroll Clerk to authorize a check to Constable John H. Higgins in the amount of \$2,325.42 for overpayment of his retirement contributions for calendar year 2007, per PERS.

Paul Winfield, Board Attorney

Approve Letter of Engagement for Legal
Services in Conjunction with Legends
Gaming of Mississippi, LLC (Diamond
Jacks Casino)

Mr. Winfield stated that Legends Gaming of Mississippi, LLC (Diamond Jacks Casino) has filed a petition under Chapter 11 of the U.S. Bankruptcy Code, and he recommended that the Board consider employing James R. Sherard to assist him with filing "Proof of Claim," etc., for taxes and/or penalties owed to Warren County. Motion was made by William Lauderdale, seconded by Supervisor David McDonald and carried, to approve and authorize the President to sign a "Letter of Engagement" between the Warren County Board of Supervisors and James R. Sherard, Attorney. Supervisors Lauderdale, McDonald and George voted "Yea" and Supervisors Banks and Selmon voted "Nay."

Approve Supplemental Docket of Claims

Motion was made by Supervisor David McDonald, seconded by Supervisor William Lauderdale and carried unanimously, to approve the Supplement Docket of Claims paid 05/05/2008 for April bills. Supervisors Banks, Lauderdale, 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. A8).

Executive Session

Motion was made by Supervisor William Lauderdale, seconded by Supervisor David McDonald and carried unanimously, to consider going into Executive Session to discuss litigation regarding a pauper.

Motion was made by Supervisor David McDonald, seconded by Supervisor William Lauderdale and carried unanimously, to go into Executive Session for the aforesaid purpose.

Motion was made by Supervisor William Lauderdale, seconded by Supervisor David McDonald and carried unanimously, to come out of Executive Session.

No action was taken on the matter.

Recess

Motion was made by Supervisor William Lauderdale, seconded by Supervisor David McDonald and carried unanimously, to recess until Tuesday, May 6, 2008, at 3:00 p.m.

Richard George, President