

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, December 3, 2007, 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)
Carl Flanders (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.

Approve November 2007 Minutes

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

Olie Elfer, Associate Consultant
Jimmy G. Gouras Urban Planning Consultants

2003 CDBG Project No. 00-075-ED-IF01
Anderson Tully Entrance Improvements

Motion was made by Supervisor William Banks, seconded by Supervisor Charles Selmon and carried unanimously, to accept the recommendation of Olie Elfer of Jimmy G. Gouras Urban Planning Consultants to approve payment of Invoice No. 7 in the amount of \$856.42, payable to ABMB Engineering, Inc. for work performed on the above referenced project.

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to accept the recommendation of Olie Elfer of Jimmy G. Gouras Urban Planning Consultants to approve payment of Invoice NO. 8 in the amount of \$1,360.60, payable to ABMB Engineering, Inc. for work performed on the above referenced project.

Richard Winans, Road Manager

Personnel Matter

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to accept the recommendation of the Road Manager to approve placing William Tucker on the Road Department payroll as a truck driver at \$9.00 per hour, effective 12/10/2007.

Approve Driveway Permits

Motion was made by Supervisor William 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 A3.

Accept Monthly Reports

Motion was made by Supervisor Carl Flanders, seconded by Supervisor David McDonald and carried unanimously, to accept for information the Permits Checked Report for October 2007 and the monthly Work Order Report for November 2007.

John McKee, County Engineer

Contractors Estimate No. 3 & FINAL
Southpark Turnlane Improvements

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to accept the recommendation of the County Engineer to approve payment of Progress Payment Estimate No.3 & FINAL in the amount of \$12,191.34 to Dirtworks Inc. of Vicksburg for work performed on the Southpark Turnlane Improvements project.

Contractors Estimate No. 4 & FINAL
2007 Warren County NRCS Erosion Control
Project No. 1 (Four Sites)

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to accept the recommendation of the County Engineer to approve payment of Progress Payment Estimate No. 4 & FINAL in the amount of \$15,139.50 to Lampkin Construction Co., Inc., for work performed on the 2007 Warren County NRCS Erosion Control Project No. 1 (Four Sites).

Contractors Estimate No. 3
2007 Warren County NRCS Erosion Control
Project No. 2 (Six Sites)

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to accept the recommendation of the County Engineer to approve payment of Progress Payment Estimate No. 3 in the amount of \$134,206.79 to Lampkin Construction Co., Inc., for work performed on the 2007 Warren County NRCS Erosion Control Project No. 2 (Six Sites).

Acceptance of Final Plat
Frontier Subdivision

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to accept the recommendation of the County Engineer to approve the final plat of Frontier Subdivision.

Tonga Vinson, Purchasing Agent

2008 Renewal of Term Contracts For
Various Supplies and Services

The Purchasing Agent presented the following list of vendors with existing term contracts who are willing to renew the contracts for 2008:

Pell's Lawn Care	Lawn Care - County Bldgs.	1/2007
Bob's Lawn Care	Lawn Care - Flood Lots/Other Properties	1/2007
Ameripride Uniforms	Uniform Rental/Road Dept.	1/2005
Custom Products	Road Signs	1/2007
MMC Materials	Wash Gravel	1/2007
SprayMax, Inc.	Herbicide Application Svcs.	1/2007

Motion was made by Supervisor Charles Selmon to separate the local and out of town contracts. Motion dies for lack of second.

Motion was made by Supervisor David McDonald, seconded by Supervisor Carl Flanders, to approve renewal of the above listed contracts for 2008 at the existing terms, conditions and prices as approved in the original awards, without regard to increases in fuel and labor costs. Supervisors McDonald, Flanders, Banks and George voted "Yea" and Supervisor Selmon voted "Nay". Motion carried. Copies of signed contract extensions are attached as Exhibit A4.

Authorization to Advertise For 2008
Term Contracts for Clay Gravel, Rip Rap Products,
Asphalt Products, U-Channel Sign Posts and
Concrete Products

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to authorize advertising for sealed bids for the following items, as the contract vendors have indicated that they are unable to renew: Clay gravel, rip rap and related products, asphalt products, U-channel sign post, and concrete products.

John Smith, County Administrator

Authorize Travel for County Administrator
to Attend CMPDD Meeting

Motion was made by Supervisor William Banks, seconded by Supervisor Charles Selmon and carried unanimously, to authorize travel for the County Administrator to attend the CMPDD meeting on December 7, 2007 in Jackson.

Approve Parks and Recreation Commission's
Request for 2nd Quarter Allotment for 2007-2008

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks, to approve the request of the Parks and Recreation Commission for a portion of the 2nd quarter allotment in the amount of \$20,000.00, to help cover expenses in December. Due to the cold temperatures, wet weather, football season and hunting season their

revenues declined. Supervisors McDonald, Flanders, Banks and George voted "Yea" and Supervisor Selmon voted "Nay." Motion carried.

Approve Payment of Invoices of County Engineer

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to approve payment of the following invoices: Invoice #22 payable to John E. McKee, Jr., P.E., in the amount of \$34,314.58 for 2007 miscellaneous engineering and surveying services; Invoice #1221-C79 payable to John E. McKee, Jr., P.E., in the amount of \$11,577.86 for county funded projects; and Invoice #1221-S83 payable to John E. McKee, Jr., P.E., in the amount of \$1,552.80 for state aid and LSBP projects.

Approve Payment of Invoice of County Attorney

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to approve payment of the invoice of Paul Winfield, Board Attorney, for legal services for the month of November 2007, in the amount of \$3,600.00.

Approve Payment of Mayrant & Associates' Pay Application No. 1 for Renovation to Vicksburg-Warren E911 Communication Center

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to approve payment of Mayrant & Associates' Pay application No. 1 for work performed on the Vicksburg-Warren E911 Emergency Communication Center in the amount of \$57,207.48.

Approve Request of Purchasing Agent for Check to Purchase Tag for Building and Grounds Vehicle

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to approve the request of the Purchasing Agent to authorize a check in the amount of \$12.00 payable to the Mississippi State Tax Commission to purchase a tag for one (1) 2008 F-150 Truck which was recently purchased for the Building and Grounds Department.

Accept Quote from Travelers/St. Paul for Insurance Coverage

Motion was made by Supervisor Charles Selmon, seconded by Supervisor William Banks, to take the quote of Travelers/St. Paul presented by the County Administrator under advisement. Motion was withdrawn.

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to accept the quote of Travelers/St. Paul in the amount of \$291,214.00 for renewal of the County's property and liability insurance coverage.

Jeff Riggs, Undersheriff

2007 Homeland Security Grant Program
and 2007 Law Enforcement Terrorism
Prevention Grant Program

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to approve acceptance of the FY 2007 Local Homeland Security Program Grant in the amount of \$13,066.00 and FY 2007 Law Enforcement Terrorism Prevention Program Grant in the amount of \$12,590.00; authorize the Board President to sign all necessary grant documents, subject to review of the documents by the Board Attorney; and, to designate Jeff Riggs, Undersheriff, as the Subgrantee Grant Administrator to fulfill the terms of the Cooperative Agreement during the performance period of the grant programs. The funds will be used to purchase fire detection equipment and for NIMS/Hazmat training.

Dot McGee, Chancery Clerk

Accept Monthly County Reports

Motion is made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to accept for information the General Ledger Cash Balances for FY 2007-2008, balance through November; and the Cash Receipts journal for 11/01/2007 through 11/30/2007 for FY 10/2007 - 09/2008.

Approve Claims Docket For Month of
November 2007

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried, to approve the Claims Docket for the month of November 2007. Supervisor Banks, McDonald, Flanders and George voted "Yea"; and, Supervisor Selmon abstained from voting on claims paid to River Region Medical Center and voted to approve 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:
Criminal/Traffic Account for 10/21/2007 to 11/20/2007;
Clearing Account Cash Journal for 10/21/2007 to 11/20/2007;
and, Civil Court Cash Journal for 10/21/2007 to 11/20/2007.

Approve Request for E911 Funding for
October 2007

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to approve payment in the amount of \$19,164.51 to E911 for Warren County's share of dispatchers' salaries, matching benefits and insurance for October 1, 2007 through October 31, 2007.

Accept Minutes of E911 Commission

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to accept for information the minutes of the E911 Commission for October 31, 2007.

Authority to Advertise for Depositories

Motion was made by Supervisor David McDonald, seconded by Supervisor Charles Selmon and carried unanimously, to authorize advertising for proposals from financial institutions in Warren County, whose accounts are insured by the Federal Deposit Insurance Corporation, for the privilege of keeping the county funds.

Approve 12/03/2007 Claims Docket

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried, to approve the Claims Docket for claims paid 12/03/2007 for November bills. Supervisor Banks, McDonald, Flanders and George voted "Yea"; and, Supervisor Selmon abstained from voting on claims paid to River Region Medical Center and voted to approve all other claims. (Ex. A5-1).

Paul Winfield, Board Attorney

Interlocal Agreement to Fund E911

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to authorize the President to sign the Interlocal Governmental Agreement to Fund E911. The Agreement has been approved by the Attorney General, pursuant to Section 17-13-11, Miss. Code of 1972, as amended; a copy of the Interlocal Agreement is attached as Exhibit A6.

Facilities Access Agreement Between
Ergon Asphalt & Emulsions, Inc. and Warren County

Motion was made by Supervisor Charles Selmon, seconded by Supervisor David McDonald and carried unanimously, to authorize the Board President to sign the Facilities Access Agreement between Ergon Asphalt & Emulsions, Inc. and Warren County. Mr. Winfield advised the Board that the indemnifying agreement has been taken out. (Ex. A7)

Resolution to Amend Solid Waste
Management Plan

The Warren County Board of Supervisors received an application from Vicksburg Warren Landfill Company to amend its Solid Waste Management Plan, pursuant to the provisions of Section 17-17-229, Miss. Code of 1972, as amended. The Board established a thirty-day comment period and held a hearing on the proposed amendment on Monday, November 19, 2007, at 10:00 a.m. After consideration, the Board finds that the amendment to the Solid Waste Management Plan would be in the best interest of Warren County. Motion was made by Supervisor David McDonald, seconded by Supervisor Carl Flanders and carried, to adopt the attached Resolution to Amend the Solid Waste Management Plan. Supervisors

McDonald, Flanders, Banks and George voted "Yea" and Supervisor Selmon voted "Nay." (Ex. A8).

Order of Abandonment and Closure
Portion of Thompson Lake Road

Motion was made by Supervisor Carl Flanders, seconded by Supervisor David McDonald and carried unanimously, to approve and adopt the attached Order to abandon and close the terminal half mile of Thompson Lake Road, which runs entirely through the property owned by Twin Oaks II, LLC. A public hearing in concert with Section 65-7-12(2), Miss. Code of 1972, as amended, was held, as noticed, on Monday, July 2, 2007, at 10:00 a.m. The Petitioner and the Board have met all statutory requirements necessary to abandon and close a public road. (Ex. A9).

Resolution to Employ the Elected County
Prosecuting Attorney on a Full-Time Basis
and to Provide Salary and Expenses

Motion was made by Supervisor William Banks, seconded by Supervisor Charles Selmon and carried unanimously, to adopt the attached Resolution to employ the elected County Prosecuting Attorney on a full-time basis and to provide salary and expenses, and requesting that our Legislative delegation introduce and support an amendment to allow the present status of the Warren County prosecuting attorney to be changed from part-time to full-time status. (Ex. A10).

Ray Wade Re-appointed to
Vicksburg Bridge Commission

Motion was made by Supervisor Carl Flanders, seconded by Supervisor Charles Selmon and carried unanimously, to re-appoint Ray Wade to the Vicksburg Bridge Commission to a five (5) year term, retroactive to 7-1-2007, to expire July 1, 2012.

Recess

Motion was made by Supervisor Charles Selmon, seconded by Supervisor William Banks and carried unanimously, to recess until 10:00 a.m., at which time a public hearing and bid openings will be held.

Public Hearing on Katrina Supplemental CDBG

The hour of 10:00 a.m. having passed, the President declared the public hearing open. A copy of the notice of the public hearing is attached as Exhibit A11 and a roster of persons present at the hearing is attached as Exhibit A12. The President turned the meeting over to Olie Elfer, Associate Consultant with Jimmy G. Gouras Urban Planning Consultants, Inc. Ms. Elfer stated that the Warren County Board of Supervisors is considering applying to the Mississippi Development Authority for a Katrina Supplemental Economic Development Community Development Block Grant. She said that the State of Mississippi has been allocated \$340 million that will be made available to cities and counties to undertake eligible economic development activities. The floor was then opened for the purpose of obtaining citizen input. There being no

questions or comments, motion was made by Supervisor David McDonald, seconded by Supervisor Charles Selmon and carried unanimously, to close the public hearing.

Bid Openings

Fisher Ferry Road Timber Pile Repair
State Aid Project No. SAP-75(64)TP

The hour of 10:00 a.m. having passed, the Warren County Board of Supervisors received sealed bids for the Fisher Ferry Road Timber Pile Repair Project No. SAP-75(64)TP. A copy of the Proof of Publication of Notice to Contractors is attached as Exhibit A13. The following bids were received:

Fordice Construction Co.	\$161,680.00
Buford Construction Co.	\$107,920.00
Magco Construction, Inc.	\$225,864.00
Key, LLC	\$191,180.00
Dozer, LLC	\$195,800.00

Motion was made by Supervisor William Banks, seconded by Supervisor Charles Selmon and carried unanimously, to take these five (5) bids under advisement. (Ex. A14).

Fordice Construction Co., presented a protest of the bid of Buford Construction Co., because they did not acknowledge the addendum. Motion was made by Supervisor David McDonald, seconded by Supervisor Charles Selmon and carried, to accept the protest letter of Fordice Construction Co. for information. Supervisors McDonald, Selmon, Flanders and George voted "Yea" and Supervisor Banks voted "Nay." (Ex. A15).

State Aid Paving Project
No. SAP-75(15)M

The hour of 10:00 a.m. having passed, the Warren County Board of Supervisors received sealed bids for the State Aid Paving Project No. SAP-75(15)M. A copy of the Proof of Publication of Notice to Contractors is attached as Exhibit A16. The following bids were received:

APAC-Mississippi	\$692,015.65
Dirtworks, Inc.	\$627,089.83

Motion was made by Supervisor William Banks, seconded by Supervisor Charles Selmon and carried unanimously, to take the bids for the State Aid Paving Project under advisement. (Ex. A17).

Cairo Drive Timber Pile Repair
LSBP-75(11)TP

The hour of 10:00 a.m. having passed, the Warren County Board of Supervisors received sealed bids for the Cairo Drive Timber Pile Repair Project No. LSBP-75(11)TP. A copy of the Proof of Publication of Notice to Contractors is attached as Exhibit A18. The following bids were received:

Fordice Construction Co.	\$21,715.00
Buford Construction Co.	\$45,650.00
Magco Construction, Inc.	\$27,012.50
Key, LLC	\$29,700.00
Dozer, LLC	\$41,100.00

Motion was made by Supervisor William Banks, seconded by Supervisor Charles Selmon and carried unanimously, to take these bids under advisement. (Ex. A19).

Spouts Spring Road Bridge Pile Replacement
SAP-75(16)M

The house of 10:00 a.m. having passed, the Warren County Board of Supervisors received sealed bids for the Spouts Spring Road Bridge Pile Replacement Project No. SAP-75(16)M. A copy of the Proof of Publication of Notice to Contractors is attached as Exhibit A20. The following bids were received:

Fordice Construction Co.	\$59,167.50
Buford Construction Co.	\$48,058.00
Dozer, LLC	\$94,870.00

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to take these bids under advisement. (Ex. A21).

Executive Session

Motion was made by David McDonald, seconded by Supervisor William Banks and carried unanimously, to consider going into Executive Session to discuss a personnel matter and a legal matter concerning Paw Paw Road.

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

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

During Executive Session, the Board was updated on Paw Paw Road litigation; however, no action was taken pertaining to the lawsuit.

Relative to the personnel matter, Supervisor Charles Selmon made a motion, seconded by Supervisor William Banks, to reject the recommendation of the Building and Grounds Director to terminate a housekeeping employee for two (2) Group Two offenses in one year. Supervisors Selmon and Banks voted "Yea" and Supervisors Flanders, McDonald and George voted "Nay." Motion failed.

Supervisor David McDonald then made a motion, seconded by Supervisor Carl Flanders, to accept the recommendation of the Building and Grounds Director to terminate the housekeeping employee. Supervisors McDonald, Flanders and George voted "Yea" and Supervisors Selmon and Banks voted "Nay." Motion carried.

Motion was made by Supervisor Charles Selmon, seconded by Supervisor William Banks, to have the Building and Grounds Director provide documentation on the work locations of all full-time housekeeping employees during work hours. Supervisors Selmon and Banks voted "Yea" and Supervisors McDonald, Flanders and George voted "Nay." Motion failed.

Bid Awards

Cairo Drive Timber Pile Repair LSBP-75(11)TP

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to accept the recommendation of the County Engineer and State Aid Engineer to award the contract for the Cairo Drive Timber Pile Repair Project No. LSBP-75(11)TP to Fordice Construction Co., the low bidder, and to reject the other bids. The Board President is further authorized to execute an Order awarding the contract, establishing the project fund, and authorizing execution of contract agreements for the project. (Ex. A22).

Spouts Spring Road Bridge Pile Replacement SAP-75(16)M

Motion was made by Supervisor William Banks, seconded by Supervisor Charles Selmon and carried unanimously, to accept the recommendation of the County Engineer and State Aid Engineer to award the contract for the Spouts Spring Road Bridge Pile Replacement Project No. SAP-75(16)M to Buford Construction Co., the low bidder, and to reject the other bids. The Board President is further authorized to execute an Order awarding the contract, establishing the project fund, and authorizing execution of contract agreements for the project. (Ex. A23).

Fisher Ferry Road Timber Pile Repair State Aid Project No. SAP-75(64)TP

Fordice Construction Co. filed a protest to Buford Construction Co.'s bid due to Buford's failure to acknowledge the addendum. The State Aid Engineer stated that State Aid viewed this as a "minor technicality" and, if the award was not made to Buford Construction Co., the project should be re-bid. Motion was made by Supervisor Charles Selmon, seconded by Supervisor William Banks and carried unanimously, to accept the recommendation of the State Aid Engineer and the County Attorney to award the contract for the Fisher Ferry Road Timber Pile Repair Project No. SAP-75(64)TP to Buford Construction, the low bidder, and to reject the other bids. The Board President is further authorized to execute an Order awarding the contract, establishing the project fund, and authorizing execution of contract agreements for the project. (Ex. A24).

State Aid Paving Project No. SAP-75(15)M

Motion was made by Supervisor David McDonald, seconded by Supervisor Charles Selmon and carried unanimously, to

accept the recommendation of the County Engineer and State Aid Engineer to award the contract for the State Aid Paving Project No. SAP-75(15)M to Dirtworks Inc. of Vicksburg, the low bidder, and reject the other bids. The Board President is further authorized to execute an Order awarding the contract, establishing the project fund, and authorizing execution of contract agreements for the project. (Ex. A25).

Reappointments to Warren County Port Commission

Motion was made by Supervisor Carl Flanders, seconded by Supervisor David McDonald and carried unanimously, to reappoint Johnny Moss to the Warren County Port Commission for a four (4) year term, beginning January 1, 2008 and ending December 31, 2011.

Motion was made by Supervisor Carl Flanders, seconded by supervisor David McDonald and carried unanimously, to reappoint Oren Bailess to the Warren County Port Commission for a four (4) year term, beginning January 1, 2008 and ending December 31, 2011.

Recess

Motion was made by Supervisor Carl Flanders, seconded by Supervisor David McDonald and carried unanimously, to recess until Monday, December 17, 2007, at 9:00 a.m.

Richard George, President