

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 7, 2007, it 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 as Exhibit A2, the following were present:

Honorable Richard George, President (5<sup>th</sup> District)  
Charles Selmon, Vice President (3<sup>rd</sup> District)  
David L. McDonald (1<sup>st</sup> District)  
William Banks (2<sup>nd</sup> District)  
Carl Flanders (4<sup>th</sup> District)  
Martin Pace, Sheriff, and Deputy  
Dot McGee, Chancery Clerk, and Deputy

President Richard George called the meeting to order at 9:00 a.m., and Supervisor Charles Selmon 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 2007.

Tina Hayward, Mountain of Faith Ministries

Shelter Plus Care Grant

Ms. Hayward informed the Board of grant funds available to provide housing for homeless women and asked the Board of Supervisors to join with Mountain of Faith Ministries in applying for the "Shelter Plus Care" grant. Motion was made by Supervisor Charles Selmon, seconded by Supervisor David McDonald and carried unanimously, to take the matter under advisement and to discuss the matter in depth at Thursday's meeting. Ms. Hayward was asked to give a copy of the grant application to Paul Winfield, Board Attorney, for review.

Richard Winans, Road Manager

Rescind Motion to Exercise Buy-back Option  
With Puckett Machinery for Three (3)  
Graders

Mr. Winans asked that the Board rescind the motion passed on March 19, 2007, authorizing the exercise of the buy-back option with Puckett Machinery for three (3) graders, in the amount of \$100,000.00 per unit. Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to rescind the aforesaid motion.

Mr. Winans then requested authorization to send the graders to public auction. He stated that Durham Auctions, Inc. is having a sale on June 1, and has agreed to a lump

sum guarantee on the three graders of \$375,000.00. Along with the graders, he requested authorization to send a dozer, three pickups and a shop air compressor to the sale. Motion was made by Supervisor William Banks, seconded by Supervisor Charles Selmon and carried unanimously, to approve the aforesaid request. (Ex. A3).

#### Personnel Matters

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to accept the recommendation of the Road Manager to remove Joe Johnson from the Warren County Road Department payroll as a truck driver; he quit without notice 04/19/2007.

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to accept the recommendation of the Road Manager to promote Archie West from laborer to tractor driver, at a rate of \$8.00 per hour, effective 04/25/2007; he has successfully completed his 30-day probationary period.

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to accept the recommendation of the Road Manager to place Tommy Huntley on the Warren County Road Department payroll, at \$7.50 per hour, effective 05/07/2007; he has completed his 90-day probationary period with Staffing Solutions.

#### Driveway Permits Approved

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 A4.

#### Temporary Dumping Easements Approved

Motion was made by Supervisor Carl Flanders, seconded by Supervisor David McDonald and carried unanimously, to accept the recommendation of the Road Manager to approve the temporary dumping easements contained in Exhibit A5.

#### Monthly Reports Accepted for Information

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to accept for information the following monthly Road Department reports: Permits Report for April 2007 and Monthly Work Order Report for April 2007.

#### John McKee, County Engineer

#### Contractors Estimate No. 2 2006 WC NRCS Erosion Control Project #3 (Two Sites)

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 Progress Payment Estimate No. 2 in the amount of \$27,568.53 to Buford Construction Company, for work performed on the 2006 WC NRCS Erosion Control Project #3 (Two Sites).

Contractors Estimate No. 6  
2006 Paving Project - Contract 2

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 Progress Payment Estimate No. 6 in the amount of \$45,731.27 to Central Asphalt Co., Inc., for work performed on the 2006 Paving Project - Contract 2.

2007 EWP NRCS Project 1  
2007 EWP NRCS Project 2  
South Park School Turnlane Improvements

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to approve advertising for bids for the 2007 EWP NRCS Projects 1 and 2 and for construction of improvements of a turnlane at South Park School.

Kenny Staggs, Address Coordinator

New Road Name

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to accept the recommendation of the E911 Commission to approve naming a road off of the 5900 block of Oak Ridge Road "Bass Drive".

Georgia Lynn, District Attorney's Office

District Attorney's Monthly Report

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to accept for information the District Attorney's Report of Fines for March 2007.

Vicksburg-Warren Humane Society Report  
First Quarter of 2007

Motion was made by Supervisor William Banks, seconded by Supervisor Charles Selmon and carried unanimously, to accept for information the Vicksburg-Warren Humane Society Report for the first quarter of 2007.

Jim Agent, Deputy Tax Assessor

Reduction of Assessment 2006  
Real Property Assessment Roll

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to accept the recommendation of the Deputy Tax Assessor to approve the reduction of assessments to the 2006 Real Property Assessment Roll contained in Exhibit A6.

Reduction of Assessment 2006  
Personal Property Assessment Roll

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

accept the recommendation of the Deputy Tax Assessor to approve the reduction of assessment to the 2006 Personal Property Assessment Roll contained in Exhibit A7.

Adjustment to 2006 Homestead Exemption  
Supplemental Roll

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to accept the recommendation of the Deputy Tax Assessor to adopt an Order approving adjustments to the 2006 Homestead Exemption Supplemental Roll contained in Exhibit A8.

Tonga Vinson, Purchasing Agent

Appointment of Assistant Receiving Clerk  
Justice Court

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to accept the recommendation of Hazel Tubwell, Receiving Clerk, to appoint Chrissy Young as an assistant receiving clerk for Justice Court to replace Denise Bailey, who is no longer employed with Justice Court.

Award of LP-Track Dozer - Bid #03192007  
Authorization to Enter LP Contract

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to accept the recommendation of the Purchasing Agent to approve the lease purchase of one (1) new model track dozer from Puckett Machinery with a 48-month buyback, as the lowest and best bid, and to reject the bid of Puckett Machinery with the 60-month buyback. (Ex. A9)

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to accept the recommendation of the Purchasing Agent to adopt a Resolution to authorize entering into a LP Agreement with Hancock Bank for a 48-month term, with monthly payments of \$1,067.71 and a balloon payment of \$54,000.00 and authorizing the Board President to sign the LP Agreement. (Ex. A10)

Award of LP-Motor Graders-Bid #03202007  
Authorization to Enter LP Contract

Motion was made by Supervisor David McDonald, seconded by Supervisor Carl Flanders and carried unanimously, to accept the recommendation of the Purchasing Agent to approve the lease purchase of three (3) new model motor graders from Scott Construction Equipment, with 48-month buyback option, as the lowest and best bid, and to reject the bid of Scott Construction Equipment with 60-month buyback and bids of Puckett Machinery Co. with 48 and 60-month buyback. (Ex. A11)

Motion was made by Supervisor William Banks, seconded by Supervisor Charles Selmon and carried unanimously, to accept the recommendation of the Purchasing Agent to adopt a Resolution to authorize entering into a LP Agreement with

Hancock Bank for a 48-month term, with monthly payments of \$2,321.86 and a balloon payment of \$135,078.00. (Ex. A12)

Dexter Jones, Inventory Control Clerk

2003 Dodge Durango Declared Surplus

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, that one (1) 2003 Dodge Durango, VIN# 1D4HR38NX3F540051, WC# 7789, be declared surplus and sold at MID South Auto in Jackson. (Ex. A13)

Fixed Asset Disposition Listing  
04/01/2007 through 05/07/2007

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to approve the Fixed Asset Disposition Listing for April 2007. A copy of the listing is on file in the Office of the Chancery Clerk.

John Smith, County Administrator

Authorization to Purchase Ad  
Christ Missionary & Industrial College/High School

Motion was made by Supervisor William Banks, seconded by supervisor Charles Selmon and carried, to purchase a full-page ad for \$100.00 in the souvenir booklet for the Christ Missionary and Industrial College/High School 2007 Reunion. Supervisors Banks, Selmon, McDonald and George voted "Yea" and Supervisor Flanders voted "Nay".

Authorization to Publish "Public Notice  
County Maintained Roads"

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to authorize publishing "Public Notice - County Maintained Roads" on a monthly basis. This ad is to be published the last Sunday of each month together with the ad for development permits and driveway permits. (Ex. A14)

Approval to Pay Invoices

Motion was made by Supervisor David McDonald, seconded by Supervisor Charles Selmon and carried unanimously, to approve and authorize payment of Invoice No. 1221-C72 in the amount of \$70,065.57 to John E. McKee, Jr., for County Funded Projects and Invoice No. 15 in the amount of \$35,301.06 to John E. McKee, Jr., for 2007 Miscellaneous Engineering & Surveying Services.

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to approve and authorize payment of Invoice of Paul Winfield for legal services provided for the month of April 2007 in the amount of \$4,975.00.

Resignation of Dexter Jones as  
Collection Agent - Justice Court

Motion was made by Supervisor William Banks, seconded by Supervisor Charles Selmon and carried unanimously, to accept the resignation of Dexter Jones as Collection Agent for the Justice Court.

Authorization for Board Attorney to Investigate  
Whether or Not to Accept Proposal of Portland,  
Oregon Firm to Collect Money Due Warren County

Motion was made by Supervisor Charles Flanders, seconded by Supervisor Charles Selmon and carried unanimously, to authorize the Board Attorney to investigate and make a recommendation to the Board concerning whether or not to accept the proposal by a Portland, Oregon firm to assist in collecting money that maybe due Warren County.

Dot McGee, Chancery Clerk

Monthly County Reports

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to accept for information the following County Reports: Cash Receipts Journal for 04/01/2007 through 04/30/2007 for FY 10/226-09/2007 and General Ledger Cash Balances for FY 2006-2007, balance through April.

Docket of Claims for April 2007

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried, to approve the Docket of Claims paid for the month of April 2007. Supervisors 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. A15)

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 03/21/2007 to 04/20/2007; Criminal/Traffic Account Cash Journal for 03/21/2007 to 04/20/2007; and Civil Court Cash Journal for 03/21/2007 to 04/20/2007.

Port Commission and Parks and Recreation  
Commission Minutes

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to accept for information the minutes of the Port Commission for March 19, 2007 and Parks and Recreation Commission minutes for March 20, 2007.

Memo and Report of Jury Commission for  
Fourth Quarter 2006

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to accept for information a Memo for the Record and Fourth Quarter 2006 Report of the Jury Commission.

Reminder of National Memorial Day/Jefferson  
Davis' Birthday Holiday

Ms. McGee reminded the Board that the Legislature has designated the last Monday of May as the day for the observance of National Memorial Day and Jefferson Davis' birthday. The holiday will be observed on Monday, May 28, 2007.

Authorization to Publish Legal Notice  
of Final Settlement of Contract  
Project No. SAP 75(59) Bowie-Oakridge Road

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to authorize publication of legal notice of final settlement of contract for Project No. SAP 75(59), being a section of Bowie-Oakridge Road.

Payroll Check - Josie Hilderbrand

Ms. McGee stated that at the time of Ms. Hilderbrand's death, she had earned a pay check in the amount of \$896.59, which is presently being held by the Accounting Department. The Mississippi State Audit Department has suggested that the check be voided and two checks issued for one-half of the amount to the fathers of her two children for the benefit of the children who are her beneficiaries. Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to approve the aforesaid request.

Rescind Motion Pertaining to County Project #1697  
Right of Way Acquisition

Motion was made by Supervisor David McDonald, seconded by Supervisor Carl Flanders and carried unanimously, to rescind the authorization granted on April 16, 2007 to issue a check in the amount of \$1,200.00 for the purchase of right of way for the above referenced project. Supervisor David McDonald then moved, seconded by Supervisor William Banks and carried unanimously, to approve a check in the amount of \$1,300.00 to the landowner for the purchase of the aforesaid right of way.

Order Issued by the Mississippi Department of  
Environmental Quality Approving a Proposed  
Amendment to the Warren County Solid Waste  
Management Plan Taken for Information

Motion was made by Supervisor William Banks, seconded by Supervisor Charles Selmon and carried unanimously, to take MDEQ Administrative Order No. 5252 07 for information.

Bid Opening for 2007 Addition to Existing Services Building  
at Clear Creek Recreational Complex

The hour of 10:00 a.m. having passed, and proof of publication of Advertisement for bids being attached as Exhibit A16, the following bids were received: Griffin Classic Builders, Inc. in the amount of \$175,00.00 and Fordice Construction Company in the amount of \$132,900.00. Motion was made by Supervisor David McDonald, seconded by Supervisor Charles Selmon and carried unanimously, to take these bids under advisement. (Ex. A17)

Claims Docket for Claims Paid 05/07/2007

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried, to approve the Docket of Claims paid 05/07/2007 for bills for the month of April 2007. Supervisors Banks, McDonald, and George voted "Yea"; Supervisor Flanders vote to approve all claims except payment to the Swedish Chamber of Commerce; and Supervisor Selmon abstained from voting on claims paid to River Region Medical Center and voted to approve all other claims. (Ex. A18)

Executive Session

Motion was made by Supervisor Carl Flanders, seconded by Supervisor David McDonald and carried unanimously, to consider going into Executive Session.

Motion was made by Supervisor Carl Flanders, seconded by Supervisor David McDonald and carried unanimously, to go into Executive Session to discuss pending litigation and a personnel issue.

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

Mr. Winfield, Board Attorney, recommended that the Board hire Ken Rector in connection with the pending litigation involving Issaquena and Warren Counties Land Co., LLC. Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to accept the recommendation and to authorize the President to sign the Letter of Engagement.

No action was taken on the personnel matter.

Recess

Motion was made by Supervisor David McDonald, seconded by Supervisor Carl Flanders and carried unanimously, to recess until Monday, May 21, 2007, at 9:00 a.m.

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Richard George, President