

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 Tuesday, September 4, 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.

August 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 August 2007 minutes.

Budget Hearing

The President declared the public hearing on the proposed budget and proposed ad valorem tax revenue increase for fiscal year 2008 (October 1, 2007 through September 30, 2008) open, and turned the meeting over to the County Administrator, John Smith. Mr. Smith stated that proof of publication of the "Notice of Budget Hearing and Tax Increase", which was published in compliance with the provisions of Sections 27-39-203 and 27-39-205, Miss. Code of 1972, as amended, has been filed, and a copy is attached as Exhibit A2(1). A sign-in sheet containing the names of persons present at the hearing is attached as Exhibit A2(2). Mr. Smith presented an overview of the projected budget, and the hearing was opened for comments from the public. Those citizens making comments and/or asking questions were: Margaret Gilmer. Following the comment period, motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to close the public hearing.

Approval of FY 2007-2008 Budget

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks, to adopt the FY 2007-2008 Budget, as presented. Following discussion, Supervisor Carl Flanders made a substitute motion to adopt the budget as presented, except for the re-alignment of salaries of

eleven employees. Mr. Flanders' motion died for lack of second. Supervisor Charles Selmon then moved to postpone adoption of the budget until later this afternoon or tomorrow, in order to afford the citizens of Warren County the opportunity to review the budget. Mr. Selmon's motion died for lack of second. The President then called for a vote on Mr. McDonald's motion, and the motion carried unanimously to adopt the budget as presented. Ex. A2(3).

FY 2007-2208 Tax Levy Adopted

The Warren County Board of Supervisors having adopted the budget for the fiscal year beginning October 1, 2007 and ending September 30, 2008, in compliance with all statutory requirements, and having ascertained the revenues necessary to meet said budget, motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to adopt the attached Resolution setting forth ad valorem tax rates, or levies, to be imposed and levied for FY 2007 - 2008. Exhibit A2(4).

Authorization to Publish Budget

Motion was made by Supervisor William Banks, seconded by Supervisor Charles Selmon and carried unanimously, to authorize publication of the adopted budget.

Lucien L. Bourgeois, Butler, Snow, O'Mara,
Stevens & Cannada, PLLC

2,500,000 General Obligation Port Bonds Series 2007 of Warren County, Mississippi (the "Bonds")

Resolution Authorizing and Ratifying the Signing and Distribution of a Preliminary Official Statement for the Sale of Two Million Five Hundred Thousand Dollars (\$2,500,000) General Obligation Port Bonds, Series 2007, of Warren County, Mississippi

The Board of Supervisors of Warren County, Mississippi took up for consideration the matter of the issuance of General Obligation Port Bonds, Series 2007 of Warren County, Mississippi, in the principal amount of Two Million Five Hundred Thousand (\$2,500,000). After discussion of the subject, Supervisor David McDonald offered and moved the adoption of "Resolution Authorizing and Ratifying the Signing and Distribution of a Preliminary Official Statement for the Sale of Two Million Five Hundred Thousand Dollars (\$2,500,000) General Obligation Port Bonds, Series 2007, of Warren County, Mississippi". Supervisor William Banks seconded by the motion to adopt the aforesaid resolution and the motion carried unanimously. A copy of said Resolution is attached as Exhibit A3 and incorporated herein by reference.

Resolution Authoring and Directing the
Issuance of General Obligation Port Bonds,
Series 2007 of Warren County, Mississippi,
In the Principal Amount of Two Million
Five Hundred Thousand Dollars (\$2,500,000)
To Raise Money for the Purpose of Providing
Funds for Improvements of Port Facilities
At the Port of Vicksburg

The Board of Supervisors of Warren County, Mississippi took up for further consideration in the matter of the issuance of the aforesaid Bonds, "Resolution Authoring and Directing the Issuance of General Obligation Port Bonds, Series 2007 of Warren County, Mississippi, in the Principal Amount of Two Million Five Hundred Thousand Dollars (\$2,500,000) to Raise Money for the Purpose of Providing for Improvements of Port Facilities at the Port of Vicksburg". After discussion of the subject, Supervisor David McDonald offered and moved the adoption of the aforesaid Resolution. The motion was seconded by Supervisor William Banks and carried unanimously. A copy of the said Resolution is attached as Exhibit A4 and incorporated herein by reference. The Board of Supervisors of Warren County, Mississippi will receive bids until the hour of 11:00 o'clock a.m., on September 19, 2007, for the sale of the aforesaid Bonds.

Richard Winans, Road Manager

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 A5.

Temporary Easements Approved

Motion was made by Supervisor David McDonald, seconded by Supervisor Charles Selmon and carried unanimously, to accept the recommendation of the Road Manger to approve the temporary easements contained in Exhibit A6.

John McKee, County Engineer

Contractors Estimate No. 1
2007 Warren County Paving Project

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 Progress Payment Estimate No. 1 in the amount of \$124,133.48 to Superior Asphalt, Inc. for payment of work performed on the 2007 Warren County Paving Project.

Contractors Estimate No. 2
Southpark Turnlane Improvements

Motion was made by Supervisor David McDonald, seconded by Supervisor Carl Flanders and carried unanimously, to accept the recommendation of the County Engineer to approve Progress Payment Estimate No. 2 in the amount of \$74,234.09

to Dirtworks, Inc. for work performed on the Southpark Turnlane Improvements Project.

Contractors Estimate No. 1
2007 Warren County NRCS Erosion Control
Project No. 1 (Four 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. 1 in the amount of \$33,505.63 to Lampkin Construction Co., Inc. for payment for work performed on the 2007 Warren County NRCS Erosion Control Project No. 1 (Four Sites).

Department of Economic Community Development
Project No. DECD-0075(22)B, Phase II
River Region Slide Repair

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to accept the recommendation of the County Engineer to adopt a Board Order accepting Project No. DECD-0075(22)B, Phase II, River Region Slide Repair, effective August 22, 2007, and to authorize the Board President to sign all necessary formal acceptance documents. (Ex. A7).

Georgia Lynn, DA's Office

District Attorney's Report of Fines
for June 2007

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

Kenny Staggs

Rural AED (Automated External Defibrillator) Grant

Mr. Staggs stated that Warren County had received a Rural AED Grant for the purchase of automated external defibrillators (AEDs). He displayed one of the AEDs and said that they will be distributed to the fire departments. Mr. Staggs thanked the Board for their support of the program.

Dexter Jones, Inventory Control Clerk

Fixed Asset Disposition Listing
07/01/2007 through 08/31/2007

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to approve the Fixed Asset Disposition for the period of 07/01/2007 through 08/31/2007. A copy of said report is on file in the office of the Chancery Clerk.

Tonga Vinson, Purchasing Agent

Award of Term Contract for Polyethylene Pipe Supplies
Bid File No. 07132007

Ms. Vinson stated that three bids were received from three vendors for polyethylene pipe supplies under a term contract and that she recommends to award to multiple bidders. Motion was made by Supervisor Carl Flanders, seconded by Supervisor David McDonald and carried unanimously, to accept the recommendation of the Purchasing Agent to make the following award: Primary Award to Utility Pipe Supply, Flora, Mississippi, price range/ft. \$4.31-\$75.10; Alternate #1 to Advanced Drainage, Jackson, Mississippi, price range/ft. \$4.40-\$76.68; and Alternate #2 to HD Supply Waterworks, Pearl, Mississippi, price range/ft. \$4.55-\$79.68. (Ex. A8).

Award of Contract for Construction/Renovation to
Culkin VFD; Bid File No. 07032007

Ms. Vinson stated that, after review of the bids and discussion with Kelly Worthy, Fire Coordinator, and Culkin VFD personnel, she recommends the following award of the contract for construction/renovation of Culkin VFD: award to Skipper Construction, the low bidder, in the amount of \$45,972.00, and reject the bids of Lee Builders, Inc. and Fordice Construction Co. as high bids. Motion was made by Supervisors William Banks, seconded by Supervisor David McDonald and carried unanimously, to approve the award of the contract to Skipper Construction, the low bidder, and to reject the bids of Lee Builders, Inc. and Fordice Construction Co. as high bids. (Ex. A9).

Award for Purchase of Brush Truck Body/Pump Assy
for Northeast VFD; Bid File No. 06222007

After review of the bid and discussion with Kelly Worth, Fire Coordinator, Ms. Vinson stated that she recommends award to Deep South Fire Trucks, Inc., the sole bidder, in the amount of \$21,336.00. Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to approve the award to Deep South Fire Trucks, Inc. (Ex. A10).

John Smith, County Administrator

Resolution of the Board of Trustees of the
Vicksburg Warren School District Accepted
for Information

Motion was made by Supervisor David McDonald, seconded by Supervisor Carl Flanders and carried unanimously, to accept for information a Resolution of the Board of Trustees of the Vicksburg Warren School District that the School District ad valorem tax levy should be reduced by \$850,069.00, and petitioning the Warren County Board of Supervisors to levy the appropriate number of mills to provide \$23,849,469.00 for support of its regular programs for the 2007-2008 school year. (Ex. A11).

Appointment of Cassidy Anderson as AOC
Law Clerk I

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to accept for information the Order of V.R. Barnes, Chancellor, appointing Cassidy Anderson as AOC Law Clerk I for the Chancellor of the North Chancery Court District (Subdistrict 3), effective September 1, 2007, at the stated annual salary.

Approval to Pay Invoices

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to approve and authorize payment to John E. McKee, Jr. for the following invoices:

Invoice No. 19 in the amount of \$26,211.20
for miscellaneous engineering and
Surveying services

Invoice No. 1221-S80 in the amount of \$ 9,586.39
for state aid and LSBP projects

Invoice No. 1221-C76 in the amount of \$ 4,783.77
for county funded projects

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously to approve and authorize payment to Paul Winfield in the amount of \$4,552.50 for legal services for the month of August 2007.

Warren County CAP Loan Fund

Mr. Smith presented the request of Ms. Loretta S. Brantley, Payroll/Accounts Receivable Clerk, to declare the balance in the Warren County CAP Loan Fund of \$.61 as surplus funds, transfer said amount into the General Fund, and close out the CAP Fund Account. Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to approve the request.

Purchase of Ad - 2nd Annual Family &
Friends Fall Festival

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously to approve the purchase of a full-page ad in the program booklet for the 2nd Annual Family & Friends Fall Festival to be held September 15 - 16, 2007, in Vicksburg, Mississippi. The cost of the ad is \$100.00.

Dot McGee, Chancery Clerk

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

08/01/2007 through 08/31/2007 and the General Ledger Cash Balances for FY 2006-2007, balance through August.

Claims Docket for August 2007

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried, to approve the Docket of Claims for August 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. A12).

Minutes of Warren County Port Commission and Parks and Recreation Commission

Motion was made by Supervisor David McDonald, seconded by Supervisor Charles Selmon and carried unanimously, to accept for information the minutes of the Warren County Port Commission for July 16, 2007 and minutes of the Warren County Parks and Recreation Commission for July 17, 2007.

Recapitulation of Assessments of Real and Personal Property Approved

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously to approve the Recapitulation of Assessments of Real and Personal Property of Warren County, Mississippi, as of January 1, 2007. (Ex. A13).

Justice Court Monthly Reports

Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to approve the following Justice Court Monthly Reports: Civil Court Cash Journal for 07/21/2007 to 8/20/2007; Clearing Account Cash Journal for 07/21/2007 to 08/20/2007; and, Criminal/Traffic Account Cash Journal for 07/21/2007 to 08/20/2007.

Affidavit for Pauper's Burial Expenses

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to declare Judith Eiff, deceased, a pauper, and to authorize payment for the burial of Judith Eiff, deceased, to Glenwood Funeral Home in the sum of \$500.00, all in accordance with Section 43-31-31, Miss. Code of 1972, as amended.

Paul Winfield, Board Attorney

Utility Easements Approved

Mr. Winfield informed the Board relative to two utility easements between Warren County and the City of Vicksburg. Following discussion, motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to approve and authorize the President to sign a Utility Easement granting a perpetual and permanent right of way and easement forty (40) feet in width, for the purpose of laying,

constructing, maintaining, operating, altering, replacing, repairing and removing utility line(s) for the transportation of electricity and/or water over and through land lying and being situate in the N ½ of Section 3, Township 16 North, Range 3 East, Warren County, Mississippi, more particularly described in Exhibit A14 attached hereto, subject to review of the document by the County Engineer.

Motion was made by Supervisor David McDonald, seconded by Supervisor Charles Selmon and carried unanimously, to approve and authorize the President to sign an Easement granting an exclusive right-of-way and easement thirty (30) feet in width, for the purpose of ingress and egress over and across the existing dirt road which is used for maintenance of the City of Vicksburg water wells across property lying and being situate in the N ½ of Section 3, Township 16 North, Range 3 East, Warren County, Mississippi, more particularly described in Exhibit A15 attached hereto, subject to review of the document by the County Engineer.

Bid Opening for 2007 Warren County NRCS Erosion Control Project No. 2 - Six Sites

Notice to Contractors that sealed bids would be received by the Warren County Board of Supervisors until 10:00 a.m., on Tuesday, September 4, 2007, having been duly published (Exhibit A16), and the hour of 10:00 o'clock a.m. having passed, the following bids were received: Lampkin Construction Co., Inc., in the sum of \$560,641.00; Dirtworks, Inc. of Vicksburg in the sum of \$589,343.00; and CAMO Construction in the sum of \$625,397.25. Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to take the bids under advisement so that the County Engineer can tabulate the bids.

Recess

Motion was made by supervisor David McDonald, seconded by Supervisor William Banks and carried unanimously, to recess until 10:30 to award the contract for the 2007 Warren County NRCS Erosion Control Project 2 - Six Sites.

Award of Contract for 2007 Warren County NRCS Erosion Control Project No. 2 - Six Sites

The County Engineer stated that the bids had been tabulated and that Lampkin Construction Co., Inc. was the low bidder. Motion was made by Supervisor William Banks, seconded by Supervisor David McDonald and carried unanimously, to award the contract for the 2007 Warren County NRCS Erosion Control Project No. 2 - Six Sites to Lampkin Construction Co., Inc., the low bidder, and to reject the bids of Dirtworks, Inc. of Vicksburg and CAMO Construction, as high bids. (Ex. A17).

Claims Docket Bills Paid 09/04/2007

Motion was made by Supervisor David McDonald, seconded by Supervisor William Banks and carried, to approve the Docket of Claims for bills paid 09/04/2007 for August

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. A18).

Recess

Motion was made by Supervisor Charles Selmon, seconded by Supervisor William Banks and carried unanimously, to recess until Monday, September 10, 2007, at 8:00 a.m.

Richard George, President