

Monday, August 17, 2009, the Board met pursuant to recess. Notice of the meeting was duly posted, as evidenced by Exhibit 1, and the agenda for the meeting is attached as Exhibit 2. The following were present:

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

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

Objections to Assessments

Magnolia Hill, LLC d/b/a
Riverwalk Casino and Hotel
PPINs 5090, 11313, 11322, and 25139

Ms. Chris Rollins appeared on behalf of Magnolia Hill, LLC d/b/a Riverwalk Casino and Hotel. Ms. Rollins said that she had been contacted last week to review the real and personal property assessments for Magnolia Hill, LLC d/b/a Riverwalk Casino for 2009. She has reviewed the personal property assessments and has submitted a listing to the Tax Assessor. Ms. Rollins stated that she is working on the real property assessments and that additional information would be provided to the Tax Assessor for consideration.

Mr. Agent, Deputy Tax Assessor, was present and responded to the protest of Magnolia Hill, LLC, d/b/a/ Riverwalk Casino and Hotel, PPINs 5090, 11313, 11322, and 25139. The protest was filed by Hon. David Sessums of the firm of Varner, Parker and Sessums, on behalf of the taxpayer. The protest has been reviewed and no additional information has been received in support of their protest. Mr. Agent recommended that the values set forth in the rolls be affirmed. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, that the protest of Magnolia Hill, LLC, d/b/a Riverwalk Casino and Hotel be denied and the values set forth by the Tax Assessor be affirmed. (Ex.3)

Mission Ridge Apartments
PPIN 19039

Mr. Agent stated that the protest filed by Easley, McCaleb & Associates, Inc. on behalf of Mission Ridge Apartments, PPIN 19039, had been reviewed. No additional information has been presented by the taxpayer to support a reduction of the value. Mr. Agent recommended that the value set forth in the roll be affirmed. Motion was made by Supervisor Lauderdale, seconded by Supervisor Selmon and carried unanimously, to deny the protest of Mission Ridge Apartments and affirm the value set forth by the Tax Assessor. (Ex. 4).

Magnolia Mobile, LLC
d/b/a Ameristar Mobile Home Park
PPIN 25137

Mr. Agent stated that the protest of Magnolia Mobile, LLC, d/b/a Ameristar Mobile Home Parks, PPIN 25137, had been reviewed and that no additional information has been presented by the taxpayer to support a reduction of the value. Mr. Agent recommended that the value set forth in the roll be affirmed. Motion was made by Supervisor Banks, seconded by Supervisor Selmon and carried unanimously, to deny the protest of Mission Ridge Apartments and affirm the value set forth by the Tax Assessor. (Ex. 5).

Realty Income Corporation (Ryan's)
PPIN 13638

Mr. Agent stated that the protest of Property Tax Associates, Inc., filed on behalf of Realty Income Corporation, PPIN 13638, had been received following the Board meeting on August 3rd, but had been reviewed. No additional information has been presented by the taxpayer to support a reduction of the value. Mr. Agent recommended that the value set forth be affirmed. Motion was made by Supervisor Lauderdale, seconded by Supervisor Selmon and carried unanimously, to deny the protest of Realty Income Corporation and affirm the value set forth by the Tax Assessor. (Ex. 6).

Riverhills Apartments
PPIN 14675

Mr. Agent stated that the protest of Property Tax Associates, Inc., filed on behalf of Riverhills Apartments, PPIN 14675, had been reviewed and that no additional information had been presented by the taxpayer to support a reduction of the value. Mr. Agent recommended that the value set forth in the roll be affirmed. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to deny the protest of Riverhills Apartments and affirm the value set forth by the Tax Assessor. (Ex. 7).

Magnolia Commons
PPIN 11210

Mr. Agent stated that the protest of Property Tax Associates, Inc., filed on behalf of Magnolia Commons, PPIN 11210, had been reviewed and that no additional information had been presented by the taxpayer to support a reduction of the value. Mr. Agent recommended that the value set forth in the roll be affirmed. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to deny the protest of Magnolia Commons and affirm the value set forth by the Tax Assessor. (Ex. 8).

Parkwood South Apartments
PPIN 13067

Mr. Agent stated that the protest of Property Tax Associates, Inc., filed on behalf of Parkwood South Apartments, PPIN 13067, had been reviewed and that no

additional information had been presented by the taxpayer to support a reduction of the value. Mr. Agent recommended that the value set forth in the roll be affirmed. Motion was made by Supervisor Selmon, seconded by Supervisor Lauderdale and carried unanimously, to deny the protest of Parkwood South Apartments and affirm the value set forth by the Tax Assessor. (Ex. 9)

Diamond Jacks Casino-Vicksburg/Legends
Gaming of Mississippi/Orbit Oil
PPINs 2400, 13466, 13469, 13470, 13484,
17336, and 24946

Mr. Agent stated that the protest of Diamond Jacks Casino-Vicksburg/Legends Gaming of Mississippi/Orbit Oil, being PPINs 2400, 13466, 13469, 13470, 13484, 17336, and 24946, had been reviewed and that no additional information had been presented by the taxpayer to support a reduction of the value. The Tax Assessor recommended that the values set forth be affirmed. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried, to deny the protest of Diamond Jacks Casino-Vicksburg/Legends Gaming of Mississippi/Orbit Oil and affirm the values set forth by the Tax Assessor. Supervisors Banks, Lauderdale, Selmon and George voted "Yea" and Supervisor McDonald abstained. (Ex. 10).

Magnolia Hill, LLC
PPIN 11260

Mr. Agent stated that the protest of Magnolia Hill, LLC, d/b/a Riverwalk Casino and Hotel, PPIN 11260, 210 Miller Street, had been reviewed and that no additional information had been presented by the taxpayer to support a reduction of the value. The Tax Assessor recommended that the value set forth be affirmed. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to deny the protest of Magnolia Hill, LLC, d/b/a Riverwalk Casino and Hotel and affirm the value set forth by the Tax Assessor. (Ex. 11)

Acceptance of Adjustments to
2009 Real Property Assessment Roll

Mr. Agent presented a spreadsheet listing certain adjustments (increases/decreases) to the real property assessments. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to approve the adjustments as proposed. (Ex. 12).

Reductions of the Real Property
Assessment Roll for 2008

Mr. Agent presented ten (10) petitions for reduction of assessment on the Real Property Assessment Roll for 2008 for a reduction in value of \$85,236. Motion was made by Supervisor Lauderdale, seconded by Supervisor Selmon and carried unanimously, to approve a total reduction in value in the amount of \$85,236 on the 2008 Real Property Assessment Roll. (Ex. 13).

Increases of the Real Property
Assessment Roll for 2008

Mr. Agent presented two (2) petitions for increase of assessment on the Real Property Assessment Roll for 2008 for an increase in value of \$17,560. Motion was made by Supervisor Banks, seconded by Supervisor Selmon and carried unanimously, to approve a total increase in value in the amount of \$17,560 on the 2008 Real Property Assessment Roll. (Ex. 14).

Reduction of the Personal
Property Assessment Roll for 2008

Mr. Agent presented a petition for reduction of assessment on the Personal Property Assessment Roll for 2008 for a reduction in value of \$888. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to approve a reduction in value in the amount of \$888 on the 2008 Personal Property Assessment Roll. (Ex. 15).

Adjustment to the 2008 Homestead
Exemption Supplemental Roll

Mr. Agent presented a petition for adjustments of the 2008 Homestead Exemption Supplemental Roll. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve the adjustments to the 2008 Homestead Exemption Supplemental Roll contained in Exhibit 16.

2007 Tax Sale for 2006 Taxes Voided
Josephine Walton PPIN 16658

Mr. Agent stated that due to a clerical error, Mrs. Josephine Walton's homestead exemption for the year 2006 was deleted and the property went to sale in 2007 for 2006 taxes. At the sale the property sold to J and E for \$890.00. Mr. Agent requested that the Board void the tax sale and authorize the Tax Collector to issue a refund in the amount of \$890.00 to J and E. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to approve the request.

James R. Sherard, Board Attorney

Order of Board of Supervisors
Re: Real and Personal Property
Assessment Rolls for 2009

Mr. Sherard stated that the equalization process had been completed and presented an Order of the Board of Supervisors Re: Real and Personal Property Assessments Rolls for 2009 for the President's signature. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve and authorize the Board President to sign the Order of Board of Supervisors Re: Real and Personal Property Assessment Rolls for year 2009. A copy of the Order is attached hereto as Exhibit 17 and incorporated herein by reference.

Richard Winans, Road Manager

Personnel Matter

Mr. Winans recommended that Mark Riddle be placed on the Road Department's payroll as a truck driver at \$9.00 per hour, effective August 18, 2009. Mr. Riddle has completed his 90-day probationary period with Staffing Solutions. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to accept the recommendation of the Road Manager to place Mark Riddle on the Road Department's payroll, effective August 18, 2009.

Driveway Permits Approved

Mr. Winans presented driveway permits for approval. Motion was made by Supervisor Banks, seconded by Supervisor Selmon and carried unanimously, to approve the driveway permits contained in Exhibit 18.

July Work Order Report

Mr. Winans presented the July 2009 Work Order Report for information. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to accept the July 2009 Work Order Report for information.

John McKee, County Engineer

Authorization to Advertise Mallet Road
Bridge Rehabilitation Project

Mr. McKee requested authorization to advertise for bids for the Mallet Road Bridge Rehabilitation Project. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to approve advertisement for bids for the Mallet Road Bridge Rehabilitation Project.

Tonga Vinson, Purchasing Agent

Contract for Waste Tire Disposal Services

Ms. Vinson stated that in May 2007 the Board awarded a contract to Mac's Tire Recyclers to provide waste tire disposal services for the Warren County Road Department. The bid price for disposal was \$97.00 per ton. The other bid received in 2007 was \$135.00 per ton. Mac's Tire Recyclers has offered in writing to extend the contract at the same prices, terms and conditions as bid in 2007. By law, a contract can be extended for up to sixty months on an award, by written extension, one year at a time at the same prices. Ms. Vinson recommended that the contract be extended. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve extending this contract for another year as offered by the vendor, Mac's Tire Recyclers.

Authorization to Advertise for
Food Services Contract for Jail

On behalf of Jeff Riggs, Undersheriff, Ms. Vinson presented a request to authorization to advertise for a new inmate food services contact for the Warren County jail. The current contract expires in January 2010, and stipulates at least a 60-day notice of non-renewal or cancellation. Motion was made by Supervisor Lauderdale, seconded by Supervisor Selmon and carried unanimously, to authorize advertising for the inmate food services contract for the Warren County jail and to authorize the President to sign a letter of notice to the current contract, ABL Management, that the current contract will not be renewed.

Dexter Jones, Inventory Control Clerk

Approval of Inventory Surplus
2001 Crown Vic, Serial#2FAFP71W61X204683
Sheriff's Department

Mr. Jones requested that the Board declare one (1) 2001 Crown Vic automobile (unmarked), Serial #2FAFP71W61X204683, Asset# 7321 as surplus and sold at auction. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to declare the said automobile as surplus and sold at auction. (Ex. 19).

Fixed Asset Disposition Listing
07/01/2009 through 08/17/09

Mr. Jones requested approval of the Fixed Asset Disposition Listing for the period of 07/01/2009 through 08/17/2009. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve the Fixed Asset Disposition Listing for 07/01/2009 through 08/17/09.

Cheri Emery, Jimmy G. Gouras Urban Planning Consultants

Resolution Endorsing Civil Right
Laws and Executive Orders

Ms. Emery presented a Resolution Endorsing Civil Right Laws and Executive Orders for consideration. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to adopt and authorize the President to sign the "Resolution Endorsing Civil Right Laws and Executive Orders," a copy of which is attached hereto as Exhibit 20.

John Smith, County Administrator

Authorization to Purchase Advertisement
From Porters Chapel Academy

Mr. Smith presented a request from Porters Chapel Academy for the Board to purchase an advertisement in the 2009-2010 Fall Sport Program book. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to purchase a full-page advertisement in the 2009-2010 Porters Chapel Academy Fall Sport Program Book, at a cost of \$100.00.

Letter of Engagement Between
Warren County Board of Supervisors
and Bridgers & Company, P.C.

Mr. Smith requested approval of a Letter of Engagement between the Warren County Board of Supervisors and Bridgers & Company, P.C. for audit services to be provided to the Warren County Parks and Recreation Commission for the year ended September 2008. The fee for these services will be \$3,500.00. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to approve and authorize the President to sign a Letter of Engagement for the aforesaid purpose.

Mississippi State Department of
Health Sub-Grant Application

Mr. Smith requested approval for the President to sign a sub-grant application with the Mississippi State Department of Health for funds in the amount of \$24,605.06 for additional mosquito control. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve and authorize the President to sign a sub-grant application for funds from the Mississippi Department of Health for additional mosquito control.

Authorization to Void Check

Mr. Smith requested authorization to void check number 50174 in the amount of \$9,221.50, payable to Walker and Johnson, PLLC, and issue a check to Liem Walker in the amount of \$3,569.00 and check to Leigh Anne Cade in the amount of \$2,200.00. These payments are pursuant to court orders. Motion was made by Supervisor McDonald, seconded by Supervisor Banks and carried unanimously, to approve Mr. Smith's request.

Approve Payment of Invoices
For Bond Premiums

Mr. Smith requested authorization to pay to Hennessey, Thames & Leavitt the following amounts:

\$75.62 for bond premium for Kelly Worthy, Fire Coordinator

\$64.32 for bond premium for Chrissy Young, Assistant Receiving Clerk

Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to approve payment of the above referenced invoices.

Resolution of the Board of Trustees of
The Vicksburg Warren School District

Mr. Smith presented the "Resolution of the Board of Trustees of the Vicksburg Warren School District" petitioning the Warren County Board of Supervisors to provide ad valorem collections which total \$25,193,716.00 to fund the regular programs for the 2009-2010 school year.

Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to approve the Resolution. (Ex. 21).

HOME Investment Partnerships
Program Homebuyer Assistance Grant

Mr. Smith presented an invoice from Rayburn & Associates, LLC in the amount of \$2,062.50 for Grant Administration - Lucille A. Brown and a request for a closing check made jointly payable to Lucille A. Brown and Randy Sherard in the amount of \$28,750.00, contingent upon receipt of grant funds from Mississippi Development Authority. Motion was made by Supervisor Lauderdale, seconded by Supervisor Banks and carried unanimously, to approve issuance of the said checks, upon receipt of grant funds.

Authorization to Publish Notice of
Budget Hearing

Mr. Smith requested authorization to publish notice that the Warren County Board of Supervisors will hold a public hearing on its proposed budget and proposed ad valorem tax revenue increase for fiscal year 1020 (October 1, 2009 through September 30, 2010), and setting the date for the public hearing for Tuesday, September 8, 2009 at 9:00 a.m. The notice will be published in the *Vicksburg Post* on August 24 and August 31, 2009. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to approve Mr. Smith's request.

Anderson Tully Project
CDBG Project #1117-00-075-ED-IF-01

Mr. Smith requested authorization to issue checks to Arrowhead Enterprises and ABMB for work performed on the Anderson Tully Project, contingent upon receipt of grant funds from Mississippi Development Authority. Motion was made by Supervisor Lauderdale, seconded by Supervisor Banks and carried unanimously, to approve Mr. Smith's request.

Dot McGee, Chancery Clerk

Vicksburg Bridge Commission Claims Docket

Ms. McGee presented the Vicksburg Bridge Commission Claims Docket for the month of July 2009 for approval. Motion was made by Supervisor Lauderdale, second by Supervisor McDonald and carried unanimously, to approve the Vicksburg Bridge Commission Claims Docket for July 2009.

Vicksburg Bridge Commission Minutes

Ms. McGee presented the Vicksburg Bridge Commission minutes for July 8, 2009 for information. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to accept the minutes for information.

Reminder of Labor Day Holiday

Ms. McGee presented a notice from the Secretary of State that Monday, September 7, 2009 is designated for the

observance of Labor Day. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to accept the notice for information.

James R. Sherard, Board Attorney

Order - Bunge-Ergon Vicksburg, LLC
Fee-In-Lieu-of-Taxes Agreement

The matter of the Fee-In-Lieu-of-Taxes Agreement with Bunge-Ergon Vicksburg, LLC came before this Board following notice of approval by the Mississippi Development Authority, and the Warren County Board of Supervisors having considered the matter does hereby adopt an Order providing that the fee-in-lieu-of taxes be calculated on an appraised value of \$128,818,625.56; that the first assessment dated will be January 1, 2009 and the first assessment year will be the calendar year 2009, with the term of said Agreement commencing January 1, 2009; that the fee-in-lieu amount will be paid before February 1, 2010; that the Agreement shall cover ten (10) consecutive years beginning with 2009 and through 2018 and that the apportionment of the fee be determined as provided for by statute and said Agreement. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to adopt the aforesaid Order. (Ex. 22).

Executive Session

Motion was made by Supervisor McDonald, seconded by Supervisor Banks and carried unanimously, to consider going into Executive Session to discuss a personnel matter.

Motion was made by Supervisor McDonald, seconded by Supervisor Banks and carried unanimously, to go into Executive Session to discuss a personnel matter.

Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale to come out of Executive Session.

No action was taken.

Adjournment

Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to adjourn until Tuesday, September 8, 2009, at 9:00 a.m.

Richard George, President