

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, April 5, 2010, being the time and place for the holding of the regular term of said Board, with proper Notice having been posted (Ex. 1), and the Agenda for the meeting being attached (Ex. 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 called the meeting to order at 9:00 a.m., and Supervisor McDonald offered the invocation.

Approval of March Minutes

The March minutes were presented for approval. Motion was made by Supervisor McDonald, seconded by Supervisor Banks and carried unanimously, to approve and authorize the President to sign the minutes as presented.

Public Hearing on Adoption of Federal Emergency Management Flood Damage Prevention Ordinance

The President declared the public hearing open. Notice of the public hearing was published in the *Vicksburg Post* on March 17, 20 and 21, 2010, as evidenced by proof of publication attached as Exhibit 3. A list of persons present at the hearing is attached as Exhibit 4. The President turned the meeting over to Gwen Coleman, Director of Emergency Management. Ms. Coleman explained that the purpose of the hearing was for revisions, clarification and addition of definitions to the ordinance in order to meet the minimum criteria of the National Flood Insurance Program administered by the Federal Emergency Management Agency. The stated purpose of the ordinance is to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas. The President asked for comments from the public. There being no comments regarding the adoption of the ordinance, either oral or written, motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to close the public hearing. The Warren County Board of Supervisors will accept written statements during the thirty (30) day period following the public hearing. Subsequent to the close of the thirty (30) day period, the Board of Supervisors, at its next regularly scheduled meeting as the Board of Supervisors may choose, will adopt the Federal Emergency Management Agency "Flood Damage Prevention Ordinance."

Ratify Proclamation of Existence of a Local Emergency

Ms. Coleman said that due to the potential of a loss of water supply caused by damage to the surrounding ground

that occurred on or about 8:00 a.m. on the 26th day of March 2010, it was necessary for the Board of Mayor and Aldermen of the City of Vicksburg and the Board of Supervisors of Warren County, Mississippi to declare a local emergency, in accordance with Section 33-15-17(d), Mississippi Code of 1972, as amended. Ms. Coleman requested that the Board ratify the proclamation. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to ratify and approve the Proclamation of Existence of a Local Emergency dated March 29, 2010. A copy of the Proclamation is attached as Exhibit 5.

2010 HOME Homebuyer Assistance Grant Program

The President stated that the Board would accept proposals to provide administrative services for the 2010 HOME Homebuyer Assistance Grant project. Request for Proposals to Provide Administrative Services was published in the *Vicksburg Post* on March 5, 2010 and March 12, 2010. Proof of publication is attached as Exhibit 6. One proposal was received, being the proposal of Rayburn & Associates, LLC. The County Administrator, John Smith, requested that the Board take the proposal under advisement and appoint a selection committee comprised of John Smith, County Administrator; Dot McGee, Chancery Clerk; Tonga Vinson, Purchasing Agent; Penny Evans, Assistant Purchasing Agent; and Loretta Brantley, Accounting Clerk, to review the proposal and make recommendations to the Board. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to take the proposal under advisement and appoint a selection committee comprised of John Smith, County Administrator; Dot McGee, Chancery Clerk; Tonga Vinson, Purchasing Agent; Penny Evans, Assistant Purchasing Agent; and Loretta Brantley, Accounting Clerk.

Richard Smith, District Attorney

VOCA Subgrant Application

Mr. Smith requested that the Board approve application for Division of Public Safety Planning funding for continued funding for a Legal Assistant to work specifically with cases involving victims of violent and sexual based crimes. Mr. Smith said that the source of funds would be as follows:

Federal	St/Local Match	Total
\$62,063.06 (80%)	\$15,515.76 (20%)	\$77,578.82 (100%)

Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve and authorize the President to sign the grant application.

Frankie Meeks, Jimmy G. Gouras Urban Planning Consultants

Community Revitalization Project
No. R-103-075-01-KED
Haining Road Project

Ms. Meeks requested that the Board authorize the issuance of checks, upon receipt of State of Mississippi funding through MDA, for the Haining Road Project as

follows: ABMB Engineers Invoice No. 16 for \$50,454.18; Jimmy G. Gouras Urban Planning Consultants Invoice No. 8493 for \$4,833.33; and Key, LLC Progress Payment Estimate No. 11 in the amount of \$152,902.18; and approve Request for Cash No. 16 in the amount of \$208,189.69. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve Request for Cash No. 16 and the issuance of the aforesaid checks upon receipt of funds from MDA.

Ms. Meeks requested that the Board ratify and approve execution by the Board President of the Budget Modification for the Haining Road Project. There is no change to the funds obligated to the project as a result of the modification. The modification reduces the contingency line item by \$35,000.00 and creates an engineering review/inspection line item of \$35,000.00. Except as hereby modified, all terms and conditions of the subcontract remain unchanged. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to approve the budget modification. A copy of the modification is attached as Exhibit 7.

CDBG Project No. 1119-02-075-PF-01
Cherry Street Bridge Rehabilitation

Ms. Meeks requested that the Board authorize the issuance of checks, upon receipt of State of Mississippi funding through MDA, for the Cherry Street Bridge Rehabilitation Project as follows: ABMB Engineers Invoice No. 9 for \$4,285.85 and Dozer, LLC Progress Payment Estimate No. 2 in the amount of \$68,313.08; and approve Request for Cash No. 7 for \$72,598.93. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve Request for Cash No. 7 and the issuance of checks to ABMB Engineers for \$4,285.85 and Dozer, LLC for \$68,313.08, upon receipt of funds from MDA.

CDBG Project No. R-110-073-01-GZ
Bayou Project

Ms. Meeks requested that the Board authorize the issuance of checks, upon receipt of State of Mississippi funding through MDA, for the Bayou Project as follows: ABMB Engineers Invoice No. 4 for \$8,004.02; and Arrowhead Enterprises, LLC Progress Payment Estimate No. 2 in the amount of \$735.00; and approve Request for Cash No. 4 in the amount of \$8,739.02. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve Request for Cash No. 4 and the issuance of the aforesaid checks upon receipt of funds from MDA.

Richard Winans, Road Manager

Acceptance of March 2010
Work Order Report

Mr. Winans presented the March 2010 Work Order Report for information. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to accept the report for information.

Approval of Temporary Easements

Mr. Winans presented temporary easements for approval. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to accept the recommendation of the Road Manager to approve the temporary easements contained in Exhibit 8.

Approval of Driveway Permits

Mr. Winans presented driveway permits for approval. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to accept the recommendation of the Road Manager to approve the driveway permits contained in Exhibit 9.

Kenny Staggs, Address Coordinator

Mr. Staggs stated that the E-911 Commission had voted to accept a new road name off of Anderson Tully Road called Yellow Line Road and requested that the Board approve this new road name. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to approve the new road name of Yellow Line Road.

Jim Agent, Deputy Tax Assessor

Approval of Adjustments to the 2009
Homestead Exemption Supplemental Roll

Mr. Agent requested that the Board approve and adopt Orders for adjustments to homestead exemptions previously granted to taxpayers on the 2009 Homestead Exemption Supplemental Roll. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve and adopt the Orders attached as Exhibit 10 to adjust the homestead exemptions previously granted to taxpayers on the 2009 Homestead Exemption Supplemental Roll.

Approval of Reduction of Assessment
2009 Personal Property Assessment Roll

Mr. Agent requested that the Board approve and adopt Orders for reduction in the values of eight (8) parcels on the 2009 Personal Property Assessment Roll totaling \$20,508.00. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to approve and adopt Orders for reduction in the values of eight (8) parcels on the 2009 Personal Property Assessment Roll totaling \$20,508.00. Copies of the Orders are attached as Exhibit 11.

Approval of Increase of Assessment
2009 Real Property Assessment Roll

Mr. Agent requested that the Board approve and adopt an Order for the increase in value of one (1) parcel on the 2009 Real Property Assessment Roll in the amount of \$6,123.00. Motion was made by Supervisor Banks, seconded by Supervisor Selmon and carried unanimously, to approve

and adopt an Order for increase in the value of one (1) on the 2009 Real Property Assessment Roll in the amount of \$6,123.00. A copy of the Order is attached as Exhibit 12.

Approval of Reduction of Assessment
2009 Real Property Assessment Roll

Mr. Agent requested that the Board approve and adopt Orders for reduction in values of fifty-six (56) parcels on the 2009 Real Property Assessment Roll totaling \$353,196.00. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve and adopt Orders for reduction in the values of fifty-six (56) parcels on the 2009 Real Property Assessment Roll totaling \$353,196.00. Copies of the Orders are attached as Exhibit 13.

John Smith, County Administrator

Approval to Pay Invoices

Mr. Smith presented invoices of John E. McKee, Jr., P.E. for approval: Invoice No. 1221-C99 in the amount of \$3,207.37 for county funded projects; Invoice No 1221-S108 in the amount of \$20,235.74 for State Aid and LSBP projects; and Invoice No. 50 in the amount of \$8,645.19 for 2009 miscellaneous engineering and survey services. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve payment of the aforesaid invoices.

Mr. Smith presented the invoice of James R. Sherard, Board Attorney, in the amount of \$5,520.00 for legal services for February 24, 2010 through March 25, 2010 for approval. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried. Supervisors Lauderdale, McDonald, Selmon and George voted "Yea" and Supervisor Banks voted "Nay."

Authorization for Reimbursement to Drug Court

Mr. Smith presented a request from Maryam Husband, Drug Court Coordinator, for reimbursement in the amount of \$4,335.17 for the Drug Court Coordinator's salary, matching benefits and insurance for the month of March 2010. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve reimbursement in the amount of \$4,335.17 for the Drug Court Coordinator's salary for March 2010.

Approval to Pay E911 Dispatchers'
Salaries, Matching Benefits and Insurance

Mr. Smith requested approval to pay E911 Invoice in the amount of \$18,528.42 for Warren County's share of E911 dispatchers' salaries, matching benefits and insurance for March 2010, pursuant to Interlocal Agreement. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve payment to E911 in the amount of \$18,528.42 for Warren County's share of E911 dispatchers' salaries, matching benefits and insurance for March 2010.

Authorization for Interfund Loan
General Fund (001) to Justice Assistance Grant (038)

Mr. Smith requested that the Board approve an interfund loan from the General Fund (001) to the Justice Assistance Grant (038) in the amount of \$22,890.47. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve an interfund loan from General Fund (001) to Justice Assistance Grant (038) and a check in the amount of \$22,890.47.

Authorization for Journal Entry

Mr. Smith requested that the Board approve a journal entry from Fire Administration Fuel Expenses to General Sanitation and Waste Fuel Expense in the amount of \$414.30. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve this request.

Authorization for Purchase Department to
Use Credit Card and Adoption of
Guidelines/Cardholder Agreements

Mr. Smith stated that Warren County currently has a VISA card account with Citibank that allows for purchases online and at retail locations. The purchase card program is authorized and approved for use by governing authorities by the Department of Finance and Administration ("DFA") via a state contract with the VISA provider. At this time the DFA is setting up a new contract with a different provider. In order to comply with the new account setup, a new cardholder agreement/guidelines must be signed. Mr. Smith requested that the Board approve the guidelines/cardholder agreements and authorize the Purchasing Department to continue to utilize the Small Purchase Procurement Card Program as offered by DFA. Motion was made Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to authorize the use of the credit card by the Purchasing Department to approve and adopt the guidelines.

Amendment to Frequency Reconfiguration Agreement

Mr. Smith requested that Board authorize the President to sign an Amendment to Frequency Reconfiguration Agreement dated November 12, 2008 between the City of Vicksburg and Warren County and Southern Communications Services, Inc., d/b/a SouthernLINC Wireless and Nextel South Corp. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve and authorize the President to sign the Amendment to Frequency Reconfiguration Agreement.

Authorization for President to Sign
VOCA Grant Program Budget Modification

Mr. Smith asked the Board to authorize the President to sign the budget modification for VOCA Subgrant No. 07VA1751. As a result of the modification, funds obligated are changed as follows: to move funds from fringe benefits to cover travel expenses effective 11/1/2009 for VOCA staff: (1) decrease fringe by \$658.00 and increase travel

by \$658.00. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve and authorize the President to sign Budget Modification for VOCA Subgrant No. 07VA1751. A copy of the Modification is attached as Exhibit 14.

Approval of Request of Park and Recreation Commission for Third Quarter Allotment for 2009-2010

Mr. Smith presented a request from the Warren County Parks and Recreation Commission requesting the third quarter allotment in the amount of \$75,000.00. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve the aforesaid request.

CDBG Project No. 1119-02-075-PF-01
Cherry Street Bridge Rehabilitation

Mr. Smith requested that the Board approve the issuance of a check in the amount of \$7,200.00 from local funds to pay Invoice No. 8492 of Jimmy G. Gouras Urban Planning Consultants for administrative service in connection with the Cherry Street Bridge Rehabilitation Project. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve payment to Jimmy G. Gouras Urban Planning Consultants for \$7,200.00 from local funds.

Dot McGee, Chancery Clerk

Acceptance of Monthly County Reports

Ms. McGee presented the General Ledger Cash Balances and Cash Receipts Journal for March 2010 for information. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to accept the reports for information.

Approval of March Docket of Claims

Ms. McGee presented the Docket of Claims for claims paid from 03/01/2010 through 03/31/2010 for approval. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve the Docket of Claims as presented. A copy of the Summary of Funds is attached hereto as Exhibit 15.

Approval of Justice Court Settlements

Ms. McGee presented the Justice Court settlements for the Clearing Account Cash Journal, Civil Court Cash Journal and Criminal/Traffic Cash Journal for the period 2/21/2010 to 3/20/2010 for approval. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve the aforesaid reports.

Acceptance of Tax Collector's
Privilege Tax License Collections

Ms. McGee presented the Tax Collector's report of privilege tax license collections for 02/01/2010 to 02/28/2020 for information. Motion was made by Supervisor

Banks, seconded by Supervisor McDonald and carried unanimously, to accept the report for information.

Affidavit for Pauper's Burial Expenses

Ms. McGee presented an affidavit for pauper's burial expenses for Melba Roberts, deceased, pursuant to Section 43-31-31, Mississippi Code of 1972, as amended. Ms. McGee stated that information had been verified and that there were no funds available to pay for the burial expenses of Melba Roberts. Motion was made by Supervisor Selmon, seconded by Supervisor McDonald and carried unanimously, to declare Melba Roberts a pauper.

Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve payment to Frank J. Fisher Funeral Home in the amount of \$500.00 for funeral and burial expenses for Melba Roberts, deceased, all in accordance with Section 43-31-31, Mississippi Code of 1972, as amended.

Acceptance of Port Commission,
Parks and Recreation Commission and
E-991 Commission Minutes

Ms. McGee presented the minutes of the Warren County Port Commission meeting of February 16, 2010; minutes of the Parks and Recreation Commission of February 16, 2010; and minutes of the E-911 Commission for February 11, 16, and 24, 2010 for information. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to accept these minutes for information.

Continuing Disclosure Information
Statement by Warren County, Mississippi

Ms. McGee requested that the Board ratify and approve the execution of the Continuing Disclosure Information Statement by Warren County, Mississippi, dated as of March 1, 2010 in connection with the following bond issues:

1. \$3,850,000 Warren County, Mississippi General Obligation Public Improvement Refunding Bonds, Series 2003; and
2. \$2,500,000 Warren County, Mississippi General Obligation Bonds, Series 2007

Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to ratify the Continuing Disclosure Information Statement.

Constable Glenn McKay's AFR
For 2009

Ms. McGee presented the Annual Financial Report of Constable Glenn McKay for information. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to accept the AFR for information.

James R. Sherard, Board Attorney

Order - Ergon Refining, Inc.
Fee-In-Lieu-of-Taxes Agreement

Mr. Sherard said that in concert with the "Resolution of Intent" adopted by the Board, the Board entered into a "Fee-In-Lieu-of-Taxes Agreement" with Ergon Refining, Inc. on July 8, 2009 to confirm the Board's commitment to grant ad valorem property tax abatements in said "Resolution of Intent." The "Agreement" provided a fee-in-lieu-of-taxes abatement to be based upon an amount, not to exceed Two Hundred Fifty Million and no/100 Dollars (\$250,000,000.00). Pursuant to the statutory requirements, the Mississippi Development Authority has approved the "Fee-In-Lieu-of-Taxes Agreement" as of July 30, 2009. Therefore, it is ordered that the fee-in-lieu-of taxes be calculated on an appraised value of Two Hundred Forty-Two Million, One Hundred Thirty-Eight Thousand, Four Hundred Seventy-Four and 99/100 Dollars (\$242,138,474.99); that the first assessment date will be January 1, 2010 and the first assessment year will be the calendar year 2010, with the term of said Agreement commencing January 1, 2010; that the fee-in-lieu amount will be paid before February 1, 2011; that the "Agreement" shall cover ten (10) consecutive years beginning 2010 and through 2019 and that the apportionment of the fee be determined as provided for by statute and said "Agreement." Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to adopt the Order attached as Exhibit 16.

Approval of Supplemental Docket of Claims

The Supplemental Docket of Claims for claims paid April 5, 2010 for March bills was considered. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried, to approve the Docket of Claims as presented. Supervisors Lauderdale, Selmon, McDonald and George voted "Yea" and Supervisor Banks voted "Yea" to approve all claims except payment of Claim No. 1538. A copy of the Summary of Funds is attached hereto as Exhibit 17.

Executive Session

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

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

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

Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to accept the recommendation of the Road Manager to terminate Michael Hart, master pilot, effective immediately, because of the U.S. Coast Guard's denial to renew his master pilot's license due to medical and safety issues.

Kings Point Ferry

Mr. Winans said that at this time, the Kings Point Ferry has only two (2) pilots on duty. Mr. Winans recommended that the Kings Point Ferry hours be changed to twelve hour days until another pilot can be employed. Mr. Winans requested authorization to advertise to fill the position of master pilot. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to change the hours of the Kings Point Ferry from 6:00 a.m. - 6:00 p.m. daily and authorize advertising to fill the position of master pilot.

Executive Session

Motion was made by Supervisor Selmon, seconded by Supervisor Banks to go into Executive Session to discuss a concern of Mr. Mark Werner. Supervisors Selmon and Banks voted "Yea" and Supervisors Lauderdale, McDonald and George voted "Nay." Motion failed.

Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried, to advise Mr. Werner that he should direct his complaint where the incident occurred. Supervisors McDonald, Lauderdale and George voted "Yea" and Supervisors Selmon and Banks voted "Nay." Motion carried.

Traffic Calming Application

Supervisor Lauderdale said that an application for traffic calming device to be installed on Bradford Drive had been received and made a motion to take the application for information. Motion was seconded by Supervisor McDonald and carried unanimously.

National Telecommunicators Week - April 11-17

In recognition of the dedication of E-911 dispatchers to the citizens of Warren County, Supervisor McDonald moved to declare April 11-17 as National Telecommunicators Week. Motion was seconded by Supervisor Lauderdale and carried unanimously.

Authorization for Justice Court Judge's To Send Persons With Delinquent Fines to Issaquena County Correctional Facility

Supervisor Selmon discussed authorizing the Justice Court Judges to send persons with delinquent fines to the Issaquena County Correctional Facility. Supervisor George stated that five beds have been reserved at the Warren County Jail for Justice Court. Following discussion, Supervisor Selmon made a motion to authorize Justice Court Judges to send persons with delinquent fines to the Issaquena County Correctional Facility, if there are no beds available at the Warren County Jail. Motion was seconded by Supervisor Lauderdale and carried unanimously.

Recess

Motion was made by Supervisor McDonald, seconded by Supervisor Selmon and carried unanimously, to recess until 9:00 a.m., Monday, April 19, 2010.

Richard George, President