

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, January 4, 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 (5<sup>th</sup> District)  
William Banks, Vice President (2<sup>nd</sup> District)  
David L. McDonald (1<sup>st</sup> District)  
Charles Selmon (3<sup>rd</sup> District)  
William Lauderdale (4<sup>th</sup> 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 McDonald offered the invocation.

#### Election of Officers

The President, Richard George, opened the floor for nominations for Board President for 2010. Supervisor Lauderdale nominated Richard George, seconded by Supervisor McDonald. Nominations were closed. Richard George was unanimously elected to the office of President.

The floor was opened for nominations for Vice President of the Board for 2010. Supervisor Lauderdale nominated William Banks, seconded by Supervisor McDonald. Nominations were closed and William Banks was unanimously elected to the office of Vice President.

#### Appointments for 2009

##### Appointment of John McKee as County, State Aid and LSBP Engineer and Appointment of ABMB Engineering Firm to Provide Engineering Services for 2010

Motion was made by Supervisor McDonald, seconded by Supervisor Banks and carried unanimously, to appoint John E. McKee, Jr. as County Engineer, State Aid and LSBP Engineer for Warren County for 2010 and authorize the President to sign the "Engineering Services Contract," a copy of which is attached hereto as Exhibit 3 and incorporated herein by reference.

Motion was made by Supervisor McDonald, seconded by Supervisor Banks and carried unanimously, to appoint ABMB Engineering to provide engineering services to Warren County for 2010.

#### Board Attorney

Motion was made by Supervisor Selmon, seconded by Supervisor Banks to request proposals for Board Attorney for 2010. Following discussion, the President called for a vote. Supervisors Selmon and Banks voted "Yea" and

Supervisors McDonald, Lauderdale and George voted "Nay."  
Motion failed.

Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale to appoint James R. Sherard as Board Attorney for 2010. Supervisors McDonald, Lauderdale and George voted "Yea" and Supervisors Selmon and Banks voted "Nay." Motion carried.

County Administrator

Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to appoint John Smith as County Administrator for 2010.

Road Manager

Motion was made by Supervisor McDonald, seconded by Supervisor Banks and carried unanimously, to appoint Richard Winans as Road Manager for 2010.

Approval of December Minutes

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

Tonga Vinson, Purchasing Agent

Award of Term Contracts for Assorted Supplies and Materials

Ms. Vinson stated that at the December 21, 2009 meeting, sealed bids for various supplies were received and taken under advisement. After review of the bids and discussion with the Road Manager, Ms. Vinson recommended the following:

Bid A - Concrete Products

2500 PSI - 4000 PSI Award to both Delta Industries and MMC (tie bids) \$85.00 through \$92.50 per cubic yards. Choice of vendor will be based upon which can meet best time for delivery. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to accept the recommendation of the Purchasing Agent to award to both Delta Industries and MMC. Copies of bid sheets are attached hereto as Exhibit 4 and incorporated herein by reference.

Flowable Fill Award Primary to Delta Industries at \$66.00 per cubic yard and award Alternate to MMC at \$70.00 per cubic yard. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to accept the recommendation of the Purchasing Agent to award Primary to Delta Industries and Alternate to MMC. Copies of bid sheets are attached hereto as Exhibit 5 and incorporated herein by reference.

Grout Award Primary to Delta Industries at \$95.50 per cubic yard and award Alternate to MMC at \$103.50 per cubic yard. Motion was made by Supervisor

Lauderdale, seconded by Supervisor McDonald and carried unanimously, to accept the recommendation of the Purchasing Agent to award Primary to Delta Industries and Alternate to MMC. Copies of bid sheets are attached hereto as Exhibit 6 and incorporated herein by reference.

Bid B - Poly Pipe

All bids for poly pipe have been rejected and the Board has authorized re-bidding for the term contract for Poly Pipe.

Bid C - Rip Rap and Limestone Products

Gabian Stone Award Primary to Martin Marietta at \$32.00 per ton; Award Alternate #1 to Delta Stone, LLC at \$32.90 per ton; and award Alternate #2 to MMC at \$33.50 per ton.

Rip Rap 100-300 lb Award Primary to Delta Stone, LLC at \$29.90 per ton; award Alternate #1 to Martin Marietta at \$32.00 per ton; award Alternate #2 to Miller Materials at \$33.00 per ton; and award Alternate #3 to MMC at \$34.50-\$36.50 per ton.

Crushed Limestone

No. 8 Stone Award Primary to MMC Materials at \$24.50 per ton; award Alternate #1 to Martin Marietta at \$26.00 per ton.

No. 620 Stone Award Primary to Delta Stone, LLC at \$22.25 per ton; award Alternate #1 to MMC (North)\* at \$23.50 per ton and Martin Marietta (South)\* at \$23.50 per ton; and award Alternate #2 Miller Materials at \$22.90 per ton.

\*Use of Alternates will be made when primary provider is unable to supply material or material available does not meet job purpose. Some use of alternates will be determined by job location when the County's direction cost for pickup (mileage, time, fuel) at primary location exceeds the cost savings of purchase from the primary provider.

Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to accept the recommendations of the Purchasing Agent for the above mentioned awards for Rip Rap and Limestone Products. Copies of the bid sheets are attached hereto as Exhibit 7 and incorporated herein by reference.

Brig. Gen. Robert Crear, Ret.

Mississippi River Hydrokinetic Project

Mr. Crear explained Free Flow Power Corporation's plan to utilize the tremendous potential of the Mississippi River's natural currents for generating clean, renewable electricity to be used by Mississippi's communities and businesses, helping the State meet its goal of increasing renewable energy production and energy independence while establishing Mississippi as a worldwide leader in

hydrokinetics. The specific project proposed by Free Flow Power will accelerate this critical path by funding the first installation of a commercial hydrokinetic array in the Lower Mississippi River and placing Mississippi in a leadership position for our State's most scalable renewable resource: in-stream hydrokinetic generation. Mr. Crear asked the Board for a letter of support for funding of the Mississippi River Hydrokinetic Project led by Free Flow Power Corporation through the State Energy Program. Motion was made by Supervisor Lauderdale, seconded by Supervisor Selmon and carried unanimously, to approve and authorize the President to sign a letter of support for funding of the project.

John Smith, County Administrator

Approval to Hire Amy Luster as Full-time  
Employee with Emergency Management

Mr. Smith presented a request from Gwen Coleman, Director of the Emergency Management Agency, asking for approval to hire Ms. Amy Luster as a full-time employment with Emergency Management, effective January 4, 2010. Ms. Luster has completed a probation period with Staffing Solutions. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve hiring Ms. Amy Luster as a full-time employment with Emergency Management, effective January 4, 2010.

Approval of Revised Mileage  
Reimbursement Rate

Mr. Smith presented the Department of Finance and Administration's revised mileage reimbursement rate, effective January 1, 2010 for approval. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously to approve the following mileage rate reimbursement rates:

<u>Mode of Transportation</u>	<u>Reimbursement Rate Per Mile</u>
If no Government vehicle Available	\$0.55
If Government owned vehicle Available	\$0.285

Community Revitalization Grant  
CDBG Project #R-110-073-01-GZ  
Bayou Project

Mr. Smith requested that the Board authorize payment of Invoice No. 1 in the amount of \$21,809.30 to ABMB Engineer, Inc. for architect/engineering expense for the above referenced project. Motion was made by Supervisor McDonald, seconded by Supervisor Selmon and carried unanimously, to approve payment of Invoice No. 1 in the amount of \$21,809.30 to ABMB Engineers, Inc. upon receipt of funds from the Mississippi Development Authority.

Community Revitalization Grant  
CDBG Project #R-102-075-01-KED  
Haining Road Project

Mr. Smith requested that the Board authorize payment of Progress Payment Estimate No. 8 due Key, LLC in the amount of \$88,052.95 for work performed on the above referenced project. Motion was made by Supervisor Lauderdale, seconded by Supervisor Selmon and carried unanimously, to approve payment of Progress Payment Estimate No. 8 in the amount of \$88,052.95 to Key, LLC upon receipt of funds from the Mississippi Development Authority.

Mr. Smith requested that the Board authorize payment of ABMB Engineers, Inc. for Invoice No. 13 in the amount of \$38,438.38 for architect/engineering expense for the above referenced project. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve payment of Invoice No. 13 in the amount of \$38,438.38 to ABMB Engineers, Inc. upon receipt of funds from Mississippi Development Authority.

Mr. Smith requested that the Board authorize payment to Jimmy G. Gouras Urban Planning Consultants, Inc. in the amount of \$4,833.33 for Invoice No. 8312 for administration expense for the above referenced project. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to approve payment in the amount of \$4,833.33 to Jimmy G. Gouras Urban Planning Consultants, Inc., upon receipt of funds from Mississippi Development Authority.

Approval to Pay Invoices

Mr. Smith presented the following invoices for approval: Invoice No. 47 of John E. McKee, Jr., P.E. for 2009 miscellaneous engineering and surveying services in the amount of \$20,662.77 and Invoice No. 1221-S105 of John E. McKee, Jr., P.E. for State Aid and LSBP projects in the amount of \$17,552.32. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve payment of these invoices.

Mr. Smith presented the invoice of James R. Sherard, Board Attorney, in the amount of \$4,005.00 for legal services for November 30, 2009 through December 28, 2009 for approval. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried, to approve payment of the invoice. Supervisors McDonald, Lauderdale, 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 December 2009. Motion was made by Supervisor Lauderdale, 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 December 2009.

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

Mr. Smith requested approval to pay E911 Invoice in the amount of \$21,754.99 for Warren County's share of E911 dispatchers' salaries, matching benefits and insurance for December 2009, pursuant to Interlocal Agreement. Motion

was made by Supervisor Banks, seconded by Supervisor Selmon and carried unanimously, to approve the request.

Approval to Pay Second Quarter Allotment  
for 2009-2010 to Warren County Parks &  
Recreation Commission

Mr. Smith presented a request from the Warren County Parks and Recreation Commission asking for their second quarter allotment in the amount of \$90,000.00. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve the request.

Authorization for Interfund Loan

Mr. Smith requested that the Board authorize an interfund loan from the General Fund to the Garbage Fund in the amount of \$1,059.75. Motion was made by Supervisor McDonald, seconded by Supervisor Banks and carried unanimously, to authorize an interfund loan in the amount of \$1,059.75 from the General Fund to the Garbage Fund.

Approval to Issue Check to American  
Red Cross for Monthly Allocation

Mr. Smith stated that the monthly allocation to the American Red Cross had inadvertently been left off of the Claims Docket and requested that the Board authorize the issuance of a check in the amount of \$1,890.00 to the American Red Cross for their monthly allocation. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously to approve the issuance of a check in the amount of \$1,890.00 to the American Red Cross.

Dot McGee, Chancery Clerk

Acceptance of Monthly County Reports

Ms. McGee presented the General Ledger Cash Balances and Cash Receipts Journal for December 2009 for information. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to accept the reports for information.

Approval of December Docket of Claims

Ms. McGee presented the Docket of Claims for claims paid from 12/01/2009 through 12/31/2009 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 8 and incorporated herein by reference.

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 11/21/2009 to 12/20/2009 for approval. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve the aforesaid reports.

Approval of Constables Request  
for Payment of Loss Cases

Ms. McGee presented requests from Glenn McKay, Randy Naylor and John Heggins for payment of loss cases in the amount of \$1,800.00, as allowed by the Mississippi Code. Motion was made by Supervisor McDonald, seconded by Supervisor Banks and carried unanimously, to authorize payment in the amount \$1,800.00 to each of the aforesaid constables.

Acceptance of E911 Commission  
and Parks and Recreation Commission  
Minutes

Ms. McGee presented the minutes of the E911 Commission for October 27, 2009 (corrected minutes) and November 23, 2009; and Parks and Recreation Commission minutes for November 17, 2009 for information. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to accept these minutes for information.

Approval of Supplemental Docket of Claims

The Supplemental Docket of Claims for claims paid January 4, 2009 for December bills was considered. Motion was made by Supervisor Banks, 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 9 and incorporated herein by reference.

International Paper Company G.O. Zone  
Bonds, Series 2009, \$25,000,000.00

Mr. Sherard requested that the Board enter upon the minutes the date change for the public hearing on the International Paper Company Bond Issue. The original date and time for the hearing was January 19, 2010 at 9:00 a.m. The date and time has been changed to January 21, 2010 at 9:00 a.m. This change was necessary because notice of the public hearing did not appear in the *Vicksburg Post* on the requested date. Motion was made by Supervisor McDonald, seconded by Supervisor Banks and carried unanimously, to schedule the public hearing on the International Paper Bond Issue for Thursday, January 21, 2010 at 9:00 a.m.

Recess

Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to recess until 10:00 a.m.

Acceptance of Proposals for County Depositories

The President stated that the hour of 10:00 a.m. had arrived and the Board would accept proposals for county depositories for 2010 and 2011. Request for Proposals was published two times in the Vicksburg Post, a newspaper published in and having a general circulation in Warren County, Mississippi, on December 11, 2009 and December 18, 2009. A copy of the Proof of Publication is attached hereto as Exhibit 10 and incorporated herein by reference. Proposals were received from the following institutions: BancorpSouth Bank, Guaranty Bank & Trust Company, RiverHills Bank, Trustmark National Bank. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve BancorpSouth, Guaranty Bank & Trust Company, RiverHills Bank and Trustmark National Bank as County Depositories. Copies of the proposals are attached hereto as Exhibit 11 and incorporated herein by reference.

Swearing-In Ceremony

Dwayne Stewart and Ruben Mixon were sworn-in as Deputies with the Warren County Sheriff's Office.

Recess

Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to recess until 9:00 a.m., Tuesday, January 19, 2010.

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Richard George, President