

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, June 7, 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 Banks offered the invocation.

Approval of May Minutes

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

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 MDA funds for the CDBG Haining Road Bridge Project to Jimmy G. Gouras Urban Planning for Invoice No. 8603 in the amount of \$4,833.33 for administration expense; ABMB Engineers for Invoice No. 18 in the amount of \$54,162.99 for engineering expense; and for Progress Payment Estimate No. 13 of Key, LLC in the amount of \$221,820.44; and approve Request for Cash No. 19 in the amount of \$280,816.76. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve this request.

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 MDA funds for the CDBG Bayou Project to ABMB Engineers for Invoice no. 6 in the amount of \$15,128.77 for engineering expense; Jimmy G. Gouras Urban Planning for Invoice No. 8604 in the amount of \$3,381.24; and approve Request for Cash No. 6 in the amount of \$18,510.02. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve this request.

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

Ms. Meeks requested that the Board authorize the issuance of checks from local funds for the CDBG Cherry Street Bridge Project to Jimmy G. Gouras Urban Planning for Invoice No. 8605 in the amount of \$7,200.00; Jimmy G. Gouras Urban Planning for Invoice No. 8606 in the amount of \$7,200.00; and ABMB Engineers Invoice No. 11 in the amount of \$14,903.26. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve this request.

Ms. Meeks requested that the Board authorize the issuance of checks upon receipt of State of Mississippi MDA funds for the Cherry Street Bridge Project for Progress Payment Estimate No. 4 and Final of Dozer, LLC in the amount of \$81,940.25 and approve Request for Cash No. 9 in the amount of \$81,940.25. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve this request.

Ms. Meeks requested that the Board ratify publication of notice of seconded public hearing for CDBG Project #1119-02-075-PF-01 Cherry/Adams Street Bridge Project. The seconded public hearing will be held on Monday, June 21, 2010, at 9:00 a.m.

Richard Winans, Road Manager

Approval of Driveway Permits

Mr. Winans presented six (6) driveway permits 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 driveway permits contained in Exhibit 3 attached hereto and incorporated herein by reference.

Approval of Temporary Easements

Mr. Winans presented four (4) temporary easements 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 temporary easements contained in Exhibit 4 attached hereto and incorporated herein by reference.

Acceptance of May 2010
Work Order Report

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

Approval of Request From
Vicksburg Warren School District
to Remove Tree

Mr. Winans presented a request from the Vicksburg Warren School District asking the board of Supervisors to remove a tree that has fallen from 16th Section Land onto

private property belonging to Mary Hopkins McGriggs in Allen Place Subdivision. The tree is blocking a secondary drain. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to approve this request.

John McKee, County Engineer

Board Order and Joint Letter
Of Acceptance for Project No. LSBP-75(6)

Mr. McKee stated that final inspection had been made on the above noted project. All necessary certificates, reports and other related documents to formally accept the project have been completed in accordance with the terms of the contract. The acceptance date is May 24, 2010. Motion was made by Supervisor Banks, seconded by Supervisor Selmon and carried unanimously, to adopt an Order accepting the contract for Project No. LSBP-75(6) and authorize the Board President to sign the Board Order and Joint Letter of Acceptance. Copies of the Board Order and Joint Letter of Acceptance are attached hereto as Exhibit 5 and incorporated herein by reference.

Approval of Supplemental Agreement
State Aid Project No. LSBP-75(10)
Mallet Road Bridge

Mr. McKee stated that in order to construct a smooth transition from the existing pavement to the new bridge end, a portion of the existing asphalt would need to be removed prior to the placement of the asphalt overlay and requested approval of a Supplemental Agreement for Project No. LSBP-75(10). Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve and authorize the Board President to execute the Supplemental Agreement between Fordice Construction Company and the Warren County Board of Supervisors to add items to the contract totaling \$1,453.38. A copy of the Supplemental Agreement is attached hereto as Exhibit 6 and incorporated herein by reference.

Approval of Supplemental Agreement
State Aid Project No. SAP-75(62)
Rawhide Road Bridge

Mr. McKee stated that during construction a layer of limestone was encountered below the subgrade, which prevented the piles from being driven to minimum tip elevation and the contractor had to mobilize a drilling rig to construct pre-formed holes in which to set the pilings and requested that the Board approve a Supplemental Agreement for Project No. SAP-75(62). Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve and authorize the Board President to execute the Supplemental Agreement between Dozer, LLC and the Warren County Board of Supervisors to add items to the contract totaling \$54,500.00. A copy of the Supplemental Agreement is attached hereto as Exhibit 7 and incorporated herein by reference.

Approval of Preliminary Plat
Muirhead Subdivision

Mr. McKee requested approval of the preliminary plat of Muirhead Subdivision on Oak Ridge Road. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to accept the recommendation of the County Engineer to approve the preliminary plat of Muirhead Subdivision.

Kenny Staggs, Address Coordinator

Approval to Change Name of Road
E. County Lane to Tibbs Lane

Mr. Staggs stated that the E-911 Commission had voted to change the name of E. County Lane to Tibbs Lane at the request of the developer and requested that the Board approve this road name change. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve changing the name of E. County Land to Tibbs Lane.

Gwen Coleman, EMA Director

Ms. Coleman requested that the Board approve her recommendation to hire Samuel Barnes for the position of Operations Officer with Emergency Management, effective June 7, 2010. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to accept Ms. Coleman's recommendation to hire Samuel Barnes for the position of Operations Officer, effective June 7, 2010.

Dexter Jones, Inventory Control Clerk

Approval of Fixed Asset Disposition
Listing for 05/01/2010 - 05/31/2010

Mr. Jones presented the Fixed Asset Disposition Listing for 05/01/2010 through 05/31/2010 for approval. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously to approve this report.

John Smith, County Administrator

Approval of Amendment to Letter
Agreement For Eagle Lake Restroom
Construction

Mr. Smith stated that the original Letter Agreement between the Warren County Board of Supervisors and the Mississippi Department of Wildlife, Fisheries and Parks, called for all work on the above noted project to be completed "prior to June 30, 2010." The parties wish to extend this date by signing an Amendment to Letter Agreement that all work is to be completed by December 31, 2010. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale, to approve and authorize the President to sign the Amendment to Letter Agreement. A copy of the Amendment is attached hereto as Exhibit 8 and incorporated herein by reference.

Approval to Pay Invoices

Mr. Smith presented the following invoices of John E. McKee, Jr., P.E. for approval: Invoice No. 1221-S110 in the amount of \$11,225.94 for State Aid and LSBP projects and Invoice No. 52 in the amount of \$16,716.69 for miscellaneous engineering and surveying services and. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale 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 \$5,325.00 for legal services for April 28, 2010 through June 1, 2010 for approval. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale to approve the invoice. Supervisors Lauderdale, McDonald, Selmon and George voted "Yea" and Supervisor Banks voted "Nay." Motion carried.

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 May 2010. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to approve reimbursement in the amount of \$4,335.17 for the Drug Court Coordinator's salary for May 2010.

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

Mr. Smith requested approval to pay E911 Invoice in the amount of \$18,670.18 for Warren County's share of E911 dispatchers' salaries, matching benefits and insurance for May 2010, pursuant to Interlocal Agreement. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve payment to E911 in the amount of \$18,670.18 for Warren County's share of E911 dispatchers' salaries, matching benefits and insurance for May 2010.

Accuracy Testing on Voting Machines

Mr. Smith requested authorization to advertise that logic and accuracy testing on the voting machines to be used in the June 22, 2010 Republican Party Primary Election will begin on Wednesday, June 16, 2010 at 8:00 a.m., and will continue each weekday to 5:00 p.m. until all machine testing is completed. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to authorize advertising logic and accuracy testing on voting machines.

Resolution - Purchase of Consumable Items for County Workers Warren County Household Hazard Waste Collection Event

Mr. Smith requested that the Board adopt a Resolution authorizing the purchase of consumable items for the staff who worked at the Warren County Household Hazard Waste

Collection Event on Saturday, June 26, 2010. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to adopt a Resolution authorizing the purchase of consumable items for county workers. The approximate cost of these purchases was estimated to be less than \$300.00. A copy of the Resolution is attached hereto as Exhibit 9 and incorporated herein by reference.

Adoption of Mississippi Public Entity
Employee Benefit Trust HIPAA/HITECH
Breach Notification Policies and Procedures

Mr. Smith discussed "breach notification" regulations and requested that the Board adopt the Mississippi Public Entity Employee Benefit Trust HIPAA-HITECH Breach Notification Policies and Procedures for the Mississippi Public Entity Health Benefit Plan, effective September 23, 2009, and authorize the President to sign an acknowledgment of adoption. Motion was made by Supervisor Lauderdale, seconded by Supervisor Banks and carried unanimously, to adopt the HIPAA/HITECH Breach Notification Policies and Procedures and authorize the President to sign an acknowledgment of the adoption. A copy of the acknowledgment is attached as Exhibit 10 and incorporated herein by reference.

2010 HOME Investment Partnership Grant
Homebuyer Assistance Program

Mr. Smith requested that the Board accept the recommendation of the Selection Committee, comprised of John Smith, County Administrator; Dot McGee, Chancery Clerk; Tonga Vinson, Purchasing Agent; Penny Evans, Purchasing Department; and Loretta Brantley, Accounting Department; to reject the proposal of Rayburn & Associates, LLC to provide administrative services for the above noted program. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to accept the recommendation of the Selection Committee to reject the proposal of Rayburn & Associates, LLC. A copy of the proposal is attached hereto as Exhibit 11 and incorporated herein by reference.

Mr. Smith requested that the Board ratify and approve re-advertising the request for proposals to provide administrative services for the 2010 HOME Investment Partnership Grant Homebuyer Assistance Program. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to ratify and approve re-advertising the request for proposals to provide administrative services for the 2010 HOME Investment Partnership Grant Homebuyer Assistance Program.

Mr. Smith requested that the Board authorize the Selection Committee to be composed of John Smith, County Administrator; Dot McGee, Chancery Clerk; Tonga Vinson, Purchasing Agent; Penny Evans, Purchasing Department; and Loretta Brantley, Accounting Department; to accept and receive the proposals for the 2010 Home Program's Administrative Services set for June 18, 2010. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve the aforesaid Selection Committee.

Mr. Smith requested that the Board set the initial public hearing for the 2010 HOME Investment Partnership Grant Homebuyer Assistance Program for June 28, 2010, at 10:00 a.m. and authorize advertising the public hearing in the *Vicksburg Post*. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to set the initial public hearing for the 2010 HOME Investment Partnership Grant Homebuyer Assistance Program for June 28, 2010, at 10:00 a.m. and authorize advertising the public hearing in the *Vicksburg Post*.

Designation of Applicant Agent
Mississippi Emergency Management Agency

Mr. Smith requested that the Board designate him as County Administrator as the Applicant Agent to execute for and in behalf of Warren County applications for the purpose of obtaining and administering certain federal financial assistance under the Disaster Relief Act. Motion was made by Supervisor McDonald, seconded by Supervisor Banks and carried unanimously, to designate John Smith, County Administrator, as Applicant Agent with Mississippi Emergency Management Agency. A copy of the Designation of Applicant Agent is attached hereto as Exhibit 12 and incorporated herein by reference.

Approval of Partial Repayment of
Interfund Loan - JAG Assistance
Grant Fund (038) to General Fund (001)

Mr. Smith requested authorization to pay from the JAG Assistance Grant Fund (038) to the General Fund (001) the sum of \$43,247.50 as partial repayment of loan made on March 1, 2010 in the amount of \$51,577.00. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to approve payment from the JAG Assistance Grant Fund (038) to the General Fund (001) the sum of \$43,247.50 as partial repayment of loan made on March 1, 2010 in the amount of \$51,577.00.

Approval to Purchase Advertisement
Mississippi Chapter of Blacks In Government

Mr. Smith presented a letter from the Mississippi Chapter of Blacks in Government requesting that the Board purchase an advertisement in the souvenir program booklet for the Third Juneteenth Celebration to be held on Saturday, June 19, 2010, in Vicksburg, Mississippi. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve the purchase of a 1/4 page advertisement for \$100.00.

Dot McGee, Chancery Clerk

Acceptance of Monthly County Reports

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

Approval of May Docket of Claims

Ms. McGee presented the Docket of Claims for claims paid from 05/01/2010 through 05/31/2010 for approval. Motion was made by Supervisor Lauderdale, seconded by Supervisor Selmon and carried, to approve the Docket of Claims as presented. Supervisors Lauderdale, Selmon, McDonald and George voted "Yea" and Supervisor Banks voted to approve all claims, except Claim No._____. A copy of the Summary of Funds is attached hereto as Exhibit 13 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 4/21/2010 to 5/20/2010 for approval. Motion was made by Supervisor Banks, 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 04/01/2010 to 04/30/2020 for information. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to accept the report for information.

Acceptance of Port Commission,
Parks and Recreation Commission and
E-911 Commission Minutes

Ms. McGee presented the minutes of the Warren County Port Commission meeting of April 19, 2010; minutes of the Parks and Recreation Commission of April 20, 2010; and minutes of the E-911 Commission for April 28, 2010 for information. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to accept these minutes for information.

Authorization for Publication of
Notice of Publication of Final
Settlement for Project No. SAP-75(17)M,
Tucker Road and Project No. SAP-75(61), Redbone Road

Ms. McGee stated that notice had been received from the Office of State Aid Road Construction that final payment of work performed on the above noted projects has cleared and, according to the provisions of Section 31-5-53, Laws of 1972, a Notice of Publication of Final Settlement should be published. Ms. McGee requested authorization to publish the "Notice of Publication of Final Settlement of Contract" for these two projects. Motion was made by Supervisor Lauderdale, seconded by Supervisor Selmon and carried unanimously, to authorize publication of "Notice of Publication of Final Settlement of Contract" for these two projects.

Authorization to Issue Check to
Shelly Palmertree, Circuit Clerk
For Reimbursement of Overpayment of
Retirement Contribution

Ms. McGee presented a request from Loretta S. Brantley, Payroll Clerk, to authorize a check in the amount of \$2,817.36 to Shelly Palmertree, Circuit Clerk, to reimburse for overpayment of retirement contributions for calendar year 2009. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to authorize a check in the amount of \$2,817.36 to Shelly Palmertree, Circuit Clerk, to reimburse for overpayment of retirement contributions for calendar year 2009.

Approval of Supplemental Docket of Claims

The Supplemental Docket of Claims for claims paid June 7, 2010 for May 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._____. A copy of the Summary of Funds is attached hereto as Exhibit 14 and incorporated herein by reference.

James R. Sherard, Board Attorney

Ceres Plantation House

The Board discussed the matter of the proposed designation of the Ceres Plantation House, outbuildings and premises of approximately 41 acres as a Mississippi Landmark and the potential effect on industrial development at Ceres Research and Industrial Park. A Resolution that the Warren County Board of Supervisors is vehemently opposed to the designation was presented for approval. Motion was made by Supervisor Lauderdale, seconded by Supervisor Selmon and carried unanimously, to adopt a Resolution that the Warren County Board of Supervisors is vehemently opposed to the designation of the Ceres Plantation House, outbuildings and premises of approximately 41 acres as a Mississippi Landmark. A copy of the Resolution is attached hereto as Exhibit 15 and incorporated herein by reference.

The Board discussed the matter of authorizing advertisement for Request for Proposals for the removal of the Ceres Plantation House and outbuildings, subject to approval of the Warren County Port Commission. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to authorize advertising for Request for Proposals for the removal of the Ceres Plantation House and outbuildings, subject to approval of the Warren County Port Commission.

Vicksburg-Tallulah Regional Airport

Mr. Sherard requested that the Board authorize the President to sign the 2008 extension to the Agreement entered into on December 12, 1983, between owners of the Vicksburg-Tallulah Regional Airport, extending the term of

the Agreement for an additional five (5) years. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve and authorize the President to sign the aforesaid extension.

Mr. Sherard requested that the Board consider certain amendments to the original Agreement. Following discussion, motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve and authorize an amendment, deleting subparagraph 2(d) under Section V regarding the pricing of fuels. Motion was made by Supervisor Lauderdale, seconded by Supervisor Banks and carried unanimously, to approve and authorize amending the term of the Agreement to 25 years, beginning December 12, 2008 and ending December 11, 2033, due to the fact that the FAA gives preference to airports with long-term agreements as opposed to short-term agreements when applying for grant funds.

Vicksburg Convention and Visitors Bureau

Supervisor McDonald presented a letter of resignation from Bill Collins resigning from the Vicksburg Convention and Visitors Bureau Board. Motion was made by Supervisor Lauderdale, seconded by Supervisor Selmon and carried unanimously to accept Mr. Collins' resignation.

Following discussion, motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to appoint Myra Logue to fill the unexpired term of Bill Collins, the term to expire July 1, 2012.

Executive Session

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

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

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

No action taken.

Recess

Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to recess until 9:00 a.m., Monday, June 21, 2010.

Richard George, President