

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, March 1, 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 of the Board, Richard George, called the meeting to order at 9:00 a.m. and offered the invocation.

Approval of February Minutes

The February 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.

Mike Madell, Superintendent of Vicksburg National Military Park

Mr. Mike Madell appeared before the Board to introduce himself. Mr. Madell is the new Superintendent of the Vicksburg National Military Park.

Richard Winans, Road Manager

Acceptance of February 2010 Work Order Report

Mr. Winans presented the February 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 to Hire Tommy Friley as Deckhand

Mr. Winans recommended that Tommy Friley be placed on the Road Department's payroll as a deckhand at \$8.00 per hour, effective March 1, 2010. Mr. Friley has successfully completed his ninety-day probationary period with Staffing Solutions. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to accept Mr. Winan's recommendation and approve placing Tommy Friley on the Road Department's payroll, effective March 1, 2010.

Approval of Driveway Permits

Mr. Winans presented one (1) driveway permit 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 permit contained in Exhibit 3 attached hereto and incorporated herein by reference.

Approval to Purchase Postage
for the Road Department

Mr. Winans requested that the Board approve a check payable to the U.S. Postmaster in the amount of \$44.00 to purchase a roll of Forever stamps for the Road Department. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve this request.

Approval for Road Department
Employees to Attend Mississippi
Mosquito and Vector Control Workshop

Mr. Winans said that the Mississippi Mosquito and Vector Control Association will be holding its annual workshop on March 17-18, 2010 at Trustmark Park in Pearl. Mr. Winans requested that the Board authorize Earl Carson, Shop Superintendent, James Skipper and Dennis Holmes, Mosquito Technicians, to attend the two-day workshop to become certified in mosquito control for Warren County. Motion was made by Supervisor Lauderdale, seconded by Supervisor Selmon and carried unanimously, to approve this request.

Frankie Meeks, Jimmy Gouras Urban Consultants

LeTourneau Road Emergency Paving
Project CDBG #00-075-ED-IF01

Ms. Meeks stated that all objectives had been met with regards to the LeTourneau Road Emergency Paving Project. The project is complete and ready for closeout. Ms. Meeks requested that the Board ratify and approve close out of the above referenced project and authorize the Board President to execute the necessary documentation to close out the project. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve and ratify the closeout of LeTourneau Road Emergency Paving Project CDBG#00-075-ED-IF01 and authorize the Board President to execute the necessary documentation to close out the project.

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

Ms. Meeks requested that the Board authorize the issuance of checks, upon receipt of State of Mississippi funding through MDA, for the Anderson Tully Access Improvements Project as follows: Jimmy Gouras Urban Planning Invoice No. 8348 in the amount of \$2,500.00 for Administrative Services; ABMB Engineers, Inc. Invoice No. 13 in the amount of \$5,175.01 and ABMB Engineers, Inc. Invoice No. 17 and Final in the amount of \$2,311.71 for design and construction services. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve the issuance of the aforesaid checks upon receipt of funds from MDA.

Ms. Meeks presented Cash Request #16 for \$7,486.72 and Cash Request #17 and Final for \$2,500.00 requesting funds from MDA to pay the above mentioned invoices. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to accept Cash Request #16 and Cash Request #17 and Final for information.

Gwen Coleman, EMA Director

Acceptance of *Pandemic Influenza Response Plan*

Ms. Coleman asked the Board to accept the *Pandemic Influenza Response Plan* which will provide education and guidance for Warren County and Vicksburg Emergency Management and its community partners regarding mitigation, response and recovery from an influenza pandemic. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to accept and authorize the Board President to execute the *Pandemic Influenza Response Plan*.

Revisions to *Flood Damage Prevention Ordinance*

Ms. Coleman presented a copy of the revised *Flood Damage Prevention Ordinance* for consideration. Following discussion, motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to authorize the Board President to sign the revised *Flood Damage Prevention Ordinance*.

Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to set the date and time of April 5, 2010 at 9:00 a.m. for the Board to conduct a public hearing concerning the revisions to the *Flood Damage Prevention Ordinance* and to authorize publication of notice of the public hearing in the *Vicksburg Post*.

John Smith, County Administrator

Approval to Pay Invoices

Mr. Smith presented the following invoices for approval: Invoice No. 1221-S107 of John E. McKee, Jr., P.E. for State Aid and LSBP projects in the amount of \$19,244.09 and Invoice No. 49 of John E. McKee, Jr., P.E. for 2009 miscellaneous engineering and surveying services in the amount of \$12,062.84. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to approve payment of these invoices.

Mr. Smith presented the invoice of James R. Sherard, Board Attorney, in the amount of \$5,595.00 for legal services for January 26, 2010 through February 24, 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 February 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 February 2010.

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

Mr. Smith requested approval to pay E911 Invoice in the amount of \$18,016.67 for Warren County's share of E911 dispatchers' salaries, matching benefits and insurance for February 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 \$18,016.67 for Warren County's share of E911 dispatchers' salaries, matching benefits and insurance for February 2010.

Authorization for Supervisor Selmon to Attend MAS Minority Caucus Conference

Mr. Smith requested approval of travel for Supervisor Selmon to attend the MAS-MC Education Conference to be held on April 12-14, 2010 in McComb, Mississippi. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried, to approve travel and payment of registration fees in the amount of \$250.00 for Supervisor Selmon to attend the MAS-MC Education Conference to be held on April 12-14, 2010 in McComb, Mississippi. Supervisors Banks, McDonald, Selmon and George voted "Yea" and Supervisor Lauderdale voted "Nay."

Bovina Volunteer Fire Department Acceptance of Bid for Purchase of Pumper and Authorization to Submit Application for RFTAAP Grant

Mr. Smith stated that on February 1, 2010, the Bovina Volunteer Fire Department ("BVFD") had accepted bids for the purchase of a new pumper. BVFD received one "No Bid" and one "Bid." The bid was from Deep South Fire Trucks for \$199,855.00. The bid was reviewed and it was determined that the bid met specification and BVFD accepted the bid. On behalf of Kelly Worthy, Fire Coordinator, Mr. Smith presented a request that the Board of Supervisors approve BVFD's decision to accept the bid and authorize Mr. Worthy to complete the next phase of the application process for RFTAAP funds. The new pumper would be paid for as follows:

RFTAAP Grant	\$ 70,000.00
Department Funds	60,000.00
(2 accts. at Trustmark)	50,000.00
Tax Rebate Funds	<u>41,000.00</u>
Total:	\$221,000.00

Motion was made by Supervisor Banks, seconded by Supervisor Selmon and carried unanimously, to approve the decision of the BVFD to accept the bid of Deep South Fire Trucks in the amount of \$199,855.00 and to authorize application for RFTAAP grant funds.

2010 HOME Investment
Partnership Grant

Mr. Smith discussed the 2010 HOME Investment Partnership Grant. Following discussion, motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to authorize advertising for Request for Proposals to provide Administrative Services for the proposed 2010 HOME Homebuyer Assistance Grant. Proposals will be accepted until 9:00 a.m., Monday, April 5, 2010.

Authorization to Repay Loan

Mr. Smith stated that on November 2, 2009, the Board approved an interfund loan from the General Fund (001) to the Public Improvements Refunding Bond Fund (213) in the amount of \$178,971.07. On February 1, 2010, the Board approved partial repayment of the loan in the amount of \$80,971.07, leaving a balance of \$98,000.00. Mr. Smith requested authorization to pay the remaining balance in the amount of \$98,000.00 from Public Improvements Refunding Bond Refund (213) to General fund (001). Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve this request.

Authorization for Interfund Loan
General Fund (001) to Garbage & Solid Waste

Mr. Smith requested that the Board approve an interfund loan from the General Fund (001) to the Garbage & Solid Waste Fund in the amount of \$14,220.10. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve an interfund loan from General Fund (001) to Garbage & Solid Waste Fund in the amount of \$14,220.10.

Authorization for Check From
General Fund (001) to Justice
Assistance Grant Fund (038)

Mr. Smith requested that the Board approve the issuance of a check in the amount of \$51,577.00 from the General Fund (001) to the Justice Assistance Grant Fund (038) to pay for a patrol car and six (6) car computers. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve this request.

Authorization for Correcting
Journal Entry

Mr. Smith presented a request from the Accounting Department requesting approval to make a correcting general ledger account entry for the following reason: On January 8, a receipt from the State of Mississippi for \$4,064.53 was credited to Drug Court/Circuit Court Fund. The entry should have been credited to the General Fund. This correction will reverse that entry and credit the proper Fund. Motion was made by Supervisor McDonald, seconded by Supervisor Selmon and carried unanimously, to approve this request.

Dot McGee, Chancery Clerk

Acceptance of Monthly County Reports

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

Approval of February Docket of Claims

Ms. McGee presented the Docket of Claims for claims paid from 02/01/2010 through 02/28/2010 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 4 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 1/21/2010 to 2/20/2010 for approval. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve the aforesaid reports.

Acceptance of Port Commission and
Parks and Recreation Commission Minutes

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

Approval of Affidavit for Pauper's
Burial Expenses

Ms. McGee presented an Affidavit for Pauper's Burial Expenses for John Edmond, Sr., deceased. Ms. McGee stated that financial information had been verified and that there were no funds to pay burial expenses. Motion was made by Supervisor Banks, seconded by Supervisor McDonald, to declare John Edmond, Sr., deceased, a pauper. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to authorize payment in the amount of \$500.00 to W. H. Jefferson Funeral Home for the burial of John Edmond, Sr., deceased, in accordance with Section 43-31-31, Mississippi Code of 1972, as amended.

Acceptance of Warren County Tax Collector's
Privilege Tax License Collections

Ms. McGee presented the Tax Collector's Privilege Tax License Collections report for 1/1/2010 to 1/31/2010 for information. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to accept the report for information.

James R. Sherard, Board Attorney

Resolutions Abandoning Old Oak Ridge
Road and Herman Road and a Portion of
Muddy Bayou Road

Mr. Sherard stated that the Warren County Board of Supervisors, acting upon the written request of the landowners and in concert with the provisions of Section 65-7-121, Mississippi Code of 1972, as amended, had initiated the process to abandon Old Oak Ridge Road and Herman Road and a portion of Muddy Bayou Road. A public hearing was held on February 16, 2010, at 9:00 a.m.. Notice of the public hearing was published in the *Vicksburg Post* three (3) times, January 27, 30 and 31, 2010. Proof of publication is attached hereto as Exhibit 5 and incorporated herein by reference. A roster of persons present at the hearing is attached hereto as Exhibit 6 and incorporated herein by reference. Maps and information providing information about the roads to be abandoned were placed on file in the Office of the Chancery Clerk in the Warren County Courthouse for public review. The public hearing was opened at 9:00 a.m., February 16, 2010 to receive oral or written statements from interested parties. No statements, oral or written, regarding the abandonment of the roads have been received to date. Mr. Sherard presented Resolutions abandoning Old Oak Ridge Road and Herman Road and a portion of Muddy Bayou Road for consideration. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to adopt the following Resolutions:

(1) to abandon Old Oak Ridge Road - approximately 0.25 mile extending from its intersection with the current Oak Ridge Road at the north boundary of the Ervin homestead property (PPIN 774) to its intersection with the current Oak Ridge Road at the north boundary of the Harris parcel (PPIN 978) - and to convey the east half of the roadbed to be abandoned to John H. Ervin and Lynette D. Ervin and the west half of the roadbed to be abandoned to Anderson-Tully Lumber Company by Quitclaim Deed;

(2) to abandon Herman Road in its entirety - approximately 0.26 mile from its intersection with Possum Hollow Road to its terminus and to convey the roadbed to be abandoned to Richard Enright by Quitclaim Deed;

(3) to abandon that portion of Muddy Bayou Road - approximately 0.14 mile, from the 0.58 mile point to the current "End of County Maintenance" sign - and to convey that portion of the roadbed of Muddy Bayou Road to Dorothy G. Butts (undivided two-thirds (2/3) interest: and Katherine Butts Terry (undivided one-third (1/3) interest), subject to the condition the Warren County Board of Supervisors will be allowed to construct and maintain a turnaround at the 0.58 mile point, with the radius of the turnaround to be no greater than fifty feet (50') with the westernmost point of the radius being at the 0.58 mile point, or the newly established terminus of Muddy Bayou Road and the reservation of a perpetual maintenance easement for the maintenance of the turnaround.

The Board President is hereby authorized to convey, by Quitclaim Deeds, the aforesaid roads. Copies of the Resolutions are attached hereto as Exhibit 7 and incorporated herein by reference.

Local/Private Resolutions

Mr. Sherard presented local private resolutions requesting the legislative delegation of Warren County, Mississippi to secure the enactment of local private legislation that would authorize the Warren County Board of Supervisors, in its discretion, to contribute on a fiscal year basis, to the support of and in the amounts as follows:

Central Mississippi Prevention Serv., Inc.	\$ 2,250.00
The Initiative, Inc.	\$ 9,000.00
Mississippi Food Network	\$ 3,600.00
Triumph Ministries, Inc.	\$22,500.00
Vicksburg Family Dev. Serv.	\$ 9,000.00
Vicksburg Main Street Project	\$14,400.00
WWISCA	\$22,500.00
We Care Community Serv., Inc.	\$11,250.00
Women's Restoration Shelter	\$ 9,000.00

Motion was made by Supervisor Banks, seconded by Supervisor Selmon and carried unanimously, to adopt the attached Local Private Resolutions attached hereto as Exhibit 8 and incorporated herein by reference.

License for Telecommunications
Facilities/Vicksburg District
Radio Tower/Contract# DACW38-3-10-50

Mr. Sherard presented a license between the Secretary of Army and the Warren County Board of Supervisors for and on behalf of the Sheriff's Office for the construction, operation, and maintenance of a telecommunication antenna for the benefit of the citizens of Warren County, Mississippi and the general public. Said premises are hereby licensed for a term of five (5) years, beginning September 1, 2009 and ending August 31, 2014. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to approve and authorize the Board President to execute the License. A copy of the License is attached hereto as Exhibit 9 and incorporated herein by reference.

Approval of Supplemental Docket of Claims

The Supplemental Docket of Claims for claims paid March 1, 2010 for February bills was considered. 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 "Yea" to approve all claims except payment of Claim No. 1332. A copy of the Summary of Funds is attached hereto as Exhibit 10 and incorporated herein by reference.

Recess

Motion was made by Supervisor McDonald, seconded by Supervisor Selmon and carried unanimously, to recess until 9:00 a.m., Monday, March 15, 2010.

Richard George, President