

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, May 3, 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 Selmon offered the invocation.

Approval of April Minutes

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

May 2-8, 2010 Proclaimed "Children's Mental Health Week"

Mr. Don Brown and Ms. Leigh Cook of Warren Yazoo Mental Health were present and discussed the mental health needs of children and adolescents in Warren County. The President presented a Resolution proclaiming May 2-8, 2010 as Children's Mental Health Week in Warren County, Mississippi. A copy of the Resolution is attached hereto as Exhibit 3 and incorporated herein by reference.

Richard Winans, Road Manager

Approval of Driveway Permits

Mr. Winans presented five (5) driveway permits for approval. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to accept the recommendation of the Road Manager to approve the driveway permits contained in Exhibit 4 attached hereto and incorporated herein by reference.

Approval of Temporary Easements

Mr. Winans presented eleven (11) temporary easements for approval. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to accept the recommendation of the Road Manager to approve the temporary easements contained in Exhibit 5 attached hereto and incorporated herein by reference.

Approval of School Bus Turnaround

Mr. Winans presented a written request from the Vicksburg Warren School District for a school bus

turnaround at 532 Heartwood Drive, Vicksburg, Mississippi. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve the request of the Vicksburg Warren School District to make needed repairs to 532 Heartwood Drive, Vicksburg, Mississippi, in accordance with Section 19-3-42, Mississippi Code of 1972, Ann.

John McKee, County Engineer

Certification of Compliance
Nationwide Permit # NW 13
ID # MVK-2008-792
CDBG Project No. R-110-073-01-GZ
Bayou Project

Mr. McKee requested that the Board authorize the President to execute the Certification of Compliance verifying the completion of the activity authorized by the permit. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to approve and authorize the President to execute the Certification of Compliance. A copy of the Certification is attached hereto as Exhibit 6 and incorporated herein by reference.

Dexter Jones, Inventory Control Clerk

Approval of Fixed Asset Disposition
Listing for 04/01/2010 - 05/03/2010

Mr. Jones presented the Fixed Asset Disposition Listing for 04/01/2010 through 05/03/2010 for approval. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously to approve this report.

Vehicles Declared Surplus
Sale at Auction Authorized

Mr. Jones presented written requests from Jeff Riggs, Undersheriff, requesting that the following vehicles be declared surplus and sold a MID South Auto in Jackson:

<u>Vehicle</u>	<u>VIN</u>	<u>WC#</u>
2003 Ford Crown Vic	2FAHP71W43X170576	7956
2004 Ford Crown Vick	2FAFP71W34X124701	8223

Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to declare the aforesaid vehicle as surplus and authorize sale of the vehicles at MID South Auto in Jackson. Copies of letters are attached hereto as Exhibit 7 and incorporated herein by reference.

Approval of Weapon Purchase for
Retiree Chief Junius (Jay) W. McKenzie

Mr. Jones presented a written request from Jeff Riggs, Undersheriff, for the Warren County Board of Supervisors to declare a .40 cal. Glock, Serial No. HKV 781, Warren County #WC 8849, as surplus and approve the sale of the firearm to Chief Junius (Jay) W. McKenzie for the sum of \$1.00, in accordance with Section 45-9-131 of the Mississippi Code of

1972. Chief McKenzie is retiring June 30, 2010 from active service with the Warren County Sheriff's Department. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to adopt a Resolution declaring Chief McKenzie's service revolver surplus property and authorize sale of the revolver to Chief McKenzie for \$1.00. A copy of the Resolution is attached hereto as Exhibit 8 and incorporated herein by reference.

Brenda Theriot, District Attorney's Office

Acceptance of District Attorney's
Reports of Fines for July 2009 -
February 2010

Ms. Theriot presented the District Attorney's Reports of Fines for the months of July 2009 through February 2010 for information. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously to accept these reports for information.

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 to pay ABMB Engineers Invoice No. 17 in the amount of \$35,356.37 and Key, LLC Progress Payment Estimate No. 12 in the amount of \$219,445.69; and approve Request for Cash No. 16 in the amount of \$254,802.06. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve Request for Cash No. 18 and the issuance of the aforesaid checks 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 a check, upon receipt of State of Mississippi funding through MDA, for the Bayou Project to pay ABMB Engineers Invoice No. 5 in the amount of \$2,027.66 and approve Request for Cash No. 5 in the amount of \$2,027.66. Motion was made by Supervisor McDonald, seconded by Supervisor Selmon and carried unanimously, to approve Request for Cash No. 5 and the issuance of the aforesaid checks upon receipt of funds from MDA.

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 to pay ABMB Engineers Invoice No. 10 in the amount of \$8,214.55 and Dozer, LLC Progress Payment Estimate No. 3 in the amount of \$46,916.42. Motion was made by Supervisor Banks, seconded by Supervisor Selmon and

carried unanimously, to approve payment of the aforesaid invoices upon receipt of funds from MDA.

Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve Request for Cash No. 8 for funds from MDA in the amount of \$49,846.01 and the amount of \$5,284.96 from local funds to pay the above mentioned invoices.

John Smith, County Administrator

Approval to Pay Invoices

Mr. Smith presented the following invoices of John E. McKee, Jr., P.E. for approval: Invoice No. 51 in the amount of \$22,191.60 for miscellaneous engineering and surveying services and Invoice No. 1221-S109 in the amount of \$14,133.14 for State Aid and LSBP project. 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 \$2,812.50 for legal services for March 31, 2010 through April 27, 2010 for approval. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald 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 April 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 April 2010.

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

Mr. Smith requested approval to pay E911 Invoice in the amount of \$19,794.04 for Warren County's share of E911 dispatchers' salaries, matching benefits and insurance for April 2010, pursuant to Interlocal Agreement. Motion was made by Supervisor Lauderdale, seconded by Supervisor Banks and carried unanimously, to approve payment to E911 in the amount of \$19,794.04 for Warren County's share of E911 dispatchers' salaries, matching benefits and insurance for April 2010.

Authorization to Refund Overpayment of Retirement Contribution to Glenn McKay

Mr. Smith presented a request from Loretta S. Brantley, Payroll Clerk, requesting authorization to issue check in the amount of \$1,146.96 to Constable Glenn McKay for refund of overpayment of retirement contribution for calendar year 2009. Payment of this amount has been received from PERS. Motion was made by Supervisor

Lauderdale, seconded by Supervisor McDonald and carried unanimously to approve a check in the amount of \$1,146.96 to Constable Glenn McKay.

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

Mr. Smith requested that the Board approve an interfund loan from the General Fund (001) to the Justice Assistance Grant Fund (038) in the amount of \$70,029.47. 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 Fund (038) and the issuance of a check in the amount of \$70,029.47.

Approval of Letter of Agreement
Inpatient/Outpatient Services
Inmates of Warren County Jail

Mr. Smith requested that the Board authorize the President to execute a Letter of Agreement with Vicksburg Healthcare, LLC, d/b/a River Region Medical Center, to provide inpatient and outpatient services to the inmates of the Warren County Jail for a discounted rate of 60% of billed charges. This rate will apply to all hospital services and testing but will not apply to any physician or professional fees. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to authorize the President to execute the Letter Agreement. A copy of the Agreement is attached hereto as Exhibit 9 and incorporated herein by reference.

Letter of Engagement between
Warren County Board of Supervisors
and Bridgers & Company, P.C. for
Audit Services for Warren County
Parks and Recreation Commission

Mr. Smith requested that the Board authorize the President to execute a Letter of Engagement with Bridgers & Company, P.C., to audit the Warren County Parks and Recreation Commission for the year ending September 30, 2009. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to approve and authorize the President to execute the Letter of Engagement.

Request From Justice Court
Clerk to Adjust Salaries of
Jinjer Smith and Angela Chiplin

Mr. Smith presented a request from Carla Fields, Justice Court Clerk, for salary adjustments for two Justice Court employees, effective May 3, 2010. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to approve salary adjustments for Jinjer Smith and Angela Chiplin, effective May 3, 2010.

Approval of Letter of Support to
Prevent Cancellation of Yazoo
Backwater Project Funds

Mr. Smith requested that the Board authorize the President to sign a letter to our congressional delegation in support of preventing the cancellation of an estimated \$50 million in reserves for the Yazoo Backwater Project. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve the request.

Ratification of Proclamation of
Existence of a Local Emergency

Mr. Smith requested that the Board ratify the Proclamation of Existence of a Local Emergency arising from the conditions of extreme peril to the safety of persons and property caused by tornado commencing on or about 11:30 a.m. on the 24th day of April 2010. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to ratify the said Proclamation of Existence of Local Emergency. A copy of the Proclamation is attached hereby as Exhibit 10 and incorporated herein by reference.

Approval of Temporary Use Agreements
Eagle Lake Gin Collection Site

Mr. Smith discussed the need to establish a collection site for the storage of vegetation debris, construction debris and white goods and metals to assist the clean-up effort in the Eagle Lake Community necessitated by the tornado of April 24, 2010. Following discussion, motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve and authorize the President to sign Temporary Use Agreements with Eagle Lake Gin (A.A.L.) for the use of the Gin for an emergency debris collection site and for "Household Hazardous Waste Collection Day" on May 8, 2010. Copies of the Temporary Use Agreements are attached hereto as Exhibit 11 and incorporated herein by reference.

Continuation of Proclamation of
Existence of a Local Emergency

Mr. Smith said that the Board had proclaimed a local emergency on March 29, 2010, 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. In accordance with Section 33-15-17(d), Mississippi Code of 1972, as amended, Mr. Smith stated that conditions warrant the continuation of the local emergency. Motion was made by Supervisor Selmon, seconded by Supervisor Banks and carried unanimously, to approve continuation of the Proclamation of Existence of a Local Emergency.

Dot McGee, Chancery Clerk

Acceptance of Monthly County Reports

Ms. McGee presented the General Ledger Cash Balances and Cash Receipts Journal for April 2010 for information.

Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to accept the reports for information.

Approval of April Docket of Claims

Ms. McGee presented the Docket of Claims for claims paid from 04/01/2010 through 04/30/2010 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 12.

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 3/21/2010 to 4/20/2010 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 03/01/2010 to 03/31/2020 for information. Motion was made by Supervisor Lauderdale, seconded by Supervisor Banks 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 March 15, 2010; minutes of the Parks and Recreation Commission of March 16, 2010; and minutes of the E-911 Commission for March 31, 2010 for information. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to accept these minutes for information.

Authorization for President To Sign
Active Inmate Reimbursement Vouchers

Ms. McGee presented the Active Inmate Reimbursement Vouchers for the months of January - March 2010 and requested that the President be authorized to sign the vouchers. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to authorize the President to sign the Active Inmate Reimbursement Vouchers for January, February and March 2010.

Memorandum of Understanding
Between Warren County Board of
Supervisors and FEMA

Mr. Smith advised the Board on the purpose of a Memorandum of Understanding between FEMA and Eagle Lake Community for the use of the Eagle Lake Fire Department located at 15115 Highway 465, Vicksburg, Mississippi, as a

Disaster Recovery Center, at no cost to FEMA or State Agencies. Following discussion, motion was made by Supervisor Banks, seconded by Supervisor Selmon and carried unanimously, to approve and authorize the County Administrator, John Smith, to sign the said Memorandum of Understanding. A copy of the Memorandum of Understanding is attached hereto as Exhibit 13 and incorporated herein by reference.

James R. Sherard, Board Attorney

Resolution Authorizing the Preparation
And Submittal of an Application to
Receive FY10 Justice Assistant Grant
(JAG) Program Funds and Interlocal Agreement

Mr. Sherard advised the Board of the availability of grant funds under the FY10 Justice Assistant Grant (JAG) Program. The eligible amount under this program is \$52,471.00, of which \$26,235.00 will be used by the City and \$26,236.00 by the County. Mr. Sherard requested that the Board adopt a Resolution authorizing the preparation and submittal of an application to receive these funds and a Resolution to enter into Interlocal Agreement with the City of Vicksburg for application and administration of 1020 JAG Grant Funds. Motion was made by Supervisor Lauderdale, seconded by Supervisor Selmon and carried unanimously, to adopt the aforesaid Resolutions. Copies of the Resolutions are attached hereto as Exhibit 14 and incorporated herein by reference.

Request to Declare Property on Willow
Creek Drive Excess Property and Authorize
Sale to Adjacent Property Owners

Mr. Sherard presented a request for the Board to declare property on Willow Creek Drive as excess property and authorize sale of the property for the sum of \$1,000.00, which is assessed value of the property. Following discussion, motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried, to declare the property as excess property. Supervisors McDonald, Lauderdale, Selmon and George voted "Yea" and Supervisor Banks voted "Nay."

Following further discussion relative to the assessed value of the property, motion was made by Supervisor McDonald to sell the property for the value set by the Tax Assessor. Motion dies for lack of second.

Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to ask the adjacent landowner, Dr. Robert Ford, to submit an offer to purchase the property.

County Lane Property

Mr. Sherard stated that a written request had been received from Richard Selby pursuant to the reversionary clause contained in that certain Deed for Right of Way Purposes recorded in Deed Book 892 at page 665 of the Land Records of Warren County, Mississippi. Mr. Selby conveyed said property to Warren County, subject to a reversionary

clause in the event that the lands conveyed or any portions thereof became unnecessary for the public use as a roadway. In that event, all rights and interest therein would revert to the Grantor. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to take Mr. Selby's letter for information. Following discussion, motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to authorize the President to execute a Quitclaim Deed conveying the subject property to Mr. Selby.

Approval of Supplemental Docket of Claims

The Supplemental Docket of Claims for claims paid May 3, 2010 for April 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. 1771. A copy of the Summary of Funds is attached hereto as Exhibit 15 and incorporated herein by reference.

Executive Session

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

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

Motion was made by Supervisor McDonald, seconded by Supervisor Selmon 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, May 17, 2010.

Richard George, President