

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, October 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 called the meeting to order at 9:00 a.m., and Supervisor McDonald offered the invocation.

#### Approval of September Minutes

The September 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.

#### John McKee, County Engineer

Fisher Ferry Relief Bridge Replacement  
BR-0403(11)B and Bovina Cut Off Road  
STP-0497(7)B

Mr. McKee requested that the Board authorize advertising for construction of the above referenced projects. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve advertising for construction of the Fisher Ferry Relief Bridge Replacement Project No. BR-0403(11)B and Bovina Cut Off Road Project No. STP-0497(7)B.

#### Antonia Flaggs-Jones, Tax Collector

#### Approval for Cancellation of Warrants

Ms. Jones presented a list of checks which were issued by the Tax Collector's Office from May 11, 2009 through September 21, 2009. These checks have not been cashed as of September 30, 2010. Ms. Jones submitted payment to Warren County in the amount of \$533.86. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve cancellation of the warrants and acceptance of the Tax Collector's check in the amount of \$533.86.

#### Approval of Destruction of Decals

Ms. Jones requested that the Board approve destruction of tag decals and disability parking placards per Department of Revenue guidelines. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and

carried unanimously, to approve the destruction of decals per Department of Revenue guideline.

Approval of Insolvency NSF Check List

Ms. Jones presented a list of Insolvency NSF Checks through September 30, 2010. These checks have been turned over to the District Attorney's Office for collection. Motion was made by Supervisor Lauderdale, seconded by Supervisor Banks and carried unanimously, to approve the Insolvency NSF Check List.

Approval of List of Delinquent  
Personal Property Taxes for 2009 and  
Delinquent Mobile Home Taxes for 2010

Ms. Jones presented a list of delinquent personal property taxes for tax year 2009 and delinquent mobile home taxes for tax year 2010 for approval. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve the list of delinquent personal property taxes for tax year 2009 and delinquent mobile home taxes for tax year 2010.

Acceptance of Privilege Tax License  
Collections Report

Ms. Jones presented a report of Privilege Tax License Collections for information. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to accept the Privilege Tax License Collections Report for information.

Kenny Staggs, Address Coordinator

Mr. Staggs presented a request from the E-911 Commission to delete the road name "Essex Hill Road" and to replace it with a sign showing "315, 317" and an arrow pointing to the two homes on a private drive. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve the deletion of the road name "Essex Hill Road" and to replace it with a sign showing "315, 317" and an arrow pointing to the two homes on a private drive.

Dexter Jones, Inventory Control Clerk

Inventory Items Declared Surplus

Mr. Jones requested that the Board declare certain Holding Facility items as surplus. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to declare the Holding Facility items contained in Exhibit 3 as surplus.

Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve removal of the surplus items from the Holding Facility by River City Rescue Mission, at no cost to the County.

Tonga Vinson, Purchasing Agent

Award of Term Contract for  
Road and Street Name Signs

Ms. Vinson stated that at the meeting of September 20, 2010, sealed bids were received for a term contract for road and street name signs. A single bid was received, being the bid of Custom Products of Jackson, Mississippi. Ms. Vinson stated that after review of the bid and discussion with the Road Manager, it was her recommendation to award the term contract to Custom Products, effective in January 2011, subject to extension and termination provisions outlined in the Request for Bids. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to accept the recommendation of Ms. Vinson to award the term contract to Custom Products, effective in January 2011, subject to extension and termination provisions outlined in the Request for Bids. A copy of Ms. Vinson's recommendation and the bid sheet are attached hereto as Exhibit 4 and incorporated herein by reference.

Term Contract for Hauling and  
Disposal of Waste Tires

Ms. Vinson stated that at the meeting of September 20, 2010, sealed bids were received for a term contract for hauling and disposal of waste tires. Two bids were received, being the bids of Poly Vulc Tire Recycling, LLC of Jackson, Mississippi at \$95.00 per ton and Mac Tire Recyclers, Inc. of Saltillo, Mississippi at \$114.00 per ton. Ms. Vinson said that after review of the bids and confirmation of their licensing with MDEQ and discussion with the Road Manager, it was her recommendation that the primary award for the term contract be made to Poly Vulc Recycling, LLC and a secondary award to Mac Tire Recyclers, in order to have an alternate provider in the event that the contract with the primary provider is cancelled for any reason. Motion was made Supervisor Banks, seconded by Supervisor McDonald and carried, to accept the recommendation of the Purchasing Agent to make the primary award to Poly Vulc and the secondary award to Mac Tire Recyclers. Supervisors Banks, McDonald, Lauderdale and Selmon voted "Yea" and Supervisor George abstained. The contracts will become effective January 1, 2011, subject to the extension and termination provisions outlined in the Request for Bids.

Supervisor Lauderdale expressed a concern about doing business with a company who owes delinquent personal property taxes and asked the Board to consider the matter. Following discussion, Supervisor Banks made a motion, seconded by Supervisor McDonald and carried, to rescind the aforesaid motion to award the term contract for hauling and disposal of waste tires. Supervisors Banks, McDonald, Lauderdale and Selmon voted "Yea" and Supervisor George abstained.

Motion was made by Supervisor McDonald, seconded by Supervisor Banks and carried, to take the matter of the term contract for hauling and disposal of waste tires under advisement to allow the Purchasing Agent time to verify

information relative to delinquent personal property taxes owed by one of the bidders. Supervisors Banks, McDonald, Lauderdale and Selmon voted "Yea" and Supervisor George abstained.

Board Policy Relative to Doing Business  
With Companies or Individuals Who Owe  
Delinquent Personal Property Taxes

Supervisor Lauderdale asked the Board to consider establishing a policy of not doing business with any company or individual who owes delinquent personal property taxes. Motion was made by Supervisor Banks, seconded by Supervisor Selmon and carried unanimously, to approve the establishment of a policy of not doing business with any company or individual who owes delinquent personal property taxes and to notify these companies and/or individuals of the County's policy.

John Smith, County Administrator

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

Mr. Smith requested that the Board authorize the issuance of checks, upon receipt of MDA funds, for the Haining Road Bridge Project to pay ABMB Invoice #22 in the amount of \$24,622.36 and Key, LLC Pay Estimate #17 in the amount of \$111,210.31 and Jimmy G. Gouras Urban Planning Invoice #8778 in the amount of \$4,833.33 and Invoice #8779 in the amount of \$4,833.33; and to approve Request for Cash #24 in the amount of \$145,499.33 to pay the aforesaid invoices. 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

Mr. Smith requested that the Board authorize the issuance of checks, upon receipt of MDA funds, for the Bayou Project to pay ABMB Invoice #10 in the amount of \$13,588.25; and approve Request for Cash #11 in the amount of \$13588.25 to pay the aforesaid invoice. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to approve this request.

Approval to Pay Invoices

Mr. Smith presented the following invoices of John E. McKee, Jr., P.E. for approval: Invoice No. 56 in the amount of \$13,331.82 for miscellaneous engineering and surveying services, Invoice No. 1221-S114 in the amount of \$10,374.52 for State Aid and LSBP projects, and Invoice No. 1221-C101 in the amount of \$37,914.17 for County funded projects. Motion was made by Supervisor Lauderdale, 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 \$3,652.50 for legal services for August 31, 2010 through September 29, 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.

Approval 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 September 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 September 2010.

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

Mr. Smith requested approval to pay E911 Invoice in the amount of \$19,480.72 for Warren County's share of E911 dispatchers' salaries, matching benefits and insurance for September 2010, pursuant to Interlocal Agreement. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to approve payment to E911 in the amount of \$19,480.72 for Warren County's share of E911 dispatchers' salaries, matching benefits and insurance for September 2010.

Approval of Request From Warren County Parks and Recreation Commission for First Quarter Allotment

Mr. Smith presented a request from Warren County Parks and Recreation Commission for their first quarter allotment in the amount of \$100,000.00. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve payment to the Warren County Parks and Recreation Commission in the amount of \$100,000.00 for their first quarter allotment.

Approval of Interfund Loan From General Fund to JAG Fund

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 \$7,711.00. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve an Interfund Loan from the General Fund (001) to the Justice Assistance Grant Fund (038) in the amount of \$7,711.00.

Approval to Issue Tax Anticipation Note

Mr. Smith asked the Board to consider borrowing money in anticipation of receipt of taxes. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to approve the issuance of a tax anticipation note.

Warren County EECBG Lighting/HVAC Project for Energy Efficiency - Warren County Library and Warren County Board of Supervisors Administration Building

The Board considered the matter of funds to pay for the Warren County EECBG Lighting/HVAC Project. Following discussion, motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, proceed with the project and to include with the Base, Alternate No. 1 and Alternate No. 2, and to apply for an energy grant through the Mississippi Development Authority to cover the shortfall of \$108,342.85.

Mr. Dave Butler of Engineering Resource Group, Inc. was present and stated that the bids had been verified and recommended award to Metro Mechanical, Inc., the low bidder at \$288,300.00 (base \$176,000.00, Alternate No. 1 \$10,500.00 and Alternate No. 2 \$101,800.00), and rejection of the other bids as high bids. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to accept the recommendation of Mr. Butler to award the contract for the Warren County EECBG Lighting/HVAC Project to Metro Mechanical, Inc., the low bidder, and to reject the bids of Buford Plumbing Company, Inc., McLain Plumbing & Electrical Service, Inc., Ivey Mechanical Company, LLC and Upchurch Plumbing, Inc. as high bids, and to authorize the Board President to execute all necessary documents relative to the project. Copies of bids are attached hereto as Exhibit 5 and incorporated herein by reference.

Dot McGee, Chancery Clerk

Acceptance of Monthly County Reports

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

Approval of September Docket of Claims

Ms. McGee presented the Docket of Claims for claims paid from 09/01/2010 through 09/30/2010 for approval. Motion was made by Supervisor Lauderdale, seconded by Supervisor Selmon and carried, to approve the Docket of Claims as presented. Supervisors Lauderdale, McDonald, Banks and George voted "Yea" and Supervisor Selmon abstained from voting on payment of the claim of Warren Washington Sharkey Issaquena Community Action Agency and voted to pay all other claims. A copy of the Summary of Funds is attached hereto as Exhibit 6 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 8/21/2010 to 9/20/2010 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 08/01/2010 to 8/31/2020 for information. Motion was made by Supervisor Lauderdale, seconded by Supervisor Banks and carried unanimously, to accept the report for information.

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

Ms. McGee presented the minutes of the Warren County Port Commission of August 16, 2010; E-911 Commission Minutes for August 25, 2010, and Warren County Parks and Recreation Commission Minutes for August 17, 2010 for information. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to accept these minutes for information.

Order of Department of Revenue Approving  
Real and Personal Property Rolls of  
Warren County for 2010 Spread Upon Minutes

Ms. McGee presented the Order of the Department of Revenue approving the 2010 Real and Personal Property Assessment Rolls to be spread upon the minutes. Motion was made by Supervisor Banks, seconded by Supervisor Selmon and carried unanimously, to spread the Order of the Department of Revenue upon the Board minutes. A copy of the Order is attached hereto as Exhibit 7 and incorporated herein by reference.

Authorization to Expend the Avails of  
One (1) Mill for the 2010 Tax Year

Ms. McGee presented a letter from the Department of Revenue certifying that Warren County had complied with the criteria set forth in Section 27-39-329(2)(b), Miss. Code Ann. and authorizing the County to expend the avails of the one (1) mill levy collected for the 2010 tax year and any previous years. Motion was made by Supervisor McDonald, seconded by Supervisor Banks and carried unanimously, to accept the letter for information.

Approval of Supplemental Docket of Claims

The Supplemental Docket of Claims for September bills was considered. Motion was made by Supervisor McDonald, seconded by Supervisor Banks 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. 124. A copy of the Summary of Funds is attached hereto as Exhibit 8 and incorporated herein by reference.

Bid Opening for Lease Purchase of 4 x 4 Rubber Tire  
Backhoe Loader, Bid File No. 09072010

The hour of 10:00 a.m. having arrived, the President stated that the Board would received sealed bids for the lease purchase of one new model 4 x 4 Rubber Tire Backhoe Loader. Proof of publication is attached hereto as Exhibit 9 and incorporated herein by reference. Two bids were received, being as follows:

Tubb Equipment and Rental Co.		
Year: 2011	Make: Case	Model: 590SN
Purchase Price:		\$92,986.57
48-Month Guaranteed Buy-Back		\$37,835.00
60-Month Guaranteed Buy-Back		\$35,168.00
Trade-In for 2006 Caterpillar		\$33,000.00

Puckett Machinery		
Year: 2011	Make: Caterpillar	Model 430E
Purchase Price:		\$92,631.00
48-Month Guaranteed Buy-Back		\$42,000.00
60-Month Guaranteed Buy-Back		\$37,500.00
Trade-In for 2006 Caterpillar		\$41,000.00

Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to take these bids under advisement. Copies of the bids are attached hereto as Exhibit 10 and incorporated herein by reference.

Richard Winans, Road Manager

Approval to Purchase Forever  
Stamps for Road Department

Mr. Winans requested that the Board approve the purchase of a roll of "Forever" stamps for the Road Department. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to approve the request.

Approval to Hire Tyrone Miller

Mr. Winans recommended that Tyrone Miller be placed on the Road Department's payroll as a laborer at \$8.00 per hour, effective October 4, 2010. Mr. Miller has successfully completed his ninety-day probationary period with Staffing Solutions. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to accept Mr. Winan's recommendation to place Tyrone Miller on the Road Department's payroll, effective October 4, 2010.

Approval of Temporary Easements

Mr. Winans presented three (3) temporary easements for approval. Motion was made by Supervisor Lauderdale, seconded by Supervisor Banks and carried unanimously, to accept the recommendation of the Road Manager to approve the temporary easements contained in Exhibit 11 attached hereto and incorporated herein by reference.



Approval of Driveway Permits

Mr. Winans presented three (3) 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 12 attached hereto and incorporated herein by reference.

Acceptance of September 2010  
Monthly Work Order Report

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

James R. Sherard, Board Attorney

Ratify Agreement for Borrow  
Material Between Dorothy G.  
Butts, et al and Warren County

Mr. Sherard asked the Board to ratify and approve an Agreement for Borrow Material dated November 2, 2009, between Dorothy G. Butts and Katherine Butts Terry and the Board of Supervisors of Warren County for fill material for the Messina Landing Public Restroom Project, as the County may require, at \$2.00 per cubic yard. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to ratify and approve the Agreement for Borrow Material. A copy of the agreement is attached hereto as Exhibit 13 and incorporated herein by reference.

Approval of Agreement for Borrow Material  
Between Harry L. Martin, Jr. and Lois M.  
Martin and Warren County

Mr. Sherard requested that the Board approve an Agreement for Borrow Material between Harry L. Martin, Jr. and Lois M. Martin and the Warren County Board of Supervisors, for fill material, as the County may require, at \$1.00 per cubic yard, and authorize the President to execute the Agreement. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve and authorize the Board President to execute the Agreement. A copy of the Agreement is attached hereto as Exhibit 14 and incorporated herein by reference.

Approval of License and Hold Harmless Agreement  
For Use of River Front Park by Legends Gaming  
of Mississippi, LLC d/b/a Diamond Jack's  
Casino & Hotel for Event

Mr. Sherard asked the Board to consider a request from Legends Gaming of Mississippi, LLC d/b/a Diamond Jack's Casino & Hotel to use the River Front Park for a New Year's Eve event. Mr. Sherard stated that the Mayor and Aldermen of the City of Vicksburg have approved the use of the River Front Park for the event. Motion was made by Supervisor Selmon, seconded by Supervisor Banks and carried unanimously, to approve the use of the River Front Park by

Legends Gaming of Mississippi, LLC d/b/a Diamond Jack's Casino & Hotel for a New Year's Eve event and authorize the Board President to execute the License and Hold Harmless Agreement. A copy of the License and Hold Harmless Agreement is attached hereto as Exhibit 15 and incorporated herein by reference.

Recess

Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to recess until 9:00 a.m., Monday, October 18, 2010.

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Richard George, President