

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 2, 2011, 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 Lauderdale offered the invocation.

#### Approval of April Minutes

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

#### Richard Winans, Road Manager

##### Acceptance of April 2011 Monthly Work Order Report

Mr. Winans presented the April 2011 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 Driveway Permit

Mr. Winans presented three (3) driveway permits for approval. Motion was made by Supervisor Lauderdale, seconded by Supervisor Selmon 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 approve the temporary easements contained in Exhibit 4 attached hereto and incorporated herein by reference.

John McKee, County Engineer

Approval of Contractors Estimate No. 1  
Forrest Cove Paving Project No. 75(311)

Mr. McKee presented Contractors Estimate No. 1 of Central Asphalt Co., Inc., in the amount of \$33,285.52 for work performed on the Forrest Cove Paving Project No. 75(311). Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to approve payment to Central Asphalt Co., Inc. in the amount of \$33,285.52 for work performed on the Forrest Cove Paving Project No. 75(311).

Jim Agent, Deputy Tax Assessor

Preliminary Order Granting Ad Valorem Tax  
Exemption to Foam Packaging, Inc. for  
Period of Ten (10) Years, Commencing  
With Tax Year 2011

Mr. Agent presented the Application of Foam Packaging, Inc. for an exemption from ad valorem taxation upon its manufacturing plant located in Warren County, Mississippi for a period of ten (10) years from and after January 1, 2011, commencing with the tax year 2011. The total exemption presently claimed as to tangible personal properties is the amount of \$527,000.00. Mr. Agent stated that the property had been inspected, and the exemption meets the requirements of the Department of Revenue, and the records indicate that there are no outstanding taxes owed by Foam Packaging, Inc. Mr. Ray English and Deborah Isaac were present to provide information and answer questions. Following discussion, motion was made by Supervisor Lauderdale, seconded by Supervisor Selmon and carried unanimously, to adopt and authorize the President to sign a Preliminary Order granting an ad valorem tax exemption to Foam Packaging, Inc. in the amount of \$527,000.00, for a period of ten (10) years from and after January 1, 2011, commencing with the tax year 2011. A copy of the Preliminary Order is attached hereto as Exhibit 5 and incorporated herein by reference.

Orders Granting Ad Valorem Tax  
Exemptions to Graham Packaging  
Company, LP Rescinded

Mr. Agent advised the Board that Graham Packaging Company, LP had closed in 2009 and that the equipment covered under the ad valorem tax exemptions previously granted by the Board had been moved from Warren County. Mr. Agent requested that the Board adopt an Order voiding the unexpired tax exemptions, pursuant to Section 27-31-111 of the Mississippi Code of 1972. Motion was made by Supervisor Banks, seconded by Supervisor Selmon and carried unanimously, to adopt, and authorize the President to sign, an Order voiding the tax exemptions granted on September 29, 2003 and August 2, 2004. A copy of the Order is attached hereto as Exhibit 6 and incorporated herein by reference.

Children's Mental Health Week Resolution

Ms. Leigh Cook and Ms. Jeanine Hanks of Warren Yazoo Mental Health appeared to discuss the observance of Children's Mental Health Week on May 1-7, 2011. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to adopt a Resolution that the Warren County Board of Supervisors proclaims May 1-7, 2011 as Children's Mental Health Week. A copy of the resolution is attached as Exhibit 7 and incorporated herein by reference.

Tonga Vinson, Purchasing Agent

Award of LP - Motor Graders  
Bid File No. 03072011  
Authorization to Enter LP Contract

Ms. Vinson stated that two (2) bids were received at the April 18, 2011 meeting for the lease-purchase of three (3) new model motor graders with buyback provisions at 48- and 60-month terms and lease-purchase financing via BancorpSouth Equipment Finance. After review of the bids and discussion with the Road Manager, Richard Winans, Ms. Vinson recommended that the award be made to Puckett Equipment, with the 48-month buyback offer, the lowest and best bid received. The bid of Scott Equipment was non-responsive and was not considered. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, that the award be made to Puckett Equipment. A copy of Puckett Equipment's bid form is attached hereto as Exhibit 8 and incorporated herein by reference.

In regard to the lease-purchase financing, Ms. Vinson obtained current quotes from BankcorpSouth (2.93%), Hancock Bank (3.55%), and Trustmark National Bank (2.7%), and recommended that the Board authorize entering into a lease-purchase agreement with Trustmark for a 48-month term, with 47 monthly payments of \$4,826.82 (\$1,608.94 per unit) and a balloon payment of \$396,001.74 (\$132,000.58 per unit). Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to approve and authorize the President to sign the necessary documents and the Board Attorney to provide the necessary Opinion of Counsel.

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. 1 for Fairways Paving Project 75(310) in the amount of \$15,424.50; Invoice No. 2 for Fairways Paving Project 75(310) in the amount of \$11,553.33; Invoice No. 1 for Forrest Cove Paving Project 75(311) in the amount of \$8,205.30; and Invoice No. 2 for Forrest Cove Paving Project 75(311) in the amount of \$7,027.86. 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 \$7,279.22 for legal services for March 28, 2011 to April 29, 2011. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried, to approve payment of the invoice. Supervisors McDonald, Lauderdale, Selmon and George voted "Yea" and Supervisor Banks voted "Nay."

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 April 2011. Motion was made by Supervisor Banks, 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 April 2011.

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

Mr. Smith requested approval to pay E911 Invoice in the amount of \$20,076.41 for Warren County's share of E911 dispatchers' salaries, matching benefits and insurance for April 2011, pursuant to Interlocal Agreement. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to approve payment to E911 in the amount of \$20,076.41 for Warren County's share of E911 dispatchers' salaries, matching benefits and insurance for April 2011.

Approval to Purchase Advertisements

Mr. Smith asked the Board to consider the following requests to purchase advertisements:

Red Carpet Bowl Committee, advertisement in the amount of \$500.00 for upcoming Red Carpet Bowl football games. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to approve the purchase of an advertisement in the amount of \$500.00.

Military Order of the Purple Heart, advertisement in the souvenir booklet for the annual state Military Order of the Purple Heart convention June 10-11, 2011 in Vicksburg. Motion was made by Supervisor Lauderdale, seconded by Supervisor Selmon and carried unanimously, to approve purchasing a full-page advertisement at a cost of \$100.00.

Vicksburg Homecoming Benevolent Club, advertisement in the souvenir booklet for the 36<sup>th</sup> Annual Vicksburg Homecoming, June 30 - July 4, 2011. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve the purchase of an advertisement at a cost of \$150.00.

Vicksburg High School Football Team, advertisement for \$100.00 in the souvenir book for 2011 River City Shootout, June 25, 2011. Motion was made by Supervisor Banks, seconded by Supervisor Selmon and carried unanimously, to approve the purchase of an advertisement in the amount of \$100.00.

Approval of Request To Issue Check

Mr. Smith presented a request from Loretta S. Brantley, Payroll Clerk, for authority to issue a check payable to Constable Glenn McKay in the amount of \$1,574.58. This amount has been refunded to the County by PERS and is due Constable McKay for overpayment of his retirement contributions for calendar year 2010. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale 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 a check, upon receipt of MDA funds, to pay ABMB Invoice #17 in the amount of \$834.80 for architect/engineering expense and approve Request for Cash #18 in the amount of \$834.80. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to approve this request.

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, to pay ABMB Invoice #29 in the amount of \$22,314.92 for architect/engineering expenses and Pay Estimate #24 in the amount of \$201,313.60 of Key, LLC for bridge/intersection expense, and approve Request for Cash #31 in the amount of \$223,628.52 to pay the aforesaid invoices. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale 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 April 2011 for information. Motion was made by Supervisor Banks, seconded by Supervisor McDonald 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 04/01/2011 through 04/30/2011 for approval. Motion was made by Supervisor McDonald, seconded by Supervisor Banks 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.

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 03/21/2011

to 04/20/2011 for approval. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to approve the aforesaid reports.

Acceptance of Tax Collector's Report  
of Privilege Tax License Collections  
for 03/01/2011 to 03/31/2011

Ms. McGee presented the Tax Collector's report of privilege tax license collections for the period 03/01/2011 to 03/31/2011 for information. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to accept the report for information.

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

Ms. McGee presented the minutes of the Warren County Port Commission for March 21, 2011 and April 12, 2011, Park and Recreation Commission minutes for March 15, 2011, and E-911 Commission minutes for February 23, 2011 and March 30, 2011 for information. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to accept these minutes for information.

Authorization for President to Sign  
Active Inmate Reimbursement Voucher

Ms. McGee asked the Board to authorize the President to sign the Active Inmate Reimbursement Voucher for March 2011 in the amount of \$3,346.24. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to authorize the President to sign the March 2011 Active Inmate Reimbursement Voucher.

Acceptance of Constable Randy Naylor's  
2010 Annual Financial Report

Ms. McGee presented the 2010 Annual Financial Report of Constable Randy Naylor for information. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to accept the report for information.

Approval of Supplemental Docket of Claims

The Supplemental Docket of Claims for payment of April bills was considered. Motion was made by Supervisor McDonald, seconded by Supervisor Banks and carried, to approve the Docket of Claims. Supervisors Lauderdale, McDonald, Selmon and George voted "Yea" and Supervisor Banks voted to pay all claims except Claim No. 1859. A copy of the Summary of Funds is attached hereto as Exhibit 10 and incorporated herein by reference.

Joint Declaration of Local Emergency

The Warren County Board of Supervisors and the Mayor and Aldermen of the City of Vicksburg find that conditions of extreme peril to the safety of persons and property have arisen in the City of Vicksburg and Warren County, due to an unanticipated significant rise in the Mississippi River made public knowledge on April 25, 2011.

The predicted river stage crest is currently 53.5 feet on the Vicksburg gauge and is forecast for May 18, 2011, with lowland flooding in incorporated and unincorporated areas of Warren County occurring as the Mississippi River reaches flood stage at 43.0 feet on the Vicksburg gauge.

The conditions of extreme peril warrant and necessitate the declaration of the existence of a local emergency in order to ensure the health and safety of the citizens and the protection of their property and the protection of public facilities within the affected areas of the City of Vicksburg and Warren County.

Following discussion, motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to declare that a local emergency now exists, in accordance with Section 33-15-17(d), Mississippi Code of 1972, as amended. This Declaration shall be reviewed every thirty (30) days until such local emergency is no longer in effect and declared terminated by the Warren County Board of Supervisors and the Mayor and Aldermen of the City of Vicksburg. A copy of the Joint Declaration of Local Emergency is attached hereto as Exhibit 11 and incorporated herein by reference.

#### Executive Session

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

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

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

Motion was made by Supervisor Lauderdale, seconded by Supervisor Selmon and carried unanimously, to approve and authorize the issuance of a check in the amount of \$395.83 payable to Luther R. Birdsong, to correct an error in the payroll process.

#### Recess

Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to recess until 7:00 p.m. tonight for the Second Public Meeting on Redistricting of Supervisory Districts.

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Richard George, President