

Monday, April 15, 2013, the Board met pursuant to recess. Notice of the meeting was duly posted, as evidenced by Exhibit 1, and the agenda for the meeting is attached as Exhibit 2. The following were present:

Honorable Bill Lauderdale, President (4th District)
William Banks, Vice President (2nd District)
John Arnold (1st District)
Charles Selmon (3rd District)
Richard George, (5th District)
Donna F. Hardy, Chancery Clerk, and Deputy
John Smith, County Administrator
Marcie Southerland, Board Attorney

The President Bill Lauderdale called the meeting to order at 9:00 a.m. and Supervisor Selmon offered the invocation.

Employee Recognition

The Board recognized Penny Heggins and Freddie Patterson for 25 years of valuable service to this Board and the citizens of Warren County.

John McKee, County Engineer

Variance Request
Twin Creeks Subdivision Part 1-B

Mr. McKee asked the Board to deny a variance request for Twin Creeks Subdivision Part 1-B. It includes a 32 foot radius cul-de-sac and right of way with reduction request. Based on factors presented, Mr. McKee suggested that the Board deny the request and ask the developer to adhere to subdivision ordinance requirements. Motion was made by Supervisor Banks, seconded by Supervisor George and carried unanimously to deny the variance request.

Authorization of President to sign
State Aid Documents

Mr. McKee asked the Board to authorize the President to sign certifications for State and Federal Requirements concerning State Aid Projects. Motion was made by Supervisor Selmon, seconded by Supervisor Banks and carried unanimously to authorize the President to sign the documents.

Olie Elfer, Urban Planning Consultants, Inc.

Approval of Budget Modification
CDBG Economic Development Project
Port Improvements

Ms. Elfer asked the Board to approve a budget modification which will remove the line items for Acquisition ROW, Contingency, Street/Road Improvement and Utility Relocation; include a line item for Phase II Port Improvements (\$1,711,625), Phase II Engineering (\$282,418.13), Phase II Contingency (\$171,162.50), and Phase II Testing (\$28,241.81); decrease the following line items: Engineering (-\$1,114.34), Bridge/Intersection (-\$1,034,251.92), Testing/Geotech (-\$7,945.63), RR Co.

Review/Inspection (\$-11,119.96); revise the Project scope to include Phase II Port Improvements consisting of the rehabilitation of the concrete pavement at the Port of Vicksburg. Motion was made by Supervisor Banks, seconded by Supervisor Arnold and carried unanimously to modify the budget, authorize the President to sign and forward documents to the Port Commission.

Authorize Publication of
Environmental Notices

Ms. Elfer asked for authorization to publish any and all environmental notices to include but not limited to the Early Floodplain Notice, Floodplain Explanation Notice, and the Request for Release of Funds. The floodplain notices are a requirement of the environmental procedures when a project lies within a Floodplain. Motion was made by Supervisor Banks, seconded by Supervisor Arnold and carried unanimously.

Approval of the FORMAT II
Environmental Document

Ms. Elfer asked the Board to approve the FORMAT II Environmental document and asked that the President be authorized to sign. Motion was made by Supervisor Banks, seconded by Supervisor Arnold and carried unanimously.

Adopt Resolutions and Policies
China Grove Street Improvements

Ms. Elfer asked the Board to adopt the following Resolutions and/or Policies as required by the CDBG Program

1. Excessive Force Policy
2. ADA Policy
3. Compliance with Immigration Reform and Control Act of 1986
4. Lead Base Paint Policy
5. Compliance with Title VI
6. Compliance with Section 3
7. Compliance with Fair Housing
8. Compliance with Drug-Free Workplace
9. Compliance with Anti-lobbying
10. Anti-displacement and Relocation Plan

Motion was made by Supervisor Banks, seconded by Supervisor George and carried unanimously to adopt the above resolutions and/or policies.

Angela Brown, Tax Assessor

Approval of Reduction of Assessment
2012 Real Property Assessment Roll

Ms. Brown presented a petition for reduction of assessment on PPIN 3483 for a reduction of \$15,576.00 of the assessment on the 2012 Real Property Assessment Roll. Motion was made by Supervisor Banks and seconded by Supervisor Selmon. Motion failed for lack of majority. Supervisors Banks and Selmon voted "aye" and Supervisors Lauderdale, Arnold and George voted "nay".

Motion was made by Supervisor George, seconded by Supervisor Arnold and carried to take the reduction of assessment under advisement. Supervisors George, Arnold, Lauderdale and Selmon voted "aye" and Supervisor Banks voted "nay".

Approval to Adjust Exemption on
2012 Homestead Exemption Supplemental Roll

Ms. Brown presented petitions for two adjustments to the homestead exemptions previously granted to taxpayers on the 2012 Homestead Exemption Supplemental Roll for approval. Motion was made by Supervisor Banks and seconded by Supervisor Selmon. Motion failed for lack of majority. Supervisors Banks and Selmon voted "aye" and Supervisors Lauderdale, Arnold and George voted "nay".

Motion was made by Supervisor George, seconded by Supervisor Arnold and carried to take the reduction of assessment under advisement. Supervisors George, Arnold, Lauderdale and Selmon voted "aye" and Supervisor Banks voted "nay".

Marcie Southerland, Board Attorney

Request for Muddy Bayou Road

Ms. Southerland presented a request from Jeff and Kathy Terry to close Muddy Bayou Road. Motion was made by Supervisor Selmon, seconded by Supervisor Arnold and carried unanimously to instruct the County Engineer to advise which part to abandon and take the request to close the road under advisement.

2008 and 2011 Flood Buy Out Program

Ms. Southerland informed the Board that there are two properties remaining to be purchased pursuant to the offer and agreement to sell, however, there is a problem with the titles. In the 2011 Program, Ms. Grace Lynn has an issue with the title which involves an estate. Ms. Southerland requested authorization to send Ms. Lynn a letter advising her that this matter needs to be resolved within 30 days if she wishes to sell her property to the County. In the 2008 Program, Ms. Linda Folden has an issue with the title in which she has an SBA loan that secures her property with a deed of trust, along with the newer property that she purchased and the amount of money due and owing Ms. Folden from the County on the property at 989 Hwy. 465 is not enough to satisfy the deed of trust. Ms. Southerland asked for authorization to send her a letter to inform her that she needs to take the proper steps to clear the title. Motion was made by Supervisor Banks, seconded by Supervisor Selmon and carried unanimously to authorize the Board Attorney to notify the owners of the properties.

John Smith, County Administrator

Acceptance of Resignation Letter of
Clyde McKinney, Board of Directors
Culkin Water District

Mr. Smith presented a letter of resignation from Clyde

McKinney, resigning his position on the Board of Directors of the Culkin Water District, effective March 31, 2013. Motion was made by Supervisor Arnold, seconded by Supervisor George and carried unanimously, to accept the resignation.

Appointment of Nathan Jones
Board of Directors
Culkin Water District

Mr. Smith presented a request from the Culkin Water District to appoint Nathan Jones to fill the unexpired term of Clyde McKinney to the Board of Directors of the Culkin Water District. Motion was made by Supervisor Arnold, seconded by Supervisor George and carried unanimously, to accept the recommendation to appoint Nathan Jones to the Board of Directors of the Culkin Water District.

Acceptance of Resignation Letter of
Kenneth Rex Staggs, Board of Directors
Eagle Lake Fire Protection District

Mr. Smith presented a letter of resignation from Kenneth Rex Staggs, resigning his position on the Board of Directors of the Eagle Lake Fire Protection District, effective February 18, 2013. Motion was made by Supervisor Arnold, seconded by Supervisor George and carried unanimously, to accept the resignation.

Appointment of Charles Ellis Lewis
Board of Directors
Eagle Lake Fire Protection District

Mr. Smith presented a request from the Eagle Lake Fire Protection District to appoint Charles Ellis Lewis to fill the unexpired term of Kenneth Rex Staggs to the Board of Directors of the Eagle Lake Fire Protection District. Motion was made by Supervisor Arnold, seconded by Supervisor George and carried unanimously, to accept the recommendation to appoint Charles Ellis Lewis to the Board of Directors of the Eagle Lake Fire Protection District.

Approval for Reimbursement to Drug Court

Mr. Smith presented a request from Maryam Husband, Drug Court Coordinator, for reimbursement in the amount of \$4,504.92 for the Drug Court Coordinator's salary, matching benefits and insurance for the month of April 2013. Motion was made by Supervisor Arnold, seconded by Supervisor George and carried unanimously, to approve the reimbursement.

Report of Constable

Mr. Smith presented the 2012 Annual Financial Report of Constable Glenn McKay for information. Motion was made by Supervisor George, seconded by Supervisor Arnold and carried unanimously, to accept for information the 2012 Annual Financial Reports of Constable Glenn McKay.

Approval to Pay Invoices

Mr. Smith presented an invoice of Pitney Bowes in the amount of \$79.18 for postage for the Port Commission for approval. Motion was made by Supervisor Selmon, seconded by Supervisor George and carried unanimously, to approve payment of the invoice.

Mr. Smith presented the following invoices of John E. McKee, Jr., P.E. for approval; Invoice No. 30 in the amount of \$5,258.13 for the Bayou Project and Invoice No. 31 in the amount of \$1,892.51 for the Bayou Project. Motion was made by Supervisor Arnold, seconded by Supervisor George and carried unanimously, to approve payment of the aforesaid invoices.

Authorize President to Sign Letter to
Marcie Southerland regarding Legal Matters

Mr. Smith asked the Board to authorize the President to sign a letter to Marcie Southerland, Board Attorney, to provide Bridgers & Goodman, PLLC, Warren County's auditing firm, information regarding pending or threatened litigation, claims and assessments against Warren County. Motion was made by Supervisor George, seconded by Supervisor Arnold and carried unanimously, to authorize the President to sign the letter.

Donna F. Hardy, Chancery Clerk

Approval of Vicksburg Bridge
Commission Claims Docket

Ms. Hardy presented the Vicksburg Bridge Commission Claims Docket for the month of March 2013 for approval. Motion was made by Supervisor George, seconded by Supervisor Arnold and carried unanimously, to approve the March 2013 Claims Docket.

Acceptance of Vicksburg Bridge
Commission Minutes

Ms. Hardy presented the Vicksburg Bridge Commission minutes for March 13, 2013 for information. Motion was made by Supervisor George, seconded by Supervisor Arnold and carried unanimously, to accept these minutes for information.

Accept Notice of the MS Department of Revenue
Of its Allowance of Homestead Exemption
Code 35 - Failed to Comply with Income Tax Laws

Ms. Hardy asked the Board to accept the notice of the Mississippi Department of Revenue of its disallowance of Homestead Exemption, Code 35 which states the taxpayer has failed to comply with income tax laws, MS Code § 27-33-63(2). Motion was made by Supervisor George, seconded by Supervisor Arnold and carried unanimously, to accept the notice.

Ms. Hardy asked the Board to approve an order directing the Tax Collector to reassess and list the aforementioned properties as subject to all taxes and

authorize the Board President to sign. Motion was made by Supervisor George, seconded by Supervisor Selmon and carried unanimously, to approve the order and authorize the President to sign.

Accept Instructions of the MS Department of Revenue
To Object to Homestead Exemption Disallowances
Code 39 - No Valid Application

Ms. Hardy asked the Board to accept the instructions of the Mississippi Department of Revenue and initially object to all Homestead Exemption disallowances identified by Code 39, stating a valid application is not on file, MS Code §27-33-31(a). These objections are being entered at the instruction of the Mississippi Department of Revenue to allow them time to make internal corrections to the Homestead application where applicable. Motion was made by Supervisor George, seconded by Supervisor Arnold and carried unanimously to accept the instruction of the MS Department of Revenue to object to the disallowances identified by Code 39.

Acceptance of Report on
2013 Homestead Applications

Ms. Hardy presented for information a report on the 2013 Homestead Exemption Applications. There were 154 applications turned in for the month of March. Motion was made by Supervisor George, seconded by Supervisor Arnold and carried unanimously, to accept the report.

Executive Session

Motion was made by Supervisor Selmon, seconded by Supervisor George and carried unanimously, to consider going into Executive Session to discuss a litigation matter concerning the Circuit Clerk.

Motion was made by Supervisor Selmon, seconded by Supervisor Arnold and carried unanimously, to go into Executive Session to discuss a litigation matter concerning the Circuit Clerk.

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

No action was taken in Executive Session.

Recess

Motion was made by Supervisor George, seconded by Supervisor Selmon and carried unanimously, to adjourn until 9:00 a.m., Tuesday, May 6, 2013.

Bill Lauderdale, President

