

Tuesday, February 17, 2009, 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 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 Richard George called the meeting to order at 9:00 a.m. and offered the invocation.

Award of Contract for Haining Road Bridge Replacement
And Roadway Improvements Project No. R-103-075-ED-01

Mr. McKee stated that the bids received on February 12, 2009 for the Haining Road Bridge Replacement and Intersection Improvements project have been tabulated. It has been determined that the low bidder, Tanner Construction Company, submitted its bid using incorrect contract documents and, therefore, the bid contains a material defect. After consulting with the Board Attorney, Mr. McKee said that it is his recommendation that the Board reject the low bid of Tanner Construction Company, because of the material defect; accept the next lowest bid of Key, LLC; and reject the bid of Dozer, LLC as a high bid. Motion was made by Supervisor Lauderdale, seconded by Supervisors McDonald and carried unanimously, to award the contract for the Haining Road Bridge Replacement and Roadway Improvements Project to Key, LLC and reject the bids of Tanner Construction Company and Dozer, LLC for the aforesaid reasons, subject to approval and concurrence of the Mississippi Development Authority. The President was further authorized to sign all documentation in connection with this project. (Ex. 3).

John Smith, County Administrator

Check to Vicksburg-Warren
Beautiful, Inc. Approved

Mr. Smith presented a request from Vicksburg-Warren Beautiful, Inc., for a check in the amount of \$5,000.00. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to approve a check in the amount of \$5,000.00 to Vicksburg-Warren Beautiful, Inc.

Check to BancorpSouth for Payment of
Culkin Volunteer Fire Department Loan Approved

Mr. Smith asked the Board to authorize the issuance of a check in the amount of \$12,090.62 to BancorpSouth Bank to pay on loan no. 652000520924 for Culkin Volunteer Fire Department. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve the aforesaid request. Funds to come from insurance rebate payments from Insurance Commissioner.

Board Attorney's Contract
To Provide Legal Services

Mr. Smith presented the Contract for Professional Services between the Warren County Board of Supervisors and James R. Sherard for 2009 and asked that the President be authorized to sign the contract. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried, to approve and authorize the President to sign the aforesaid contract. Supervisors McDonald, Lauderdale, Selmon and George voted "Yea" and Supervisor Banks voted "Nay." (Ex. 4).

Warren County, Mississippi Community
Revitalization Grant, Haining Road
Project, CDBG # R-103-075-01-KED

Mr. Smith presented the Contract for Legal Services between the Warren County Board of Supervisors and James R. Sherard for legal services in connection with the aforesaid project. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried, to approve and authorize the President to sign the said contract. Supervisors McDonald, Lauderdale, Selmon and George voted "Yea" and Supervisor Banks voted "Nay." (Ex. 5).

Request From Gwen Coleman, Director
EMA to Hire Carmellia Perkins

Mr. Smith presented a request from Gwen Coleman, Director of EMA, for authorization to hire Carmellia Perkins as a permanent, full-time employee with Warren County Emergency Management, effective February 16, 2009. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve the aforesaid request.

Warren County Holding Facility
Private Home Care, Inc.
Rate Increase

Mr. Smith presented a letter from Private Home Care, Inc. advising that effective March 1, 2009, the charge for their services at the Warren County Holding Facility will increase from \$12.00 per hour to \$12.35 per hour. This 3% increase is necessary to offset the third and final 11% minimum wage increase for 2009. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve the increase.

Dot McGee, Chancery Clerk

Vicksburg Bridge Commission
Claims Docket Approved

Ms. McGee presented the Vicksburg Bridge Commission Claims Docket for the month of January 2009 for approval. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve the Vicksburg Bridge Commission Claims Docket for the month of January 2009.

Vicksburg Bridge Commission and
Warren County Port Commission Minutes

Ms. McGee presented the minutes of the Vicksburg Bridge Commission for January 14, 2009 and Warren County Port Commission for January 12, 2009 for information. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to accept the aforesaid minutes for information.

President Authorized to Sign Active
Inmate Reimbursement Voucher For
December 2008

Ms. McGee requested that the President be authorized to sign the Active Inmate Reimbursement Voucher for December 2008 in the amount of \$11,094.65. Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to authorize the President to sign the Active Inmate Reimbursement Voucher for December 2008.

Affidavit for Pauper's Burial
Expenses Approved

Ms. McGee presented an Affidavit for pauper's burial expenses for Alex b. Williams, deceased, together with supporting documentation. Ms. McGee requested that the Board declare Mr. Williams a pauper and authorize payment of burial expenses in the amount of \$500.00 to Williams Funeral Home. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to declare Alex B. Williams, deceased, a pauper. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to authorize payment of burial expenses in the amount of \$500.00 to Williams Funeral Home, all in accordance with section 43-31-31, Miss. Code of 1972, as amended.

Travel for Justice Court Judge
Crevitt to Attend Seminar and
Certification Program Approved

Ms. McGee presented a request from Justice Court Judge Joseph Crevitt requesting approval of travel to attend the Mississippi Justice Court Judges Seminar and Certification Program to be held March 31 - April 3, 2009, in Choctaw, Mississippi. Motion was made by Supervisor Lauderdale, seconded by Supervisor Banks and carried unanimously, to approve the aforesaid request.

Warren County Road Patrolman/Safety Officer

A letter from Kenny Channell notifying the Board of his retirement as Road Patrolman/Safety Enforcement Officer, effective March 31, 2009, was presented. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to accept the letter for information.

Motion was made by Supervisor Lauderdale, seconded by Supervisor Selmon and carried unanimously, to ratify and

approve advertising to fill the position of Road Patrolman/Safety Enforcement Officer.

A letter from Richard Winans, Road Manager, was presented requesting that the Board allow Kenny Channell to purchase his service weapon for \$1.00, pursuant to the statutory provisions regarding same. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to approve the aforesaid request.

Order Increasing Salary of Circuit Court Administrator, Brenda Williams

Mr. Smith presented an Order of Circuit Judge Isadore Patrick increasing the salary of Brenda Williams, Court Administrator, Ninth Judicial District, Subdistrict One (1) for approval. Following discussion, motion was made by Supervisor McDonald, seconded by Supervisor Banks and carried, to approve the salary increase. Supervisors McDonald, Banks, Selmon and George voted "Yea" and Supervisor Lauderdale voted "Nay."

Resolution to Enter Into Interlocal Agreement For the Use of Statewide Elections Management System, Circuit Clerk and Staff, Voting Machines And Other Related Matters as They Pertain to Municipal Elections

The Board discussed the upcoming municipal elections and use of Warren County's voting machines for conducting the municipal elections. Following discussion, motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to adopt a Resolution to enter into an Interlocal Agreement between the Warren County Board of Supervisors, Shelly Ashley-Palmertree, Warren County Circuit Clerk, City of Vicksburg, Mississippi, and Vicksburg City Clerk for the use of statewide elections management system, Circuit Clerk and staff, voting machines and other related matters as they pertain to municipal election, subject to approval of the Interlocal Agreement by the Attorney General of the State of Mississippi. (Ex. 6).

Appointment of Elva A. Smith as District Three Election Commissioner

Following discussion, motion was made by Supervisor Selmon, seconded by Supervisor Lauderdale and carried unanimously, to appoint Elva A. Smith, to the office of District Three Election Commissioner, to serve until a special election is held.

Relocation of Waterline - LeTourneau Road

The cost estimate of Yokena-Jeff Davis Water District to extend the six-inch line from Glass Road west to the beginning of the LeTourneau Road project was discussed. Following discussion, motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve reimbursement to Yokena-Jeff Davis Water District in the amount of \$3,944.50 for the

relocation of waterline to eliminate conflict with the NRCS project.

Executive Session

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

Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to go into Executive Session for the aforesaid purposes.

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

Motion was made by Supervisor Lauderdale, seconded by Supervisor Selmon and carried unanimously, to authorize Attorney Ken Rector to continue negotiations with regard to the Issaquena and Warren Counties Land Company lawsuits.

Motion was made by Supervisor McDonald, seconded by Supervisor Selmon and carried unanimously to authorize the Board Attorney, James R. Sherard, to withdraw the Motion for Temporary and Permanent Injunction filed November 12, 2008 and file a Motion to Amend or Modify in due time in the cause styled: In the Chancery Court of Warren County, Mississippi, Cause No. 1997-346GN, M & M Property, LP, et al v. Warren County Board of Supervisors.

No action was taken on the personnel matter.

Adjournment

Motion was made by Supervisor McDonald, seconded by Supervisor Selmon and carried unanimously, to adjourn until Monday, March 2, 2009, at 9:00 a.m.

Richard George, President