

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, January 5, 2009, 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)  
Charles Selmon, Vice President (3<sup>rd</sup> District)  
David L. McDonald (1<sup>st</sup> District)  
William Banks (2<sup>nd</sup> District)  
William Lauderdale (4<sup>th</sup> District)  
Martin Pace, Sheriff, and Deputy  
Dot McGee, Chancery Clerk, and Deputy

The President of the Board, Richard George, called the meeting to order at 9:00 a.m. offered the invocation.

Election of Officers

The President, Richard George, opened the floor for nominations for Board President for 2009. Supervisor Lauderdale nominated Richard George, seconded by Supervisor McDonald. Nominations were closed. Richard George was unanimously elected to the office of President.

The floor was opened for nominations for Vice President of the Board for 2009. Supervisor Selmon nominated William Banks, seconded by Supervisor Lauderdale. Nominations were closed and William Banks was unanimously elected to the office of Vice President.

Appointments for 2009

Appointment of John McKee as County, State Aid and LSBP Engineer and Appointment of ABMB Engineering Firm to Provide Engineering Services for 2009

Motion was made by Supervisor Selmon, seconded by Supervisor Banks and carried unanimously, to appoint John E. McKee, Jr. as County Engineer, State Aid and LSBP Engineer for Warren County for 2009 and to appoint ABMB Engineering to provide engineering services to Warren County for 2009. The Board President is further authorized to execute the contract for engineering services.

Board Attorney

Motion was made by Supervisor Selmon, seconded by Supervisor Banks to appoint Marcie Southerland as Board Attorney for 2009. Following discussion, the President called for a vote. Supervisors Selmon and Banks voted "Yea" and Supervisors McDonald, Lauderdale and George voted "Nay." Motion failed.

Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale to appoint James R. Sherard as Board Attorney for 2009. Following discussion, the President

called for a vote. Supervisors McDonald, Lauderdale and George voted "Yea" and Supervisors Selmon and Banks voted "Nay." Motion carried.

Road Manager

Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to appoint Richard Winans as Road Manager for 2009.

County Administrator

Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to appoint John Smith as County Administrator for 2009.

December 2008 Minutes Approved

The December 2008 Minutes were presented for approval. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to approve and authorize the President to sign the minutes as presented.

Jeff Riggs, Undersheriff

Approve Declaring Vehicle Surplus

The Undersheriff presented a request that the Board declare one (1) 2004 Ford Crown Vic vehicle, VIN 2FAFP71WO4X124705, WC# 8227, as surplus and authorize sale of the vehicle at MID South Auto in Jackson, Mississippi and removal of the vehicle from inventory. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve the aforesaid request. (Ex. 3).

Adopt Resolution Declaring Fire Arm  
Surplus and Sold to Deputy Sheriff  
John Joseph Kight

The Undersheriff requested that the Board adopt a Resolution declaring a .40 cal. Glock, Serial No. HUK 983, WC# 9073 as surplus and sold to retiring Deputy Sheriff John Joseph Kight for the sum of \$1.00 in accordance with Section 45-9-131 of the Mississippi Code of 1972. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to adopt the aforesaid Resolution. (Ex. 4).

Recognition of Boy Scout David Young

The President recognized David Young of Boy Scout Troup #76 who is attending the meeting as a requirement for his Citizenship Badge.

Richard Winans, Road Manager

Monthly Work Order Report Accepted

Mr. Winans presented the December 2008 monthly Work Order Report for information. Motion was made by

Supervisors Banks, seconded by Supervisor McDonald and carried unanimously, to accept the report for information

Driveway Permits Approved

Mr. Winans presented 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 5.

Temporary Dumping Easements Approved

Mr. Winans presented temporary easements for approval. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to accept the recommendation of the Road Manager to approve the temporary easement contained in Exhibit 6.

Personnel Matter

Mr. Winans requested authorization to place Charles Craig on the Road Department payroll, effective January 26, 2009. Mr. Craig has successfully completed his 90-day probationary period with Staffing Solutions. Motion was made by Supervisor Banks, seconded by Supervisor Selmon and carried unanimously, to accept the recommendation of the Road Manager and approve placing Mr. Craig on the Road Department payroll.

John McKee, County Engineer

Preliminary Plat of Littlewood Subdivision,  
Part 2 Approved

Mr. McKee presented the preliminary plat for Littlewood Subdivision, Part 2 for approval. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to accept the recommendation of the County Engineer to approve the preliminary plat of Littlewood Subdivision, Part 2.

Tonga Vinson, Purchasing Agent

Award of Term Contracts for Assorted Supplies  
and Materials

Ms. Vinson stated that at the December 15, 2008 meeting of the Board, sealed bids for various supplies and materials were received and taken under advisement. After review of the bids and discussion with the Road Manager, Ms. Vinson recommended the following:

Bid A - Asphalt Products (single bid):

Ms. Vinson recommends award to APAC-Mississippi, the sole bidder. Motion was made by Supervisors Banks, seconded by Supervisor Lauderdale and carried unanimously, to accept the aforesaid recommendation and award the contract for asphalt products to APAC-Mississippi, the sole bidder. (Ex. 7).

Bid B - Concrete Products (single bid):

Ms. Vinson recommended award to MMC Materials, Inc., the sole bidder. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to accept the aforesaid recommendation and award the contract for concrete products to MMC Materials, Inc., the sole bidder. (Ex. 8).

Bid C - Wash Gravel (two bids):

Ms. Vinson recommended award of Primary to Sojourner, Inc. and Alternate to MMC Materials, Inc. Use of alternates will be based upon job location, when primary provider is unable to supply material, or material available does not meet job purpose. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to accept the aforesaid recommendation and award Primary to Sojourner, Inc. and Alternate to MMC Materials, Inc. (Ex. 9).

Bid D - Polyethylene Pipe (four bids):

Ms. Vinson recommended award of Primary to Steps, Inc. and Alternates to ADS/Hancor (Tie), Dial, Inc. (Tie), and Keeling Co (Tie). Use of alternates will be based upon job location, when primary provider is unable to supply material, or material available does not meet job purpose. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to accept the recommendation and award Primary to Steps, Inc. and Alternates to ADS/Hancor, Dial, Inc., and Keeling Co. (Ex. 10).

Bid E - Rip Rap and Limestone Products (four bids):

Ms. Vinson recommended as follows:

1. Gabian Stone - Award Primary R & G Transport, LLC  
Award Alternate Martin Marietta

Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve the aforesaid recommendation. (Ex. 11).

2. Rip Rap - Award Primary R & G Transport, LLC  
100-300 lbs. Award Alt. #1 Miller Materials, Inc.  
Award Alt. #2 Martin Marietta

Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to approve the aforesaid recommendation. (Ex. 12).

3. Crushed Limestone

- a. No. 8 Stone-Award Primary Martin Marietta  
Award Alternate No Alternate

Motion was made by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve the aforesaid recommendation. (Ex. 13).

- b. No.610 Stone-Award Primary R & G Transport, LLC  
Award Alternate Martin Marietta (Tie)  
Miller Material (Tie)

Motion was made by Supervisor Banks, seconded by Supervisor Banks, seconded by Supervisor McDonald and carried unanimously, to approve the aforesaid recommendation. (Ex. 14).

Ms. Vinson said that the bid of Sojourner, Inc. should be rejected. Their bid indicated pickup of materials at local yards. Documentation agreements between Sojourner and third party rock yards was requested but have not been received. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to reject the bid of Sojourner for the aforesaid reason. (Ex. 15).

Ms. Vinson said that use of alternates for rip rap and limestone will be based upon job location when primary provider is unable to supply material or material available does not meet job purpose. Vendor choice in case of "tie" alternate bids will be made based upon job location.

Dexter Jones, Inventory Control Clerk

Fixed Asset Disposition Listing  
For December 2008

Mr. Jones presented the Fixed Asset Disposition Listing for December 2008 for approval. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to approve the Fixed Asset Disposition Listing for December 2008.

John Smith, County Administrator

Approve Payment of Invoices

Mr. Smith presented invoices of John McKee, County Engineer for approval. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve payment of the following invoices:

Invoice #35 in the amount of \$31,835.12  
to John McKee, County Engineer  
for 2008 miscellaneous  
engineering and surveying services

Invoice #1221-S94 in the amount of \$10,205.93  
to John McKee, County Engineer  
for State Aid and LSBP projects

Mr. Smith presented the invoice of Paul Winfield, Board Attorney, for legal services rendered in December 2008 for payment. Motion was made by Supervisor Selmon, seconded by Supervisor Lauderdale and carried unanimously, to approve payment of invoice of Paul Winfield in the amount of \$4,371.00 for legal services rendered in December 2008.

Approve Travel for Patricia "Petsey" Smith  
District 1 Election Commissioner to Attend  
Training

Mr. Smith presented a request from Patricia "Petsey" Smith for payment of registration fee and travel to attend Election Commissioners Association of Mississippi 2009 Convention & Training Session on January 28-30, 2009 at Pearl River Resort. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to approve travel and authorize payment of registration in the amount of \$275.00 for Patricia "Petsey" Smith to attend the Election Commissioners Association of Mississippi convention and training session.

Approve MPES to Provide Workers'  
Compensation Coverage for County

Mr. Smith requested that the Board approve Mississippi Public Entity Services, Inc. to provide workers' compensation coverage for the County. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to approve the aforesaid request.

Approve Payment to Vicksburg Insurance  
Agency, Inc. for County's Liability  
Insurance Coverage

Mr. Smith requested that the Board authorize payment of the County's liability insurance premium in the amount of \$250,934.00 to Vicksburg Insurance Agency, Inc. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to approve the aforesaid request.

Retirement of Gloria Herron  
Housekeeping Staff

Mr. Smith presented a letter from Chuck Thornton, Building and Grounds Director, advising the Board that he has received a letter from Gloria Herron, Housekeeping Department, stating that she will be retiring, effective December 22, 2008. He also requested that the Board authorize him to contract with Staffing Solutions to provide temporary replacement personnel for the position to avoid a shortage in housekeeping staff. Motion was made by Supervisor Banks, seconded by Supervisor Lauderdale and carried unanimously, to approve the aforesaid request.

Award of Contract for Monetary Collection  
Services to Receivable Solutions Specialists, Inc.

Mr. Smith stated that the Board received proposals for monetary collection services from Receivable Solutions Specialist, Inc. of Natchez, Mississippi, Penn Credit Corporation of Harrisburg, Pennsylvania, and Mann & Creed of Shaker Heights, Ohio. After review of the proposals, Mr. Smith recommended awarding the contract for collection of delinquent Justice Court fines and delinquent garbage fees to Receivable Solutions Specialists, Inc. of Natchez, Mississippi. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to approve awarding the aforesaid contract to Receivable

Solutions Specialists, Inc. and to reject the proposals of Penn Credit Corporation and Mann & Creed. (Ex. 16).

Nomination of Pearline Williams for District 3  
Election Commissioner

Supervisors Selmon moved to appoint Ms. Pearline Williams to fill the vacancy of District 3 Election Commissioner. The motion was seconded by Supervisor Banks. Following discussion, the President called for a vote. Supervisors Selmon and Banks voted "Yea" and Supervisors McDonald, Lauderdale and George voted "Nay." Motion failed.

Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale, to authorize advertising that the Board will accept resumes for the purpose of appointing someone to fill the vacant office until a special election, and to adopt an Order Directing Special Election for Election Commission, Third District, Warren County. Supervisors McDonald, Lauderdale and George voted "Yea" and Supervisors Selmon and Banks voted "Nay." Motion carried. (Ex. 17).

Dot McGee, Chancery Clerk

Monthly County Reports Accepted for  
Information

Ms. McGee presented the General Ledger Cash Balances and Cash Receipts Journal for 12/01/2008 through 12/31/2008 for information. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to accept the aforesaid report for information.

December Claims Docket Approved

Ms. McGee presented the Claims Docket for claims paid from 12/01/2008 through 12/31/2008 for approval. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried, to approve the December 2008 Claims Docket. Supervisors Banks, Lauderdale, McDonald and George voted "Yea" and Supervisor Selmon abstained from voting on claims paid to River Region Medical Center and voted to pay all other claims. (Ex. 18).

Justice Court Settlements Approved

Ms. McGee presented the following Justice Court Reports for the period of 11/21/2008 to 12/20/2008: Criminal/Traffic Account Cash Journal, Civil Court Cash Journal and Clearing Account Cash Journal. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to approve the aforesaid Justice Court Settlements.

Constables Request for Payment of  
Loss Cases Approved

Ms. McGee presented the requests of Constables Glenn McKay, Randy Naylor and Heggins, pursuant to Mississippi Code, for payment of loss cases in the amount of \$1,800.00. Motion was made by Supervisor McDonald, seconded by

Supervisor Lauderdale and carried unanimously, to authorize payment in the amount \$1,800.00 to each of the aforesaid constables.

Minutes of Parks and Recreation Commission  
And Warren County Port Commission  
Accepted for Information

Ms. McGee presented the Parks and Recreation Commission minutes for November 18, 2008 and Port Commission minutes for November 17, 2008 for information. Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to accept the aforesaid minutes for information.

Martin Luther King's Birthday  
and Robert E. Lee's Birthday

Ms. McGee presented the notice received from the Secretary of State's office designating Monday, January 19, 2009 as the day for the observance of the birthdays of Robert E. Lee and Dr. Martin Luther King, Jr. for information. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried unanimously, to accept this notice for information.

Supplemental Claims Docket Approved

The Supplemental Claims Docket for claims paid 01/05/2008 for December bills was presented for approval. Motion was made by Supervisor McDonald, seconded by Supervisor Lauderdale and carried, to approve the Supplemental Claims Docket. Supervisors Banks, Lauderdale, McDonald and George voted "Yea" and Supervisors Selmon abstained from voting on claims paid to River Region Medical Center and voted to pay all other claims. (Ex.19).

Recognition of Boy Scouts Michael and Nicholas Mason

The President recognized Michael and Nicholas Mason of the Boy Scouts, who were attending the meeting as a requirement for a merit badge.

Appointment to the Vicksburg Convention & Visitors Bureau Board

Motion was made by Supervisor Selmon, seconded by Supervisor Banks, for the Board to recommend Ms. Shirley Waring for consideration as the "At Large" appointee on the Vicksburg Convention & Visitors Bureau Board to fill the unexpired term of Nelda Sampey. Following discussion, the President called for a vote. Supervisors Selmon and Banks voted "Yea" and Supervisors McDonald, Lauderdale and George vote "Nay." Motion failed.



Recess

Motion was made by Supervisor Lauderdale, seconded by Supervisor McDonald and carried unanimously, to recess until Tuesday, January 20, 2009, at 9:00 a.m.

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Richard George, President