

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

STATE OF MISSISSIPPI

COUNTY OF HARRISON

BE IT REMEMBERED, that a regular meeting of the Board of Supervisors of Harrison County, Mississippi was begun and held in the meeting room of the Board of Supervisors of Harrison County, located in the First Judicial District Courthouse at Gulfport, Mississippi, on the FIRST MONDAY OF FEBRUARY 2003, being the **3rd day of February 2003**, the same being the time fixed by law and the place fixed by the Order of the Board of Supervisors of Harrison County at a former meeting thereof for holding said meeting of said Board.

THERE WERE PRESENT and in attendance on said Board, William W. Martin, President of said Board, presiding; Bobby Eleuterius, Larry Benefield, Marlin R. Ladner, and Connie M. Rockco, members of said Board of Supervisors; Tal Flurry, Tax Assessor for Harrison County, Mississippi; George H. Payne, Jr., Sheriff of Harrison County, Mississippi; and John McAdams, Chancery Clerk and Ex-Officio Clerk of said Board.

WHEREUPON, after the proclamation of the Sheriff, the following proceedings were had and done, viz:

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Supervisor **WILLIAM W. MARTIN** moved adoption of the following:

**ORDER DESIGNATING DOUG ARMSTRONG CHIEF DEPUTY FOR THE CHANCERY
CLERK, TAL FLURRY, TAX ASSESSOR, AND JEFF COOKE, CONSULTANT, AS
THE BOARD'S REPRESENTATIVES TO OPEN BIDS/PROPOSALS RELATED TO
REAPPRAISALS AND MAPPING**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY DESIGNATE Doug Armstrong Chief Deputy for the Chancery Clerk, Tal Flurry, Tax Assessor, and Jeff Cooke, Consultant, as the Board's representatives to open bids/proposals related to reappraisals and mapping.

Supervisor **BOBBY ELEUTERIUS** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

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Supervisor **LARRY BENEFIELD** moved adoption of the following:

**ORDER ACKNOWLEDGING RECEIPT OF AND LAYING OVER FOR ACTION AT A
LATER DATE THREE PROPOSALS RECEIVED FOR REAL PROPERTY APPRAISAL
SERVICES**

WHEREAS, the Board of Supervisors, at a meeting heretofore held on the 6th day of January 2003, adopted an Order authorizing and directing the Clerk of the Board to cause publication to be made of Notice of Invitation for Proposals for real property appraisal services.

2. That as directed in the aforesaid Order said Notice of Invitation for Proposals was published in The Sun Herald Newspaper, a newspaper published and having a general circulation in Harrison County, Mississippi for more than one year next immediately preceding the date of said Order directing publication of said Notice, and that the Publisher's Affidavit of Proof of Publication has been filed with the Clerk of this Board, by said Clerk exhibited to the Board, and shows that said Notice was published on January 11 and 18, 2003.

3. That publication of said notice has been made once each week for two consecutive weeks, the last of which was at least seven working days prior to February 3, 2003, the day fixed for receiving said bids in the Order identified in paragraph one thereof, said Proof of Publication being in the following form, words, and figures, to-wit:

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

PROOF OF PUBLICATION

NOTICE OF INVITATION FOR PROPOSALS

Sealed proposals will be accepted by the Board of Supervisors of Harrison County, Mississippi, at the Board Meeting Room in the First Judicial District Courthouse in Gulfport, Mississippi, until the hour of 10:00 a.m. on Monday, February 3, 2003 for purchases by Harrison County the following:

REAL PROPERTY APPRAISAL SERVICES

The specifications may be obtained from the Harrison County Data Processing Department located in the First Judicial District Courthouse, 1801 23rd Avenue, Gulfport, Mississippi, 39501. Office telephone number (228) 865-4250.

All proposals must be on file with the Clerk of the Board at or prior to the proposals opening set for February 3, 2003. All proposals must be sealed and clearly marked on the envelope "Proposal For Real Property Appraisal Services to be opened on February 3, 2003. Envelopes not so marked are submitted at the risk of the Bidder and the County assumes no responsibility for the premature opening of same by any County employee.

Proposals sent through the US Mail are done so at the risk of the Bidder and should be addressed to the Harrison County Board of Supervisors, in care of the Harrison County Chancery Clerk, Post Office Drawer CC, Gulfport, MS, 39502.

The County is not responsible for proposals that arrive in the mail after the designated opening time. Proposals may be delivered in person to the Office of the Chancery Clerk located in the First Judicial District Courthouse at 1801 23rd Avenue, Gulfport, MS until 5:00 p.m. on Friday, January 31, 2003 or to the Board of Supervisors meeting room at the First Judicial District Courthouse in Gulfport, MS on Monday, February 3, 2003, prior to the listed opening time of 10:00 a.m.

The Board of Supervisors will meet at the time and in the place stated first above in this Notice and will then and there open, read aloud, consider and take such action as the Board may determine on bids received in accordance with this Notice. The Board reserves the right to reject any and all bids and to waive informalities.

By Order of the Board of Supervisors, adopted the 6th day of January, 2003.

/s/ JOHN MACADAMS, CHANCERY CLERK

EX-OFFICIO CLERK OF THE BOARD

(SEAL)

T39adv11, 23rd

619818

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Before me, the undersigned Notary Public of Harrison County, Mississippi, personally appeared Markell Miles who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city Gulfport, in Harrison County, Mississippi, and that publication of the notice, a copy of which is hereto attached, has been made in said paper 2 times in the following numbers and on the following dates of such paper, viz:

Vol. 119 No. 97 dated 11 day of January, 20 03
Vol. 119 No. 104 dated 18 day of January, 20 03
Vol. _____ No. _____ dated _____ day of _____, 20 _____
Vol. _____ No. _____ dated _____ day of _____, 20 _____
Vol. _____ No. _____ dated _____ day of _____, 20 _____
Vol. _____ No. _____ dated _____ day of _____, 20 _____
Vol. _____ No. _____ dated _____ day of _____, 20 _____

Affiant further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Markell Miles
Clerk

Sworn to and subscribed before me this 22nd day of January, A.D., 2003

Debra Elaine Mills
Notary Public

My Commission Expires April 30, 2005

Printer's Fee \$ 81.40
Furnishing proof of publication \$ 6.00
TOTAL \$ 87.40

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4. That proposals were received at the time and place and in the manner provided in said notice.

IT IS THEREFORE ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI that the Board does HEREBY ACKNOWLEDGE RECEIPT of three proposals received this date for real property appraisal services, and the same are HEREBY LAID OVER FOR ACTION AT A LATER DATE, same being on file with the Clerk of the Board.

Supervisor **BOBBY ELEUTERIUS** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

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Supervisor **LARRY BENEFIELD** moved adoption of the following:

**ORDER ACKNOWLEDGING RECEIPT OF SIX BIDS FOR AERIAL
PHOTOGRAPHY/MAPPING, FOR TABULATION AND AWARD AT A LATER
DATE, AS ON FILE WITH THE CLERK OF THE BOARD**

WHEREAS, the Board of Supervisors, at a meeting heretofore held on the 6th day of January 2003, adopted an Order authorizing and directing the Clerk of the Board to cause publication to be made of Notice of Invitation to Bid for Aerial Photography/Mapping.

2. That as directed in the aforesaid Order said Notice of Invitation to Bid was published in The Sun Herald Newspaper, a newspaper published and having a general circulation in Harrison County, Mississippi for more than one year next immediately preceding the date of said Order directing publication of said Notice, and that the Publisher's Affidavit of Proof of Publication has been filed with the Clerk of this Board, by said Clerk exhibited to the Board, and shows that said Notice was published on January 11 and 18, 2003.

3. That publication of said notice has been made once each week for two consecutive weeks, the last of which was at least seven working days prior to February 3, 2003, the day fixed for receiving said bids in the Order identified in paragraph one thereof, said Proof of Publication being in the following form, words, and figures, to-wit:

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

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PROOF OF PUBLICATION

NOTICE OF INVITATION TO BID

Sealed bids will be accepted by the Board of Supervisors of Harrison County, Mississippi, at the Board Meeting Room in the First Judicial District Courthouse in Gulfport, Mississippi, until the hour of 10:00 a.m. on Monday, February 3, 2003 for purchase by Harrison County the following AERIAL PHOTOGRAPHY/MAPPING.

The specifications may be obtained from the Harrison County Data Processing Department located in the First Judicial District Courthouse, 1801 23rd Avenue, Gulfport, Mississippi, 38501. Office telephone number (228) 885-4250.

All bids must be on file with the Clerk of the Board at or prior to the bid opening set for February 3, 2003. All bids must be sealed and clearly marked on the envelope Bids For Aerial Photography/Mapping to be opened on February 3, 2003. Envelopes not so marked are submitted at the risk of the Bidder and the County assumes no responsibility for the premature opening of same by any County employee.

Bids sent through the US Mail are done so at the risk of the Bidder and should be addressed to the Harrison County Board of Supervisors in care of the Harrison County Chancery Clerk, Post Office Drawer CC, Gulfport, MS, 39502.

The County is not responsible for bids that arrive in the mail after the designated opening time. Bids may be delivered in person to the Office of the Chancery Clerk located in the First Judicial District Courthouse at 1801 23rd Avenue, Gulfport, MS until 5:00 p.m. on Friday, January 31, 2003 or to the Board of Supervisors meeting room at the First Judicial District Courthouse in Gulfport, MS on Monday, February 3, 2003, prior to the listed opening time of 10:00 a.m.

The Board of Supervisors will meet at the time and in the place stated first above in this notice and will then and there open, read aloud, consider and take such action as the Board may determine on bids received in accordance with this Notice. The Board reserves the right to reject any and all bids and to waive minor malices.

By Order of the Board of Supervisors, adopted the 6th day of January, 2003.
/s/ JOHN McADAMS, CHANCERY CLERK
EX-OFFICIO CLERK OF THE BOARD
(SEAL)

137adv11.2sst
011,266

STATE OF MISSISSIPPI COUNTY OF HARRISON

Before me, the undersigned Notary Public of Harrison County, Mississippi, personally appeared Marshall Miles who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city of Gulfport, in Harrison County, Mississippi, and that publication of the notice, a copy of which is hereto attached, has been made in said paper 2 times in the following numbers and on the following dates of such paper, viz:

Vol. <u>119</u>	No. <u>97</u>	dated <u>11</u>	day of <u>January</u>	, 20 <u>03</u>
Vol. <u>119</u>	No. <u>104</u>	dated <u>18</u>	day of <u>January</u>	, 20 <u>03</u>
Vol. _____	No. _____	dated _____	day of _____	, 20 _____
Vol. _____	No. _____	dated _____	day of _____	, 20 _____
Vol. _____	No. _____	dated _____	day of _____	, 20 _____
Vol. _____	No. _____	dated _____	day of _____	, 20 _____
Vol. _____	No. _____	dated _____	day of _____	, 20 _____

Affiant further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Marshall Miles
Clerk

Sworn to and subscribed before me this 22nd day of January, A.D., 2003

My Commission Expires April 30, 2005

Donna Elaine Miller
Notary Public

Printer's Fee	\$ <u>80.30</u>
Furnishing proof of publication	\$ <u>6.00</u>
TOTAL	\$ <u>86.30</u>

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4. That on this date the Board designated its representatives to receive said bids for aerial photography/mapping. That six bids were received at the time and place and in the manner provided in said notice.

IT IS THEREFORE ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI that the Board does HEREBY ACKNOWLEDGE RECEIPT of six bids received this date for Aerial Photography/Mapping be, and the same are HEREBY LAID OVER FOR ACTION AT A LATER DATE, same being on file with the Clerk of the Board.

Supervisor **CONNIE M. ROCKCO** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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The Board of Supervisors heard a presentation by Judge Robert H. Walker, Judge Stephen Simpson, and District Attorney Cono Caranna for the establishment of a Drug Court in the Second Circuit Court District, and received comments from Senior Judge Kosta Vlahos concerning same. After full discussion, Supervisor **WILLIAM W. MARTIN** moved adoption of the following:

**ORDER ACKNOWLEDGING RECEIPT OF AND SPREADING UPON THE MINUTES
 THE PROPOSED BUDGET FOR THE ESTABLISHMENT OF A DRUG COURT IN THE
 SECOND CIRCUIT COURT DISTRICT**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY ACKNOWLEDGE RECEIPT OF AND SPREAD UPON THE MINUTES the following proposed budget for the establishment of a Drug Court in the Second Circuit Court District:

**DRUG COURT
 PROPOSED BUDGET**

	FIRST YEAR	SECOND YEAR
Probation Officer (two officers second year)	\$35,000.00	\$70,000.00
Case Manager	\$35,000.00	\$35,000.00
Drug testing	<u>\$20,000.00</u>	<u>\$25,000.00</u>
(Mileage reimbursement, misc.)	\$90,000.00	\$130,000.00
Possible Income		
20 people x \$600.00	\$12,000.00	40 people \$24,000.00
Hancock County	\$15,000.00	\$15,000.00
Stone County	<u>\$ 5,000.00</u>	<u>\$ 5,000.00</u>
	\$32,000.00	\$44,000.00
	\$58,000.00	\$86,000.00

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Supervisor **LARRY BENEFIELD** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

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Supervisor **WILLIAM W. MARTIN** moved adoption of the following:

**ORDER ACKNOWLEDGING RECEIPT OF AND SPREADING UPON THE MINUTES
 THE SUMMARY OF JUDGE VLAHOS' POSITION ON DRUG COURTS FOR THE
 SECOND CIRCUIT COURT DISTRICT**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY ACKNOWLEDGE RECEIPT OF AND SPREAD UPON THE MINUTES the following summary of Judge Vlahos' position on Drug Courts for the Second Circuit Court District:

CIRCUIT COURT OF THE STATE OF MISSISSIPPI
 SECOND CIRCUIT COURT DISTRICT
 HANCOCK HARRISON STONE COUNTIES

KOSTAN VLAHOS, SENIOR JUDGE
 P.O. BOX 7575
 GULFPORT, MISSISSIPPI 39506-7575



PHONE 228-865-4220
 FAX 228-865-4376

DATE: FEBRUARY 3, 2003

TO: HANCOCK, HARRISON, AND STONE COUNTIES
 BOARDS OF SUPERVISORS

SUBJECT: DRUG COURTS

SUMMARY OF JUDGE VLAHOS' POSITION ON
 DRUG COURTS FOR THE SECOND JUDICIAL DISTRICT

WHY IS MY SIGNATURE ABSENT FROM THE ORDER ESTABLISHING DRUG COURT IN THE SECOND CIRCUIT COURT DISTRICT?

- I. IT IS MY OPINION THAT THE CIRCUIT COURTS OF THIS DISTRICT CAN FULFILL THEIR CONSTITUTIONAL DUTIES WITHOUT IMPOSING ON THE TAXPAYERS OF HANCOCK, HARRISON, AND STONE COUNTIES THE FUNDING OF A DRUG COURT. IN MISSISSIPPI, IT IS THE DUTY OF THE GOVERNOR, TOGETHER WITH FUNDING FROM THE STATE LEGISLATIVE BODIES, TO CARRY OUT SENTENCES AND THE TREATMENT OF PRISONERS. IF A PERSON IS CONVICTED, BY A TRIAL OR PLEA, IT IS THE STATE TAX BASE WHICH FUNDS:
 - A. THE COST OF HOUSING THE CRIMINAL IF THE PERSON IS COMMITTED TO THE PENITENTIARY; OR,
 - B. IF THE PERSON IS PLACED ON PROBATION, THE COST OF PROBATION.

WHEN A PERSON, WITH NO PRIOR RECORD IS CHARGED WITH FELONIOUSLY POSSESSING A SMALL AMOUNT OF DRUGS OR A NON-VIOLENT PROPERTY CRIME AND THE DISTRICT ATTORNEY'S OFFICE OR THE DEFENSE ATTORNEY ADVISES THE COURT THAT THE DEFENDANT MAY HAVE A DRUG PROBLEM, THEN GENERALLY THAT PERSON IS NOT SENTENCED TO THE PENITENTIARY, INSTEAD THAT PERSON IS PLACED ON PROBATION AND IN SOME CASES HAS HAD AT LEAST THREE CHANCES BEFORE THAT PERSON IS COMMITTED TO THE PENITENTIARY.

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AMONG THE MANY CONDITIONS WHICH ALLOWS A PROBATIONER FREEDOM IS THE REQUIREMENT TO BE DRUG TESTED. THOSE PERSONS, WHO RELAPSE AND COME UP WITH A DIRTY URINE TEST, ARE ARRESTED AND PLACED IN JAIL. THEY REMAIN IN JAIL UNTIL THE DOCKET OF THE SENTENCING JUDGE PERMITS A REVOCATION HEARING - AN AVERAGE OF MAYBE 30 DAYS. AT THE HEARING, IF THE PROBATIONER ADMITS TO ADDICTION AND THE JUDGE BELIEVES THAT THE PROBATIONER NEEDS TREATMENT THEN THERE ARE SEVERAL OPTIONS. THAT PERSON CAN BE SENT EITHER TO THE PENITENTIARY TO PARTICIPATE IN ITS DRUG AND ALCOHOL PROGRAM AND IF SUCCESSFUL, BE RETURNED TO PROBATION, OR, THE PROBATIONER CAN REMAIN ON PROBATION WITH A CONDITION REQUIRING THE PROBATIONER TO ATTEND AND SUCCESSFULLY COMPLETE A DRUG AND ALCOHOL PROGRAM. A FEW OF THE PROGRAMS AVAILABLE ARE: GULF COAST MENTAL HEALTH, THE STEVEN'S CENTER, LIVE OAKS OR OTHER PUBLIC OR PRIVATE FACILITIES, WHICH PROGRAMS LAST FOR ONE MONTH WITH SOME FOLLOW UP REQUIREMENTS AFTERWARDS. THE DRUG AND ALCOHOL PROGRAM, WHICH I HAVE FOUND TO BE MOST SUCCESSFUL, IS THE ONE ADMINISTERED BY THE HOME OF GRACE. IT IS A FAITH-BASED THREE-MONTH RESIDENTIAL PROGRAM IN JACKSON COUNTY, MISSISSIPPI.

IT APPEARS THAT WITHOUT FUNDING ANOTHER GOVERNMENT PROGRAM, THE COURTS IN THIS DISTRICT ARE BASICALLY DOING NOW, WHAT THE DRUG COURT WOULD DO. THE MAJOR DIFFERENCE APPEARS TO BE THAT THE DRUG COURT WILL BE SELECTIVE AS TO WHO THEY ACCEPT IN THE PROGRAM AND WILL CONDUCT MORE INTENSIVE SUPERVISION.

IT IS MY OPINION THAT NO MATTER WHAT OR HOW MANY RESOURCES WE ALLOCATE TO THE ADDICT, THAT PERSON'S BEHAVIOR WILL NOT CHANGE UNTIL THAT PERSON HAS "REACHED BOTTOM" OR THAT PERSON "MAKES UP HIS/HER MIND" TO CHANGE HIS/HER BEHAVIOR.

II. I QUOTE THE FOLLOWING FROM MORRIS B. HOFFMAN, *THERAPEUTIC JURISPRUDENCE, NEO-REHABILITATIONISM, AND JUDICIAL COLLECTIVISM: THE LEAST DANGEROUS BRANCH BECOMES MOST DANGEROUS*, 29 FORDHAM URBAN LAW JOURNAL, PAGES 2069 AND 2096 JUNE, 2002:

...THE VERY FIRST EFFECTIVENESS STUDY PERFORMED ON THE VERY FIRST MODERN DRUG COURT-DADE COUNTY, FLORIDA-SHOWED THAT DRUG DEFENDANTS TREATED IN THE DRUG COURT AND DRUG DEFENDANTS PROCESSED IN THE TRADITIONAL COURTS SUFFERED STATISTICALLY IDENTICAL REARREST RATES. VIRTUALLY EVERY SERIOUS STUDY OF DRUG COURT EFFECTIVENESS HAS REACHED SIMILARLY SOBERING RESULTS, LEADING

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THE GENERAL ACCOUNTING OFFICE TO DECLARE IN 1997 THAT *THERE IS SIMPLY NO FIRM EVIDENCE THAT DRUG COURTS ARE EFFECTIVE IN REDUCING EITHER RECIDIVISM OR RELAPSE.* (EMPHASIS ADDED)

IF WE ARE REALLY SERIOUS ABOUT TREATMENT, WE SHOULD DIRECT OUR TREATMENT RESOURCES TO THE EXECUTIVE/LEGISLATIVE BRANCH'S CORRECTIONS FACILITIES, BOTH PRE-CONVICTION (JAILS) AND POST-CONVICTION (JAILS AND PRISONS). THAT IS WHERE THE PUSH FOR TREATMENT, VOLUNTARY AND SEMI-VOLUNTARY, BELONGS IF IT BELONGS ANYWHERE. IF WE CONTINUE TO BELIEVE THAT POSSESSION OF SOME DRUGS IS SERIOUS ENOUGH TO WARRANT INCARCERATION, THEN WE SHOULD IMPOSE THAT INCARCERATION WITHOUT FURTHER THERAPEUTIC HAND-WRINGING. *PRISONERS CAN THEN TAKE ADVANTAGE, OR NOT TAKE ADVANTAGE, OF INTENSE IN-CUSTODY DRUG TREATMENT PROGRAMS TIED TO PAROLE ELIGIBILITY.* (EMPHASIS ADDED)

III. IT IS EACH BOARD'S RESPONSIBILITY TO DECIDE WHETHER THERE IS SUFFICIENT FUNDING TO FUND A DRUG COURT FOR THEIR COUNTY. YOU ESTABLISH SPENDING PRIORITIES AND WHICH PROJECTS OR PROGRAMS TO FUND, WITH ONE EXCEPTION - WHEN THE JUDICIAL BRANCH DETERMINES THAT IT CANNOT FULFILL ITS CONSTITUTIONAL DUTIES THEN THE BOARD MUST FUND IT. IN MY OPINION, THIS REQUEST DOES NOT FALL WITHIN THAT EXCEPTION. FINALLY, I SHOULD POINT OUT THAT SHOULD ONE OR MORE OF THE BOARDS FUND A DRUG COURT ADMINISTERED BY THE CIRCUIT COURT THEN NO ONE UNDER THE AGE OF 17 IS ABLE TO PARTICIPATE IN THE PROGRAM.

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29 FDMULJ 2063
(Cite as: 29 Fordham Urb. L.J. 2063)

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Fordham Urban Law Journal
June, 2002

Article

*2063 THERAPEUTIC JURISPRUDENCE, NEO-REHABILITATIONISM, AND JUDICIAL COLLECTIVISM: THE LEAST DANGEROUS BRANCH BECOMES MOST DANGEROUS

Morris B. Hoffman [FN1]

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Introduction

The movement that calls itself "therapeutic jurisprudence" [FN1] is both ineffective and dangerous, in almost the same way that its *2064 predecessor--the rehabilitative movement that became popular in the 1930s and was abandoned in the 1970s--was both ineffective and dangerous. Drug use, shoplifting, and graffiti are no more treatable today than juvenile delinquency was treatable in the 1930s. The renewed fiction that complex human behaviors can be dealt with as if they are simple diseases gives the judicial branch the same kind of unchecked and ineffective powers that led to the abandonment of the rehabilitative ideal in the 1970s. In fact, this new strain of rehabilitationism has produced a judiciary more intrusive, more institutionally insensitive and therefore more dangerous than the critics of the rehabilitative ideal could ever have imagined.

I. The Real Face of Therapeutic Jurisprudence

In a **drug court** in Washington, D.C., the judge roams around the courtroom like a daytime TV talk show host, complete with microphone in hand. [FN2] Her drug treatment methods include showing movies to the predominantly African-American defendants, including a movie called *White Man's Birth*. [FN3] She often begins her **drug court** sessions by talking to the "clients" [FN4] about the movies, and then focusing the discussion on topics like "racism, justice, and equality." [FN5] The judge explains her cinematographic approach to jurisprudence this way:

Obviously they need to talk about their own problems and what leads to them, but I also think that it's good to have distractions in life. I've found out that if there are periods of your life when you are unhappy, sometimes going out to see an interesting movie or going out with a friend and talking about something else, or going to the gym to work out, these kinds of things can help you through a bad day. [FN6]

*2065 After the film discussion, the session begins in earnest. Defendants who are not doing well are scolded and sometimes told stories, often apocryphal, about the fates that have befallen other uncooperative defendants or the **drug court** judge's own friends and family members. [FN7] Some defendants are jailed for short periods of time and/or regressed to stricter treatment regimens, and eventually some are sentenced to prison. [FN8] The audience applauds defendants who are doing well, and the judge hands out mugs and pens to the compliant. The judge regularly gives motivational speeches that are part mantra and part pep rally. Here is a typical example:

Judge: Where is Mr. Stevens? Mr. Stevens is moving right along too. Right?

Stevens: Yep.

Judge: How come? How come it is going so great?

Stevens: I made a choice.

Judge: You made a choice. Why did you do that? Why did you make that choice? What helped you to make up your mind to do it?

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29 FDMULJ 2063
(Cite as: 29 Fordham Urb. L.J. 2063, *2065)

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Stevens: There had to be a better way than the way I was doing it.

Judge: What was wrong with the way you were living? What didn't you like about it?

Stevens: It was wild.

Judge: It was wild, like too dangerous? Is that what you mean by wild?

Stevens: Dangerous.

Judge: Too dangerous, for you personally, like a bad roller coaster ride. So, what do you think? Is this new life boring?

Stevens: No, not at all.

Judge: Not at all. What do you like about the new life?

Stevens: I like it better than the old.

Judge: Even though the old one was wild, the wild was kind of not a good wild. You like this way.

Stevens: I love it.

*2066 Judge: You love it. Well, we're glad that you love it. We're very proud of you. In addition to your certificate, you're getting a pen which says, "I made it to level four, almost out the door." [FN9]

This is the real face of therapeutic jurisprudence. It is not a caricature. Except for the movie reviews, this Washington, D.C. **drug court** is typical of the manner in which this particular kind of therapeutic court is operating all over the country. Defendants are "clients"; judges are a bizarre amalgam of untrained psychiatrists, parental figures, storytellers, and confessors; sentencing decisions are made off-the-record by a therapeutic team [FN10] or by "community leaders"; [FN11] and court proceedings are unabashed theater. [FN12] Successful defendants--that is, defendants who demonstrate that they can navigate the re-education process and speak the therapeutic language [FN13]--are "graduated" from the system in festive ceremonies that typically include graduation cake, balloons, the distribution of mementos like pens, mugs, or T-shirts, parting speeches by the graduates and the judge, and often the piece de resistance--a big hug from the judge. [FN14]

*2067 **Drug courts** are the most visible, but by no means the only, judicial expression of the therapeutic jurisprudence movement. The idea that judges should be in the business of treating the psyches of the people who appear before them is taking hold not only in **drug courts** but in a host of other criminal and even civil settings. Some therapeutic jurists see bad parenting, domestic violence, petty theft, and prostitution as curable diseases, akin to drug addiction, and argue that divorcing parents, wife-beaters, thieves, and prostitutes should therefore be handled in specialized treatment-based courts. [FN15] The objects of the treatment efforts include not only the litigants in civil cases, and the criminals and victims in criminal cases, but also the "community" that is "injured" by the miscreant. Petty criminals in many so-called "community-based courts" are in effect sentenced by panels of community members, typically to perform various community services as deemed necessary by the panels, in order to "heal" the damage done to the "community." [FN16]

It is curious that the existing scope of the therapeutic jurisprudence movement, with the exception of drug offenses, is limited to relatively minor petty and misdemeanor criminal offenses. [FN17] We might ask ourselves why the movement ignores the entire spectrum of violent felonies, so many of which have an apparent psychiatric component. We don't have specialized child molester courts in which "clients" are hugged and pampered and cajoled into right-thinking. Why not? My suspicion, as discussed in more detail below, [FN18] is that what much

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of therapeutic jurisprudence is really about, at least in the criminal arena, is a de facto decriminalization of certain minor offenses which the mavens of the movement do not think should be punished, but which our Puritan ethos commands cannot be ignored. Supporters of the movement recognize that as a political matter they cannot go too far blurring the distinction between acts and excuses. [FN19]

True to their New Age pedigree, therapeutic courts are remarkably anti- intellectual and often proudly so. For example, the **drug court** variant is grounded on a wholly uncritical acceptance of the disease model of addiction, a model that is extremely controversial *2068 in the medical, psychiatric, and biological communities. [FN20] All of the therapeutic jurisprudence variants presume that the underlying problem in virtually all kinds of cases-- drug abuse, domestic violence, delinquency, dependency, divorce, petty crimes-- is low self esteem, despite the fact that many psychological studies have shown that violent criminals tend to have high self esteem. [FN21]

The question asked in these new therapeutic courts is not whether the state has proved that a crime has been committed, or whether the social contract has otherwise been breached in a fashion that requires state intervention, but rather how the state can heal the psyches of criminals, victims, families, dysfunctional civil litigants, and the community. The goal is state-sponsored treatment, not adjudication, and the adjudicative process is often seen as an unnecessary and disruptive impediment to treatment. [FN22] Because the very object is treatment, rehabilitated criminals deserve no punishment beyond what is necessary to restore them, their victims, and the community to their prior state. [FN23]

*2069 The therapeutic jurisprudence movement is not only anti- intellectual, it is wholly ineffective. The treatment is a strange combination of Freud, Alcoholics Anonymous, and Amway, whose apparent object is not really to change behaviors so much as to change feelings. [FN24] **Drug courts** are a perfect example. The success of **drug-court** treatment programs is measured more by a defendant's professed attitude adjustment than by the sort of concrete measures one might expect of such programs, such as whether the defendant stops using drugs. As long as defendants are compliant with treatment ("buying into the program," as addiction counselors say), they are moved from treatment phase to treatment phase, often irrespective of whether the treatment is actually working. As James Nolan puts it, **drug court** success "is evaluated in large measure by whether or not clients adopt a particular perspective." [FN25]

The particular perspective required is the disease model of addiction. Compliance is almost always measured by a defendant's willingness to admit that his or her drug use is a disease. Any resistance *2070 to the disease model is reported as "denial," a crime apparently much worse than continued drug use. [FN26]

The therapeutic jurisprudence literature is almost completely devoid of any empirical discussion of whether litigants, defendants, and victims, let alone "communities," are actually being helped by all this perspective-changing treatment, and understandably so. The imprecise words common to the therapeutic language--words like "healed," "restored," and "cured"--are simply incapable of being subjected to rigorous testing.

When investigators have looked at less imprecise measures of success--like recidivism rates--the therapeutic promise has proved wholly ineffective. [FN27] For example, the very first effectiveness study performed on the very first modern **drug court**--in Dade County, Florida--showed that drug defendants treated in the **drug court** and drug defendants processed in the traditional courts suffered statistically identical rearrest rates. [FN28] Virtually every serious study of **drug court** effectiveness has reached similarly sobering results. [FN29] *2071 leading the General Accounting Office to declare in 1997 that there is simply no firm evidence that **drug courts** are effective in reducing either recidivism or relapse. [FN30]

Drug courts not only do not reduce recidivism or relapse, they have the unintended consequence of dramatically increasing the number of drug defendants sent to prison. The reason is massive net-widening, that is, the phenomenon whereby new programs targeted for a limited population end up serving much wider populations and thereby losing their effectiveness. In Denver, Colorado, for example, the number of drug cases nearly tripled two years after the implementation of its **drug court**. [FN31] That fact, coupled with typically dismal recidivism

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rates, led to the entirely predictable result that Denver judges sent more than twice the number of drug defendants to prison in 1997, two years after the implementation of the drug court, than they did in 1993, the last year before the implementation of the drug court. [FN32]

If therapeutic jurisprudence were just a trendy idea that did not work, we could let it die a natural death. But it is not just trendy and ineffective, it is profoundly dangerous. Its very axioms depend on the rejection of fundamental constitutional principles that have protected us for 200 years. Those constitutional principles, based on our founders' profound mistrust of government, and including the commands that judges must be fiercely independent, and that *2072 the three branches of government remain scrupulously separate, are being jettisoned for what we are led to believe is an entirely new approach to punishment. In fact, this new approach--state mandated treatment--turns out to be a strangely out-of-touch return to rehabilitative ideals that gained popularity in the 1930s, but were abandoned in the 1970s because they not only did not work but, in the bargain, armed the state with therapeutic powers inimical to a free society.

There are four main reasons why the new therapeutic judges are most dangerous: 1) they are amateur therapists but have the powers of real judges; 2) they act in concert with each other, their communities, prosecutors, defense lawyers, and the self-interested therapeutic cottage industry, contrary to the fundamental principle of judicial independence; 3) they impinge on the executive branch's prosecutorial and correctional functions; and 4) they impinge on the legislative function by making drug policy.

Before I address these four dangers, let me briefly review the history of punishment and the scant theoretical underpinnings of the therapeutic jurisprudence movement in the context of this history.

II. A Brief History of Punishment

The idea of punishment as moral retribution may have its roots in what some anthropologists have called "defilement," the process by which primitive societies interpreted and explained human suffering as punishment by the gods. [FN33] Such an explanation for otherwise inexplicable suffering can be deeply comforting. It means that our suffering is not meaningless and, more practically, that if we *2073 abide by the laws of the gods we will be protected from their wrath. [FN34]

As humans began to imitate the laws of gods with the laws of men, we also imitated defilement. Punishment became one of the methods by which we not only enforced our common codes of conduct but also comforted one another with the idea that no one would have to endure man-inflicted suffering so long as the codes of conduct were honored. Indeed, in its most profound sense, the rule of law necessarily requires the tyranny of gods over man, or of the many over the few, and that tyranny in turn requires some form of theocratic or group disapproval when norms are violated. [FN35]

Interestingly, imprisonment as a form of punishment is a relatively recent invention, in contrast to custodial detention pending trial. In the ancient world, most crimes were punished either by banishment, various forms of corporal punishment such as beating or mutilation, or, most often, death. [FN36] Imprisonment was reserved as punishment only for disobedient slaves, whose execution was uneconomic; political criminals, whose execution risked martyrdom; and petty criminals, whose execution was unwarranted. [FN37] Even as late as the 1780s, in a society as fully touched by the Enlightenment as England, death was the sanction for virtually every crime, including crimes that we would today deem misdemeanors. [FN38] *2074 There were many precursors to the modern prison: jails for pretrial detention and short sentences; workhouses for debtors; almshouses for the poor; reformatories for minors; convict ships for banishment; and the gallows for most other crimes. [FN39]

In fact, the prison--that is, a jail for serving long sentences after conviction--is a uniquely American invention. Prisons were first used by Pennsylvania Quakers in the late 1700s, primarily as a humane alternative to corporal punishment and execution. [FN40] The first prison was Philadelphia's Walnut Street Jail, which the Quakers opened in 1790 as a "penitentiary" for criminals convicted in the Commonwealth of Pennsylvania. [FN41] The

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Quaker notion of a penitentiary was the product of the fortuitous confluence of the Quakers' theological beliefs and their knowledge of Cesare Beccaria's retributionist monograph *On Crimes and Punishment*. [FN42] The Quakers hoped that long periods of isolation, which provided an opportunity for reflection and solitary Bible study, would ultimately lead to repentance. [FN43] New York adopted this system in 1796, and prisons soon flourished across America and Europe. [FN44]

The modern debate about punishment revolves around the primacy of four components: retribution, deterrence, incapacitation, and rehabilitation. [FN45] In the late 1700s--precisely at the time when the Quakers were experimenting with prisons and, more importantly, when our founders were debating our form of government--the German philosopher Immanuel Kant constructed a philosophy of retribution, giving a rational foundation to what had been the retribitional basis of all punishment since the dawn of civilization. [FN46] He argued that the preeminent goal of criminal law must be retribution, and that punishment should be an end in itself. *2075 [FN47] Kant's view was that to punish the criminal defendant as a means to any other utilitarian goal--deterrence or rehabilitation, for example--was to de-humanize him by reducing him to an object. [FN48] Moreover, Kant viewed punishment as a purely retributive reaction to the crime itself, therefore, the punishment had to be proportionate to the crime. [FN49]

Georg Hegel concurred with Kant's retributionist ideal, adding the notion that punishment annulled the crime. [FN50] In Hegel's construct, crime is the negation of moral law, and punishment is necessary to negate that negation to restore the moral right. [FN51] Hegel continued the Kantian view that criminals themselves are moral beings, entitled to have their crimes negated by proportionate punishment. As Hegel stated:

[P]unishment is regarded as containing the criminal's right and hence by being punished he is honoured as a rational being. He does not receive this due of honour unless the concept and measure of his punishment are derived from his own act. Still less does he receive it if he is treated either as a harmful animal who has to be made harmless, or with a view to deterring and reforming him. [FN52]

Cesare Beccaria is generally credited with the first systematic exposition of proportionality. [FN53] His version, much heralded in Western Europe and the American colonies, took a decidedly political view. Beccaria believed that requiring criminal sentences to be proportionate to the crime was an important limitation on the powers of government. [FN54]

Thus, retribution not only survived the Enlightenment, it achieved an important philosophical structure, both in its own right and as the basis for proportionality. It continued to flourish in both Europe and America and was consistent with the spread of the Quaker penitentiaries. People were sentenced to penitentiaries to be punished; there was nothing "rehabilitative" about them, except the repentance that was expected to come from enduring the punishment.

*2076 The retributionist paradigm lasted thousands of years and did not come under serious philosophical attack until the early 1800s, when a group of English utilitarians led by Jeremy Bentham began to challenge it. [FN55] For the utilitarians, the only purpose of punishment was to prevent crime, that is, to be a deterrent. [FN56] Bentham, and in America, Justice Oliver Wendell Holmes, Jr., saw the prospective criminal as a rational bad man, who weighed the benefits of his crime against the risks of detection and the costs of punishment. [FN57] The purpose of punishment under the deterrence model was simply to make the costs of crime so high that they outweighed the benefits. [FN58]

The utilitarians believed that morality has nothing to do with punishment. Bentham argued that if he could be assured that a particular criminal would never commit another crime, any punishment of him would be unjust. [FN59] Richard Posner has argued that aside *2077 from the problem of judgment-proof criminals, all criminal sanctions could be replaced with a system of fines. [FN60]

Naturally, if punishment is viewed as a utilitarian tool to deter future illegal behavior of potential criminals, then it can also be used, though less efficiently, to shape the behavior of the particular defendant being punished. Not

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only would punishment deter him from engaging in future crimes, but it could also change him. The early beginnings of what became known as the "rehabilitative ideal" thus started, on their face, as a rather simple extension of the deterrence model.

But it was hardly a simple extension. It represented a profound change in the way human behavior was viewed. Criminals were no longer ordinary people, cursed like all of us with original sin, whose own humanity demanded that their crimes against moral consensus be purged with proportionate punishment. [FN61] Rather, they were morally diseased, quite different from us, and they needed to be cured.

By the end of World War I, this rehabilitative perspective was becoming dominant in American penology, and it remained dominant until after World War II. It is probably no coincidence that the rise and fall of the rehabilitative ideal coincided roughly with the rise and fall of the welfare state. [FN62] Among the state's increasing New Deal responsibilities toward its citizens was the responsibility to cure all the social ills that were believed to lead to crime, and to treat criminals whose as-yet unreformed social circumstances led them to crime. There was a distinct moral fervor in the early rehabilitationists, as there is in its current devotees, similar to the tenor of the temperance movement: There is a right way and a wrong way to live, and lost souls who choose the path of crime, whether as a result of social circumstance or not, must be shown the right way.

The attacks on the rehabilitative ideal came primarily from the political left, beginning with the jewel of the rehabilitative ideal--the American juvenile court system. With its progressive origins in Chicago in 1899, the juvenile court movement was based on the belief that young offenders were not only ripe for rehabilitation, and needed a more individualized and sensitive justice system in *2078 order to maximize rehabilitative efforts, but also that, unlike adult criminals, they suffered from the curable sociological disease of "delinquency." [FN63] The function of juvenile courts was not to punish or to deter, but to cure delinquency. The juvenile court movement took the nation by storm, not at all unlike today's drug court movement. [FN64] By 1920--just twenty years after their invention--juvenile courts were in place in all but three states. [FN65]

But the sensitive paternalism of the juvenile court movement had an ugly statist face. Commentators began to write about a system in which gentle persuasion was giving way to unchecked judicial powers, and where an abject lack of basic due process "helped to create a system that subjected more and more juveniles to arbitrary and degrading punishments." [FN66] Even the Supreme Court entered the fray, ruling in 1967 that juvenile defendants are entitled to the protections of the Sixth Amendment's guaranty of counsel. [FN67]

Critics of both the juvenile and adult rehabilitative ideal also began to express concerns about a governmental regime in which defendants are simultaneously treated and punished. In 1971, the American Friends Service Committee published a scathing attack on rehabilitative penology, and included in their criticisms a fundamental objection to coerced treatment: "When we punish the person and simultaneously try to treat him, we hurt the individual more profoundly and more permanently than if we merely imprison *2079 him for a specific length of time." [FN68] The Quakers' recantation of the rehabilitative ideal was particularly influential, given their seminal role in the invention of the American penitentiary.

By 1970, forty years after its ascension, the rehabilitative ideal was in theoretical and empirical shambles. [FN69] Uncoupled to any concept of proportionality, its primary theoretical failure was that it gave the state unchecked powers to "cure" that were unrelated to any notions of criminal responsibility and fundamental justice. If it takes ten years of prison, or any other form of state-imposed therapy or re-education, to cure Jean Valjean of shoplifting, then ten years is what must be imposed. This threat to individual liberty, acceptable to pro-government progressives of the 1930s, was decidedly unacceptable to a post-World War II, post-Nazi, cold war generation becoming increasingly wary of state power. As Norval Morris put it: "[T]he concept of just desert remains an essential link between crime and punishment. Punishment in excess of what is seen by that society at that time as a deserved punishment is tyranny." [FN70] He further stated: "We cage criminals for what they have done; it is an injustice to cage them also for what they are in order to change them, to attempt to cure them coercively." [FN71]

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The real death knell to the rehabilitative ideal, both in general and in its juvenile incarnation, came not from the theoreticians but from the empiricists. Rehabilitation simply did not work. Crime was mysteriously immune to the entire liberal regimen, from antipoverty programs to prison reform. [FN72] After four decades of experimentation, the studies rather dramatically illustrated that all of our idealistic efforts to rehabilitate had virtually no effect on the propensity of juveniles or adults to commit crime. [FN73]

The fiction that imprisonment, even in its most rehabilitation-friendly form, has ever been successful in rehabilitating inmates has come to be called "the noble lie" by some critics. [FN74] David *2080 Rothman, who coined the term, argued in 1973 that it was long past time to abandon the noble lie.

The most serious problem is that the concept of rehabilitation simply legitimates too much. The dangerous uses to which it can be put are already apparent in several court opinions, particularly those in which the judiciary has approved of indeterminate sentences Moreover, it is the rehabilitation concept that provides a backdrop for the unusual problems we are about to confront on the issues of chemotherapy and psychosurgery This is not the right time to expand the sanctioning power of rehabilitation. [FN75]

With a swiftness rarely seen in complex institutions, the American penal system dropped rehabilitation almost overnight. What had, as late as 1972, been described in the criminal law treatises as the central justification for punishment, [FN76] was by 1986, being described in the past tense. [FN77] This was much more than a theoretical rejection by academics and textbook writers. Correctional officials across America were also abandoning rehabilitation in their day-to-day operations. [FN78]

The extraordinarily sudden abandonment of the rehabilitative ideal gave way to a kind of fusion of retribution and incapacitation, dubbed by some as "neo-retributionism." [FN79] The modest goals of punishment as a just desert, and prevention as the simple act of taking criminals out of society, replaced rehabilitation as the dominant penal theory. [FN80] These ideas ultimately resulted in the abandonment of indeterminate sentencing schemes and eventually to the controversial Federal Sentencing Guidelines. [FN81]

*2081 Almost all modern criminologists acknowledge that each of the four traditional justifications for punishment--retribution, deterrence, rehabilitation, and incapacitation--must continue to play some role in the criminal justice system. [FN82] However, integrating them into a coherent and sensible system has not been easy, in no small part because they represent incompatible goals. [FN83] If deterrence and incapacitation were the only considerations, then perhaps all crimes should be punishable by life sentences or death. [FN84] If rehabilitation were the only consideration, then all crime could be considered forms of social disease, treatable in hospital-like settings, never in prisons.

Only retribution connects the crime with the punishment, treats criminals as moral beings rather than diseased subjects in a utilitarian social experiment, and imposes proportionality limitations on the government's right to punish. As a result, despite all their machinations about a synthesis, most modern criminologists have *2082 found their way back to retribution as the pole star of punishment. [FN85]

In 1979, Francis Allen delivered the Storrs Lecture at Yale Law School on the topic of the demise of the rehabilitative ideal. That lecture was published in 1981, and it has become a kind of obituary for rehabilitation. [FN86] Allen impressively documented both the theoretical and empirical failings of rehabilitation. He concluded his lectures with this prediction:

[A]ttitudes toward [the rehabilitative ideal] are likely to be wary in the closing years of this century. A statement made by Lionel Trilling over a generation ago still possesses acute relevance to the present: "Some paradox of our nature leads us, when once we have made our fellow men the object of our enlightened interest, to go on to make them the objects of our pity, then our wisdom, ultimately our coercion. . . ." Given the history through which American society has recently passed, it is hardly possible that the total benevolence of governmental interventions into persons' lives will be unthinkingly assumed It is just as well. For modern citizens of the world have learned that the interests of individuals and society are frequently adverse and that the assumption of their identity supplies the predicate for despotism. [FN87]

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Sadly, Professor Allen's prediction could not have been more wrong. Less than ten years after rehabilitation's obituary, the gurus of rehabilitation were back, this time with a vengeance, fueled by a zeal to treat the psychiatrically less fortunate, and in particular to win the war on drugs. These neo-rehabilitationists are pushing judges into unprecedented extremes that Professor Allen could not have imagined. In the flash of an eye judges have become intrusive, coercive, and unqualified state psychiatrists and behavioral policemen, charged with curing all manner of social and quasi-social diseases, from truancy to domestic violence to drug use. By forgetting the most profound lesson of the twentieth century--that the state can be a dangerous repository of collective evil--therapeutic *2083 jurisprudence poses a serious risk to the kind of individualism and libertarianism upon which our republic was founded.

III. The Theory Behind Therapeutic Jurisprudence

Although therapeutic jurisprudence descends directly from the long-rejected rehabilitative ideal, its proponents rarely talk about its theoretical heritage. The movement is almost devoid of anything resembling serious theoretical self-examination. The questions that have plagued philosophers and criminologists for a thousand years, and whose answers have come to define all major schools of criminology, are questions therapeutic jurisprudence devotees seldom ask. [FN88] But the movement does have a short history, if not a terribly satisfying theoretical one.

It owes its beginnings to mental health law, where, by definition, the current and prospective mental states of the participants are the primary inquiry. Its initial insights were neither terribly profound nor particularly original: in a system whose very function is to judge the mental state of its subjects, we should think about the mental health effects of the actions we as judges take. Thus, for example, when we remand a criminal defendant for a competency evaluation, we should think about the effects the remand and evaluation might have on the defendant's competence.

These initial formulations about a therapeutic judicial perspective were limited in several important respects. First, they were focused on empirical questions: what effects are our rulings having on the mental health of the chronically mentally ill, insane or incompetent? Proponents, at least initially, never suggested that we should begin to change our rulings or the way we make them in anticipation of effects before we measure what those effects might actually be.

More importantly, these therapeutic ideas were originally proposed exclusively for application to mental health law, where the state has already crossed that thorny boundary of paternalism and already has its hands uncomfortably inside the heads of the unfortunate participants. Of course, many aspects of mental health law involve the judiciary's positive obligation to ensure treatment of the mental conditions of the people appearing in court as a precondition *2084 to moving into its more traditional truth-finding role. By expanding the therapeutic model into nonmental health areas, the therapeutic jurisprudence movement not only intrudes without any basis for intrusion, it profoundly changes the judicial function. Trials are no longer processes to investigate factual guilt and discover truth, they are mere opportunities to treat.

This therapeutic perspective is completely inimical to the judicial function. We should conduct trials guided by the rules of procedure and evidence that have been crafted over centuries to maximize the reliability of the result, not to ensure that the litigants have a meaningful mental health experience. We should impose sentences and assess damages guided by well-settled principles of responsibility, not by fretting about whose feelings will be hurt or how the community can be healed.

The profound and dangerous expansion of the judicial role represented by the therapeutic jurisprudence movement is just a small part of a broad therapeutic trend in all aspects of government and indeed across the entire spectrum of our culture. James Nolan has labeled this trend "the therapeutic ethos." [FN89] Government's new role is to treat, not to enforce norms. Its success is measured by how it makes us feel, not by what it actually does. And because the couch of State needs patients, citizens are no longer individual participants in a free

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republic, but sets of victims with complicated diseases in dire need of state-sponsored treatment.

In this "postmodern moral order," as Nolan calls it, suffering is no longer viewed as a part of the human condition, but rather as the inevitable consequence of some disease or injury. Almost all of human behavior has become pathologized. We speak of "addictions" to all manner of behaviors that we would have called "choices" just thirty years ago. [FN90] Today, cancer and alcoholism are both "diseases"; heroin use now shares an addictive moral equivalence with things like gambling and eating chocolate. Of course, this externalization of behavior is just a new version of our old friend defilement: once we blamed phantom gods for our suffering; [FN91] now we blame phantom diseases. [FN92]

In the particular context of **drug courts**, James Nolan has called this process of pathologization the "eradication of guilt":

*2085 The **drug court's** eradication of guilt has been a subtle and insidious process. Guilt is not so much challenged as ignored. It is not so much disputed as it is made irrelevant. But it is the making irrelevant of something that has long been regarded as the crux of criminal justice. . . . The jettisoning of guilt may well represent the most important, albeit rarely reflected upon, consequence of the **drug court**. If, as Philip Rieff argued, culture is not possible without guilt, one wonders what will become of a criminal justice system bereft of what was once its defining quality. [FN93]

Blaming the pathogens has become the *raison d'être* for the judicial system, both in criminal and civil cases. An African man who murders his wife blames his anti-divorce culture; [FN94] a fired employee blames "chronic lateness syndrome." [FN95] Of course, the judiciary takes its cases as it finds them, and judges cannot be blamed entirely for acting like psychiatrists when the parties insist on it. But the therapeutic jurisprudence movement requires us to act like psychiatrists even when no litigant is insisting on it, and indeed even when all the litigants object (that is, they are in "denial"). It is this aspect of mandated judicial intrusion that makes therapeutic jurisprudence so dangerous and so utterly unacceptable in our constitutional scheme.

IV. The Most Dangerous Branch

The judicial branch was specifically designed to be the least dangerous of the three branches. Hamilton coined that famous phrase in this classic description of the circumscribed powers of the federal judiciary:

[T]he judiciary, from the nature of its functions, will always be the least dangerous to the political rights of the Constitution; because it will be least in a capacity to annoy or injure them. . . . The judiciary . . . has no influence over either the sword or the purse; no direction either of the strength or wealth of the society; and can take no active resolution whatever. It may truly be said to have neither FORCE NOR WILL, but merely judgment; and must ultimately depend upon the aid of the executive arm even for the efficacy of its judgments. [FN96]

*2086 Federal judges are not elected, but appointed for life, helping to decrease the chances they will be influenced either by corrupt forces or, often more subtly, the vagaries of popular will. [FN97] The case or controversy requirement helps decrease the chances that judges will make abstract law (that is, policy) in the guise of deciding a case. [FN98] The very architecture of the federal and state systems leaves the judicial branches without the power either to make or enforce laws and further dissipates federal judicial power by imbedding it in a system in which individual states continue to operate in their own spheres of sovereignty.

One might ask why the founders were so keen on such a comprehensive institutional clipping of the judiciary's powers. The answer is that they appreciated, from their own English history, that unchecked judicial power is an evil to avoid at almost any cost. Both the Federalists and the anti-Federalists were acutely aware of the failings of the English system, in which all judges were appointed by the Crown and served at the Crown's pleasure, and in which Parliament was invested with supreme appellate jurisdiction in all cases. [FN99]

The founders were even more acutely aware of the failings of the Confederation, under which there was no

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federal judiciary at all. [FN100] Hamilton wrote extensively about the need for an independent judiciary to house judges capable of defending the new federal Constitution against incursions by the other two branches. [FN101] Madison's expositions on the separation of powers doctrine were designed to allay the fears of the anti-Federalists that the existing constitutional plan did not do enough to separate the three branches. [FN102]

*2087 Our commitment to judicial restraint is not limited to the constitutional design. The mootness [FN103] and ripeness [FN104] doctrines give meaning to the case or controversy requirement, and help insure that decisions by judges will be a recourse of last resort. Indeed, the whole paradigm of the common law is built around the notion that precisely because judges have extraordinary powers in single cases--the power to incarcerate and the power to bankrupt--those powers must be limited to single cases and will operate beyond single cases only after surviving the judgment of judicial history. [FN105]

Along with these structural limitations, judges have developed a powerful ethos of restraint. Although some might say the ring of that ethos has become rather hollow in the years following the New Deal and Warren Courts, the restraining rules have for the most part remained quite vigorous, especially in trial courts. Deference to appellate court precedent effectively constrains even the most independent-minded trial judge, as it does the appellate courts themselves, though of course to a lesser degree. At all levels, we are loath to decide issues we need not decide, are generally committed to deciding cases on the narrowest grounds, and will almost always follow controlling precedent.

All of these constitutional, common law, and normative principles have blended together to create a profound commitment to restraint in responsible judges. We are unrepresentative, mostly unelected, independent magistrates whose function is to decide no more than the necessary issues in the single cases thrust upon us, in accordance with laws and established rules of evidence and procedure with which we may or may not agree. Juries tell us the facts, appellate courts may tell us we were wrong on the law, and legislatures may avoid most effects of our decisions by changing the laws. We have no more valid insight into public policy than the members of any other particular occupation. [FN106]

*2088 Yet it seems to be an occupational hazard for judges and other members of the public to confuse our simple role as gatekeepers of the truth-finding function with anything at all having to do with the will of the governed. We do not make public policy; we do not even enforce it. We are, as Madison put it, only the "remote choice of the people." [FN107] That very remoteness is what both prevents us from becoming, and tempts us to become, the most dangerous of the three branches.

The therapeutic jurisprudence movement requires us to become the kind of involved, hands-on, right-thinking, sure-footed activists that the judicial branch was specifically designed to exclude. It requires us to accept, in a collective fashion entirely inconsistent with the fierce independence of the judiciary, a therapeutic paradigm that is not only a matter of public policy, but about which reasonable public policy makers differ. It is forcing us to collaborate with prosecutors, defense lawyers, and therapists in a fashion that is entirely inconsistent with our adjudicative role. In its most virulent drug court form it requires us to send people to prison not because they violated the law (since the real engine of drug courts is the unstated belief that possession should not be a crime), but rather because they resisted our enlightened treatment efforts. In short, therapeutic jurisprudence is a code phrase for a kind of one-stop-shopping system populated by judges who believe that they have such powerful insights into public policy (insights that have apparently escaped mere legislators) that they cheerfully act as parents, best friends, doctors, psychotherapists, prosecutors, defense lawyers, legislators and then, only if all of that fails, judges. I cannot imagine a more dangerous, or sanctimonious, branch.

A. Real Judges as Amateur Psychiatrists: Acts Versus Excuses and the Paradox of Reverse Moral Screening

One the most disturbing consequences of the therapeutic jurisprudence movement is that while therapeutic judges get to play amateur psychiatrist, in the end the command of the law requires them to punish the patients they cannot cure. Imagine going to see a doctor about a disease, knowing that the doctor might not only be unable to

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cure you, but will be required to send you to prison if you are not cured. Now imagine a whole system of justice based *2089 on that notion, and you will have captured the essence of therapeutic jurisprudence.

State-coerced treatment does not work, [FN108] and even if it did, it is simply immoral for the state to treat and then punish acts it claims have a disease component, as the critics of the rehabilitative ideal demonstrated thirty years ago. [FN109] The "diseases" to be treated are not diseases at all, but rather complex behaviors that fall within a broad continuum between "voluntary" and "involuntary" behaviors. If we really believed that all human behavior is the product of the relentless and involuntary spasm of genes and experience, and that free will is a quaint mirage, then the state would have no moral right to punish anyone for any crime. The disease of "chronic armed robbery syndrome" would merit no more punishment than cancer. But of course we don't believe that.

The very existence of law is a reflection of deep-seated and shared notions of free will and individual responsibility. That is not to say, of course, that the retribution demanded of crimes cannot take into consideration all of the specific circumstances of the crime, including the criminal's complete background. Indeed, we must take all those circumstances into consideration to fulfill the requirement that retribution be proportional, and therefore just. But it is one thing to say we will consider an armed robber's I.Q. and childhood in crafting the amount of retribution, and quite another thing to say that the disease of chronic armed robbery syndrome should be treated rather than punished. Therapeutic jurisprudence blurs, and is intended to blur, this fundamental moral distinction between act and excuse.

Even if treatment worked, and could be justly combined with punishment, the therapeutic paradigm punishes the wrong people. For example, if drug addiction really is a disease, then the most diseased addicts are precisely the ones most likely to fail many, if not all, attempts at treatment. Drug courts are thus performing a kind of "reverse moral screening." [FN110] Truly diseased addicts end up going to prison, while those who respond well to treatment, and whose use of drugs may thus have been purely voluntary, escape punishment.

*2090 B. Judicial Collectivism

Therapeutic judges not only act ineffectively and immorally as amateur psychiatrists, they also act in a dangerous collective, wholly inconsistent with fundamental axioms of judicial independence. They act in concert with, and therefore abrogate their independence to, each other, their "communities," prosecutors, defense lawyers, and therapists.

One of the starkest examples of the kind of group action that dominates the therapeutic model can be found in the intense political machinations undertaken to create and sustain drug courts. Unlike other legal reform movements, that began with a handful of individual decisions, commentaries, or experiments, and then spread through the power of their own persuasion, the drug court movement has a decidedly top-down pedigree. Though they began as a single experiment in Miami, drug courts spread because of centralized federal funding, not because they were effective. Drug courts exhibit a remarkable uniformity because they must now meet a host of specific federal criteria in order to qualify for federal funds. [FN111] What once was an opportunity for state and local governments to experiment with drug court reforms has, to a great extent, turned into a lockstep ersatz federal program.

Drug court workshops across the country are "heavily scripted and staged events," designed to give drug court officials an opportunity to "strategize with each other and educate those new to the scene about how best to present the program to sometimes skeptical audiences for the purpose of garnering public support and financial resources to further the movement." [FN112] There is a five-part liturgy to the drug court movement's rigid political doctrine: 1) convince prosecutors that drug courts are not soft on crime; 2) start off with only low-level drug offenses while building public support; 3) cultivate relationships with the media; 4) hold graduation ceremonies in open court as public relations events; and 5) constantly perform evaluation studies to justify continued funding. [FN113] This is mindless public relations mantra, not creative judicial reform by independent-minded judges.

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When the federal funds run out, as they inevitably seem to do, **drug court** judges then participate in lobbying legislatures, city councils, and even the private sector for funding. Their partisan *2091 enthusiasm crosses even the most forgiving boundaries of judicial propriety. A Las Vegas, Nevada **drug court** judge set up his own tax-exempt nonprofit organization through which to solicit private funds for his **drug court**. [FN114] A Rochester, New York **drug court** judge used the local United Way to dispense the private funds he raised for his **drug court**. [FN115] A 1997 Justice Department survey showed that nine **drug courts** had solicited a total of nearly half a million dollars from private sources. [FN116] Therapeutic jurisprudence is turning some of us into embarrassing hucksters.

The development of so-called "community-based courts" is another example of judicial collectivism at its worst. Modeled after New York City's Midtown Community Court, these courts have been started in many urban areas to deal with what proponents call "quality of life crimes." [FN117] Generally, defendants convicted of crimes such as shoplifting, prostitution, and some low-level drug offenses are "treated" by being put on probation or given deferred sentences and by performing certain community service obligations. Typically, the precise community service obligations are determined in each individual case not by the judge but by a "community advisory board" consisting of various community leaders. [FN118] This way, the criminals are not only cured of their rude behaviors by having to do the penance of community service, but the criminal tear in the fabric of the community is also healed. Two therapies for the price of one.

The community service options can be rather interesting. They include not only what one might expect from traditional community service, such as clean-up activities like graffiti removal and trash pickup, but also "stuffing envelopes for non-profit organizations." [FN119] Through community courts, judges abdicate their sentencing *2092 authority to self-described community leaders and their pet projects, including their favorite charities.

In addition to the usual therapeutic misanthropy inherent in all therapeutic courts, community-based courts raise particularly disturbing problems about the role of judges and their place in the political firmament. Why are some crimes labeled "quality of life crimes" and others not? Surely a murder effects the "quality of life" of the victim, witnesses, and other members of the community more than shoplifting does. Why does the torn fabric of the community need to be repaired after a shoplifting, but not after a murder? The answer, of course, is not that the former is any more damaging than the latter, but rather that the former is more widespread than the latter. It is this widespread nature of "quality of life crimes" that makes community-based courts so politically attractive. They generate an army of involuntary servants to do free work pleasing to a maximum of community voters. Fundamentally, community-based courts are machines of political payoff, dressed in the garb of the judiciary. [FN120]

The most widespread, and in many ways, most disturbing, form of judicial collectivism occurs in all therapeutic courts, and is embodied in the very term "therapeutic jurisprudence"--the unholy and wholly unconstitutional washing out of the judge's role in an adversary system. All therapeutic courts presume factual guilt. What is called "the presumption of innocence" in traditional courts is called "denial" in therapeutic courts. The judge, prosecutor, therapist, and to a great extent, even the defense lawyer, [FN121] join *2093 together to "help" the patient over his or her denial in order to concentrate on treatment. [FN122] As a result, the judge, prosecutor, therapist, and defense lawyer thus form a kind of "treatment team," designed to do what is best for the reluctant patient, not to discover truth in the fires of advocacy.

This joining together is so critical that it is common advice to anyone contemplating the development of a **drug court** that it will not work without the "cooperation" of judges, prosecutors, police, sheriffs, and public defenders. When judges "cooperate" in the formation of **drug courts**, what is really happening is that they are agreeing to abandon their roles as neutral gatekeepers of the truth-finding process, and instead to join the therapeutic team for the good of the diseased defendants.

In many **drug courts**, the team participates in daily rituals euphemistically called "staffing sessions." [FN123] At these staffing sessions, the judge, prosecutor, public defender, and some representative of the therapeutic

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community, but typically not private defense counsel, meet together in chambers to discuss that day's upcoming matters. The judge, after hearing from everyone, reaches presumptive decisions. Defendants are not present and the staffing sessions are not on the record. Apart from the obvious constitutional concerns, [FN124] these staffing sessions symbolize what is wrong with having judges join with prosecutors, defense lawyers, and therapists: substantive decisions are being made about a felony defendant by *2094 some inter-branch committee acting more like a support group than a court of law.

Judges are not psychiatrists, and psychiatrists are not judges. Whenever judges enter the therapeutic arena we must choose between two unpalatable options: either act beyond our expertise or abdicate our judging to therapeutic experts. Most therapeutic courts are designed to do the latter. Although therapeutic judges typically put on a counseling show in open court, [FN125] the real therapeutic decisions are often made out of court by members of the therapeutic community. [FN126] This unelected and unaccountable "new priestly class," as James Nolan describes it, [FN127] has destroyed what small vestige of independence therapeutic judges may have left after already doling out large chunks of it to one another, to prosecutors, and to defense lawyers. Judges may be comforted by pretending to function as a therapeutic team acting in the best interests of defendants, but what is really happening is that they have abdicated the judging role to the new therapeutic priests.

There may be an argument for sacrificing some judicial independence in minor cases to achieve significant therapeutic results, and indeed judges have been trying to do just that for a long time with things like safe driving classes and anger management programs. [FN128] It may not be terribly troubling to expand these ideas to misdemeanor shoplifting, graffiti offenses, littering, and other kinds of minor offenses with which most community-based courts deal. But applying them to felony drug charges that can result in a defendant going to prison for decades should be wholly unacceptable. If we are going to continue to treat drug use as a crime, and some drug use as a felony, then we must treat felony drug cases seriously, not like parking tickets in a mall in which the judge, prosecutor, defense lawyer, and therapist spend their days trying to push as many people through as possible.

C. Impinging on the Executive Function

Besides violating the doctrine of the separation of powers by forcing judges and prosecutors to work on treatment teams together, the therapeutic jurisprudence movement impinges on the executive function in two more direct and discrete ways--by demolishing *2095 prosecutorial discretion and by interfering with corrections.

It is the long-established privilege of prosecutors to decide what crimes to charge and what plea bargains to offer. [FN129] Therapeutic courts, especially drug courts, substantially eliminate both of these jealously-guarded areas of prosecutorial discretion.

Before drug courts, prosecutors retained their broad discretion to charge or not charge small possession drug cases, and indeed the realities of our system drove many prosecutors, and even police, to ignore some low-level drug possession and even some drug dealing. But in the postmodern therapeutic world, drug offenders are not wrongdoers whose transgressions might be overlooked if they are sufficiently minor, but rather diseased citizens in need of treatment. Thus, we see massive increases in drug filings after the institution of drug courts, [FN130] and those explosions correspond directly to police and prosecutors agreeing at the front end to arrest and prosecute every drug offender, regardless of circumstance, in order to meet the therapeutic demand for reluctant patients.

At the plea-bargaining end, prosecutors have likewise abdicated their traditional discretion. Most drug courts recognize only a few different kinds of cookie cutter plea bargains, and the decision to offer a particular plea bargain is driven entirely by a few objective criteria, and not by the exercise of any meaningful prosecutorial discretion. [FN131] After all, this is treatment, not adjudication; triage, not prosecutorial discretion.

Therapeutic courts also impinge on the executive's corrections functions. Providing medical treatment to persons convicted of crimes, and even to persons in custody awaiting trial, is an executive *2096 function, not a

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judicial one. When therapeutic courts mechanically impose treatment conditions on all defendants, both before and after conviction, they blur the fundamental distinction between the accused and the convicted, and therefore between the judicial function of determining guilt and the executive function of carrying out sentences and treating prisoners.

It is entirely inappropriate and inimical to our adjudicative role for judges to be deciding whether defendants have been cured of their diseases and whether for that reason no punishment should be imposed. Criminal courts exist to determine whether the state has met its burden of proving that the defendant has committed a crime, and if so, to mete out appropriate and just punishment. The product of a criminal case should be a verdict and a sentence, not a decision whether John Smith should be treated at Acme House or Metropolis Hospital, or whether he truly suffers from borderline personality disorder or is just a jerk.

If we are really serious about treatment, we should direct our treatment resources to the executive branch's corrections facilities, both pre-conviction (jails) and post-conviction (jails and prisons). That is where the push for treatment, voluntary and semi-voluntary, belongs if it belongs anywhere. If we continue to believe that possession of some drugs is serious enough to warrant incarceration, then we should impose that incarceration without further therapeutic hand-wringing. Prisoners can then take advantage, or not take advantage, of intense in-custody drug treatment programs tied to parole eligibility.

D. Judges as Legislators

The therapeutic jurisprudence movement not only forces judges to act in concert with each other, with their "communities," with prosecutors, with defense lawyers, and with therapists, but it also profoundly subsumes the legislative function. By assuming all manner of human behavior is the product of some set of sociological pathogens, therapeutic courts ignore the principles of free will and individual responsibility upon which the criminal law rests. That is, it is for legislatures, and not self-described therapeutic judges, to decide not only whether certain behavior is a crime or a disease, but also in many circumstances to set a range of punishment. On these matters, the legislatures have spoken. We no longer punish adultery, but we do punish the possession of certain drugs. We no longer execute petty thieves, but shoplifting is still a crime.

*2097 In many respects, the therapeutic jurisprudence movement, especially its embodiment in drug courts, is simply a judicial reaction to laws some judges do not like. Some judges do not believe certain crimes should be punished by incarceration, and in fact do not think certain crimes should be considered crimes at all. Thus, crimes become diseases, defendants become patients, judges become therapists, and laws are repealed by therapeutic judicial fiat. There may be good arguments for and against decriminalizing some existing crimes, including some drug crimes, but in the end that debate must be settled by elected legislatures and not by judges who think they have some special insight into either medicine or public policy.

Conclusion

The therapeutic jurisprudence movement is not being driven by evil judges thrilled at the prospect of exerting unwarranted and unprecedented control over the private lives of fellow citizens, or even entirely by naive judges suckered into the therapeutic newspeak. Instead, the therapeutic road we are running down has been paved with the good intentions of judges reacting to the flood of dysfunction we see every day in our courtrooms, hardened with a dash of the kind of judicial hubris that positions us to think that because we control our courtrooms we can control the lives of everyone who appears in them. The unprecedented and unwarranted powers assumed by judges in the name of doing psychological good will make us both profoundly dangerous in our own right and hopelessly incapable of protecting citizens from the therapeutic excesses of the other two branches, just as it did when we tried the more general rehabilitative experiment in the 1930s.

The next time a group of "problem solving" activists tries to set up one of these intrusive courts in your community, remember what the Quakers tried to teach us about the dangers of mixing well-intentioned

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rehabilitation with well- deserved punishment. Remember that we have met failure in a similar fashion in the past. When we tried to treat crime as if it were a disease, and criminals as if they were moral in-patients, the only thing we accomplished was to create a dangerous judiciary that felt authorized to exert power over these diseased patients for as long as it took to cure them. If we repeat these rehabilitative failures, we will continue to de-humanize the objects of our humanitarianism, to fill our penal *2098 system with our therapeutic failures, to short-circuit what should be the real legislative debate, and to devalue punishment as its own clear social object.

[FN1]. District Judge, Second Judicial District (Denver), State of Colorado. The views expressed here are of course my own, and do not necessarily reflect the views of the District Court for the Second Judicial District or any of my colleagues on that court. I would like to thank my law clerk, Steven J. Wienczkowski, for his invaluable contributions to this article, both in his research and his editorial suggestions. I also owe a debt of gratitude to Professor James L. Nolan, Jr., from whose meticulous examinations of the therapeutic jurisprudence paradigm in general, and its **drug court** variant in particular, I liberally quote. Professor Nolan has become one of the leading academics with the courage to ask whether the emperor of therapeutic jurisprudence has any clothes.

[FN1]. The term "therapeutic jurisprudence" is generally credited to David Wexler, a law professor at the University of Arizona, who, as discussed in the text accompanying notes 88-89 *infra*, originally defined the term in a paper first delivered in 1987, but not published until 1992, to mean the study of the therapeutic impacts of mental health law. David B. Wexler, Putting Mental Health into Mental Health Law: Therapeutic Jurisprudence, 16 L. & Hum. Behav. 27 (1992). He and others subsequently expanded the idea beyond the mental health realm, arguing not only that virtually all court proceedings can have important therapeutic impacts on the participants, but that judges should craft their decisions with an eye toward those impacts. See, e.g., Essays in Therapeutic Jurisprudence (D. Wexler & B. Winnick eds., 1991); Practicing Therapeutic Jurisprudence: Law as a Helping Profession (D. Stolle, D. Wexler & B. Winnick eds., 2000); Therapeutic Jurisprudence: The Law as Therapeutic Agent (D. Wexler ed., 1990); David A. Wexler, New Directions in Therapeutic Jurisprudence: Breaking the Bounds of Conventional Mental Health Law Scholarship, 10 N.Y.L. Sch. J. Hum. Rts. 915 (1993). The phrase "restorative justice" is also sometimes used to connote what appears to be a similar constellation of ideas, though it tends to be used only in the criminal justice arena. See, e.g., John Braithwaite, Restorative Justice: Assessing Optimistic and Pessimistic Accounts, 25 Crime & Just. 1 (1999); Robert F. Schopp, Therapeutic Jurisprudence Forum: Integrating Restorative Justice and Therapeutic Jurisprudence, 67 Rev. Jur. U.P.R. 665 (1998); Comment, Repairing the Breach and Reconciling the Discordant: Mediation in Criminal Justice Systems, 72 N.C. L. Rev. 1479 (1994). The phrase "collaborative law" is also used to describe the therapeutic approach in law, especially in divorce law. See generally Pauline H. Tesler, Collaborative Law: A New Paradigm for Divorce Lawyers, 5 Psychol. Pub. Pol. & L. 967 (1999). Finally, the phrase "problem-solving courts" seems to be the most recent way to describe various therapeutic courts, especially so-called "community-based courts." See *infra* notes 117-120 and accompanying text. One cannot help but chuckle, and think of George Orwell's insights into the politicization of language, at a movement that describes intrusive judicial state action of an unprecedented magnitude as "problem solving."

[FN2]. James L. Nolan, Jr., Reinventing Justice: The American Drug Court Movement 7 (2001).

[FN3]. *Id.*

[FN4]. It is de rigueur for judges and their staff in therapeutic jurisprudence courts to call parties "clients," even criminal defendants. This is not only consistent with the whole approach of therapeutic jurisprudence--to treat rather than to adjudicate--but is also a linguistic expression of the stunning mixing of roles between judge, prosecutor, and defense lawyer. See *infra* notes 110-31 and accompanying text.

[FN5]. Nolan, Jr., *supra* note 2, at 7.

[FN6]. *Id.*

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Supervisor **LARRY BENEFIELD** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

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Supervisor **WILLIAM W. MARTIN** moved adoption of the following:

**ORDER ACKNOWLEDGING RECEIPT OF TWO PROPOSALS FOR THE OPERATION
OF AN AGGRESSIVE SKATE PRO-SHOP/EQUIPMENT RENTAL FOR THE
HARRISON COUNTY SKATE PARK FOR TABULATION AND AWARD AT A LATER
DATE, AS ON FILE WITH THE CLERK OF THE BOARD**

WHEREAS, the Board of Supervisors, at a meeting heretofore held on the 9th day of December 2002, adopted an Order authorizing and directing the Clerk of the Board to cause publication to be made of Notice of Invitation for Proposals for an Aggressive Skate Pro-Shop/Equipment Rental for the Harrison County Skate Park.

2. That as directed in the aforesaid Order said Notice of Invitation for Proposals was published in The Sun Herald Newspaper, a newspaper published and having a general circulation in Harrison County, Mississippi for more than one year next immediately preceding the date of said Order directing publication of said Notice, and that the Publisher's Affidavit of Proof of Publication has been filed with the Clerk of this Board, by said Clerk exhibited to the Board, and shows that said Notice was published on January 11 and 18, 2003.

3. That publication of said notice has been made once each week for two consecutive weeks, the last of which was at least seven working days prior to February 3, 2003, the day fixed for receiving said proposals in the Order identified in paragraph one thereof, said Proof of Publication being in the following form, words, and figures, to-wit:

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PROOF OF PUBLICATION

NOTICE OF INVITATION

FOR PROPOSALS

Saided proposals will be accepted by the Board of Supervisors of Harrison County, Mississippi, at the Board Meeting Room in the First Judicial District Courthouse in Gulfport, Mississippi, on the hour of 10:30 o'clock A.M. on February 3, 2003 for the operation of an Aggressive Skate Shop Equipment Rental for the Harrison County State Park located on Delroy Road in Gulfport, Mississippi. Proposals should cover the selling of all aggressive skating equipment and accessories, including, but not limited to the brand names of that equipment, all licenses and permits that will be required for operation.

A Performance Bond, Proof of Insurance, and Evidence of Vendor's ability to perform the work is required. (Past Performance Evaluation, References, and/or Professional Certification in this area.) Prospective Vendor's proposal must include a minimum guarantee fee to be paid to Harrison County for the operation of the Aggressive Skate Shop Equipment Rental based on a percentage of the gross revenues generated by sales, or a guaranteed fee, whichever is greater.

All proposals must be on file with the Clerk of the Board prior to the opening time as stated above. All proposals must be sealed and clearly marked on the outside of the envelope as indicated "Proposals for the Harrison County State Park Aggressive Skate Shop Equipment Rental Services to be opened on February 3, 2003".

Envelopes not so marked are submitted at the risk of the prospective Vendor and the County assumes no responsibility for a premature opening of same by any County employee. Proposals sent through the U.S. Mail are done so at the risk of the Prospective Vendor and should be addressed to the Harrison County Board of Supervisors, in care of the Purchasing Department, Post Office Drawer CC, Gulfport, Mississippi 39202. The County is not responsible for proposals that arrive in the mail after the designated opening time. Proposals may be delivered in person to the Harrison County Purchasing Department in the First Judicial District Courthouse located at 1801 2nd Ave, Gulfport, Mississippi 39202 on or before January 31, 2003 or the Board of Supervisors' meeting room at the First Judicial District Courthouse in Gulfport, Mississippi on Monday, February 3, 2003, prior to the opening time as listed above.

The Board of Supervisors will meet at the time and in the place listed first above in this Notice and will then and there open, read aloud, consider and take such action as the Board may deem appropriate on proposals received in accordance with this Notice. The Board reserves the right to reject any and all proposals and to waive informalities.

By order of the Board of Supervisors of Harrison County, Mississippi, entered December 9, 2002.
 /s/ John McAdams
 Chairman, Clerk
 (Seal) Ex Officio, a Clerk of the Board of Supervisors
 January 11, 2003

STATE OF MISSISSIPPI
 COUNTY OF HARRISON

Before me, the undersigned Notary Public of Harrison County, Mississippi, personally appeared Marcell Miles who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city Gulfport, in Harrison County, Mississippi, and that publication of the notice, a copy of which is hereto attached, has been made in said paper 2 times in the following numbers and on the following dates of such paper, viz:

Vol. <u>119</u>	No. <u>97</u>	dated <u>11</u>	day of <u>January</u>	, 20 <u>03</u>
Vol. <u>119</u>	No. <u>104</u>	dated <u>18</u>	day of <u>January</u>	, 20 <u>03</u>
Vol. _____	No. _____	dated _____	day of _____	, 20 _____
Vol. _____	No. _____	dated _____	day of _____	, 20 _____
Vol. _____	No. _____	dated _____	day of _____	, 20 _____
Vol. _____	No. _____	dated _____	day of _____	, 20 _____
Vol. _____	No. _____	dated _____	day of _____	, 20 _____

Affiant further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Marcell Miles
 Clerk

Sworn to and subscribed before me this 22nd day of January, A.D. 20 03.

John McAdams
 Notary Public

My Commission Expires April 30, 2005

Printer's Fee	\$ <u>101.64</u>
Furnishing proof of publication	\$ <u>6.00</u>
TOTAL	\$ <u>107.64</u>

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4. That proposals were received at the time and place and in the manner provided in said notice, at which time said proposals were opened, read aloud, and laid over for action at a later date, same being on file with the Clerk of the Board.

IT IS THEREFORE ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI that two proposals received this date for an Aggressive Skate Pro-Shop/Equipment Rental for the Harrison County Skate Park be, and the same are HEREBY ACKNOWLEDGED AND LAID OVER FOR ACTION AT A LATER DATE, same being on file with the Clerk of the Board.

Supervisor **CONNIE M. ROCKCO** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

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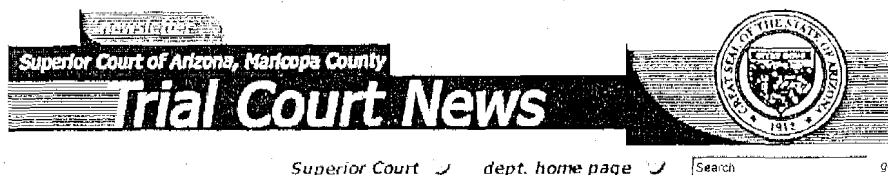
Supervisor **WILLIAM W. MARTIN** moved adoption of the following:

**ORDER ACKNOWLEDGING RECEIPT OF AND SPREADING UPON THE MINUTES
 THE INTERNET INFORMATION PACKET CONCERNING EXISTING DRUG COURTS,
 PRESENTED BY DISTRICT ATTORNEY CONO CARANNA**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY ACKNOWLEDGE RECEIPT OF AND SPREAD UPON THE MINUTES the following Internet information packet concerning existing Drug Courts presented by District Attorney Cono Caranna:

Trial Court News - Drug Court celebrates 10 years of substance abuse intervention

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Drug Court celebrates 10 years of substance abuse intervention



Drug Court Judge Eldward Ballinger holds the symbol he uses in his court to entice participants to complete their program - a lollipop.

Over its 10-year history the Superior Court Drug and DUI Court programs, graduates often report that participation isn't just about overcoming drugs and alcohol abuse. It is also about celebrating a new lifestyle.

"We all need to start over once in a while, and that is what this program is designed to do," Arizona Supreme Court Chief Justice Charles Jones said at a recent graduation that also celebrated the program's 10-year anniversary.

The 12 newest graduates were honored for completing the intensive 8-month Drug Court program - a program that incorporates teamwork with the defendant, judge, adult probation officer, defense counsel, prosecutor and counselors to overcome substance abuse problems. In its 10 years, approximately 4,000 Drug Court defendants got the opportunity to give up drugs, forsake criminal behavior, avoid jail and recapture a law-abiding life-style.

The graduation ceremony also recognized National Drug Court Month, and included presentations by Chief Justice Jones and U.S. District Court Judge Susan Bolton, who was the first Drug Court judge in Superior Court in Maricopa County. Drug Court Judge Eldward Ballinger, DUI Court Judge Arthur Andersen, and hearing officer Amy Faust recognized each graduate for successfully completing the program.

Drug Court is an innovative program that requires participants to obtain treatment and counseling, submit to frequent and random drug testing and make regular appearances before the judge.

Participants are nonviolent offenders charged with drug-related crimes. The defendants are monitored closely to assure they comply with program requirements. Sanctions, including jail time, can be imposed when participants do not comply with the rules of the program. Each member of the drug court team works to customize a program that will help the defendant overcome problems associated with substance abuse.

Motivation is the key requirement for success.

"It won't just happen," Jones said. "It requires a change in heart, of mind and in attitude."

This year's "National Drug Court Month" marked 10 years of Drug Courts in the United States, three years longer than Drug Court in Maricopa County. The first Drug Court was created in Miami in 1989. Today, there are over 800 Drug Courts throughout the country.

Maricopa County's was one of the first 12 created. National studies have found that most drug court participants have at least a 15-year history of drug use. Drug courts typically provide:

- Drug Testing at least once a week
- Frequent appearances before a drug court judge
- Personal supervision and/or treatment contacts at least three times a week

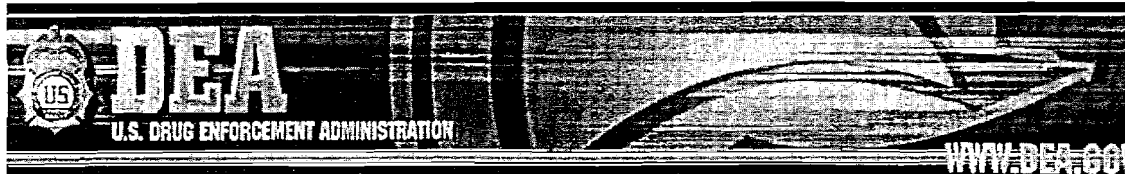
The success of Drug Courts around the country have been recognized in Washington D.C. "Research shows us that drug courts are working to keep nonviolent, substance abusing offenders from cycling through our courts and tying up prison space needed for violent criminals," Attorney General John Ashcroft said several months ago when talking about Florida's Drug Courts. "Strict judicial supervision is helping drug offenders get on the right track, but also sends them to jail if they fail to take advantage of this opportunity to turn their lives around."

President George W. Bush noted in a letter to the National Association of Drug Court Professionals, "Your service has aided drug courts in becoming effective and cost-efficient tools that enable non-violent offenders to enter into drug treatment programs, rather than prison."

Through a combination of judicial supervision, mandatory testing, and treatment, individuals are abstaining from continued drug use and crime is being reduced."



Drug Court team members and participants



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What Are Drug Treatment Courts?

Drug treatment courts are specialized community courts designed to help stop the abuse of drugs, alcohol, and related criminal activity. Non-violent offenders who have been charged with simple possession of drugs are given the option to receive treatment instead of a jail sentence. A judge oversees each case from the beginning and traces progressions and lapses through random drug testing and monitoring attendance to treatment sessions.

Personal accountability is an important aspect of the drug court. Rules are clearly defined and each participant chooses his or her own path to recovery. If a participant fails to meet the minimum requirements set forth by the court, immediate sanctions are imposed. The acting judge reviews the situation and rules accordingly. For example, a participant who fails a drug test might be sent to jail for a night. For determined individuals, completion of the program might bring about dismissal of charges, a reduced sentence, a lesser penalty, or a combination of these.

Drug courts have seen rapid growth since their inception in 1989 - today there are almost 700 nationwide. Drug courts are found in communities interested in offering a more productive plan to incarceration and saving money by keeping prison populations smaller.

A Drug Court Success Story

A program called Drug Treatment Alternative to Prison, initiated in 1990 by Kings County District Attorney Charles J. Hynes, recently saw 83 graduates from its downtown Brooklyn location. DEA Administrator Asa Hutchinson spoke at the graduation and reiterated the federal government's growing interest in treatment-oriented programs. "New York's Drug Treatment Alternative-to-Prison program demonstrates the tremendous success we can have helping addicts heal and in reducing the demand for drugs in this country. Under a system of accountability and compassion, this program is rebuilding lives and families and strengthening New York's communities," Hutchinson said.

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Why Drug Courts are Successful

Numbers released by the National Association of Drug Court Professionals indicate success among the drug court programs. Since 1989, over 100,000 offenders have participated in the drug court system and 71% of those have either completed their program or are actively participating in one. But a less forensic viewpoint reveals an appreciated second chance for many participants. One recent graduate of the DTAP program in Brooklyn was a former cocaine addict who entered the program a drug-dealer, prostitute, and convicted criminal. Today, at 42, she has earned her GED, driver's license, and training that enables her to maintain a career with an Office Equipment company. "I thank you for giving me the tools I needed to learn how to live life on life's terms," she stated at her DTAP graduation. "You taught me how to be a human being I never knew I was capable of being."

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News Release

STATE OF MARYLAND
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

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Stuart O. Simms
Secretary

For Immediate Release
May 12, 1999

TODAY -- TODAY -- TODAY

**APPROXIMATELY 75% DRUG COURT GRADUATES
REMAIN CRIME-FREE**

**5TH ANNIVERSARY OF DRUG COURT CELEBRATED
MAY 12 AT 10:00 A.M. AT BALTIMORE CITY CIRCUIT COURT-EAST**

**PAST AND CURRENT GRADUATES TELL OF DECADES OF SEVERE
DRUG ABUSE AND CRIME -- AND NOW -- REDEMPTION**

SUCCESS SERVES AS MODEL FOR BREAK THE CYCLE INITIATIVE

(Baltimore, MD) ---

"I said to hell with life and to hell with living. I was charged with abandoning my kids. Now, through Drug Court and the grace of God, I truly love life and my children. If my testimony can help just one addict, then all of this will be worth it." ~ Denise Whitfield

Denise Whitfield, an offender participating in the first graduation ceremony on March 23, 1995, has been drug free for 4 years. She is now reunited with her children and is working. Denise, along with 5 other former and current graduates, will speak at the 5th anniversary of Drug Court during a graduation ceremony for 30 current participants.

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The ceremony will take place at the Baltimore City Circuit Courthouse East, Room 234 (111 N. Calvert Street in downtown Baltimore) on Wednesday, May 12, at 10:00 a.m. and will last until approximately noon. All participants will be available to speak to media and to customize stories. There have been 298 graduates during the 5 years of Drug Court. Drug Court is part of the Correctional Options program (declared a national model by the U.S. Department of Justice) of the Maryland Department of Public Safety and Correctional Services, Division of Parole and Probation and Division of Pretrial Detention and Services.

Of the 298 graduates (23 graduations) since 1994, 221 (74.2%) have remained arrest free. Of the 77 re-arrested, 79% were for misdemeanor offenses. Out of all re-arrested, only 22 (29%) were convicted. A previous study by the University of Maryland indicates that graduates are 50% less likely to commit new crimes.

"Addicts on parole and probation use as much as 50% of the cocaine and heroin in our country," states Lt. Governor Kathleen Kennedy Townsend, Chair of the Cabinet Council on Criminal and Juvenile Justice. "The Drug Court has proven that the leverage of the justice system helps cut drug use and drug-related crime. The hard work and cooperation of the criminal justice system on the Drug Court has paved the way for the Break the Cycle initiative, where we are expanding frequent drug testing, graduated sanctions and treatment to offenders throughout the state."

"I am so proud of the entire criminal justice system and the cooperation that has made Drug Court such a success," said Judge Jamey H. Weitzman of the District Court. "All involved can take pride in the graduates and a growing future for Drug Court," states Joseph H. H. Kaplan, Administrative Judge for the Circuit Court of Baltimore City.

"Tough sanctions work," states Public Safety Secretary, Stuart O. Simms. "We now have safer streets, and tax payers instead of tax burdens. It is an obvious win for society."

Lt. Governor Townsend and Secretary Simms announced that Drug Court has received a \$192,000 federal grant to add a law enforcement component. The funds will provide a full-time police officer specifically dedicated to assist the Division of Parole and Probation in monitoring offenders and ensuring they are subject to swift sanctions for failed drug tests and other non-compliant behavior.

Drug Court started in March, 1994 as an experimental program designed to compel non-violent offenders into treatment as an alternative to jail or prison, and to **free resources for repeat violent offenders**. The program is a coordinated effort among the Circuit and District Courts; the Maryland Department of Public Safety and Correctional Services, the Baltimore City State's Attorney Office, the Public Defender's Office, Baltimore Substance Abuse Systems and many others. It was originally funded by a \$2.3 million grant from the Bureau of Justice Assistance, U.S. Department of Justice. The program now receives \$2.5 million each year from the Maryland Department of Public Safety. Offenders are supervised by the Maryland Division of Parole and Probation. Drug Court currently has approximately 900 participants.

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Editor's Note

A list of the six people who are participating in the ceremony, their crimes, as well as social and drug histories will be faxed tomorrow.

For additional information, please contact:

Leonard A. Sipes, Jr.
Director of Public Information
410-339-5081
www.dpss.state.md.us

Drug Court Anniversary

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BRIAN DICKERSON: Drug court's success story is priceless

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BRIAN DICKERSON: Drug court's success story is priceless

October 11, 2002

BY BRIAN DICKERSON

FREE PRESS COLUMNIST

Accounting 101 teaches us that stocks are assets and taxes are liabilities. But it's not always that simple.

This week, for instance, I visited an Oakland County courtroom where my tax dollars are returning dividends bigger than anything my pathetic investment portfolio has generated in years.

And although it would be premature to make long-term projections, the county's year-old treatment court for substance-abusing felons is beginning to look like one of this century's shrewder investments.

The Adult Treatment Court in Pontiac gives habitual nonviolent felons facing jail or prison time the option to participate in an intensive, yearlong treatment program.

Participants typically spend their first 90 days in a residential treatment facility. Those who remain clean and sober are permitted to move on to intensive outpatient treatment and full-time employment.

A world of criminal trouble

These are not young adults who were caught with a few joints in their shirt pockets. These



Brian Dickerson

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are grown men and women whose stubborn addictions have already landed them in a world of criminal trouble. Most are crowding middle age, and many have lost their driver's licenses, their jobs or their families by the time they enter the treatment court program.

The soul of the program is a five-member core team composed of Oakland County Visiting Drug Judge David Breck, probation officer John Lampman, Assistant Prosecutor Gerry Gleeson, veteran criminal defense attorney Diana Bare and treatment court coordinator Ellen Zehnder.

Treatment court participants discuss their progress during mandatory court appearances every two weeks. Dirty urine tests and other violations, such as failing to appear in court or attend counseling sessions, subject backsliding offenders to sanctions ranging from a short jail term to expulsion from the program.

In the treatment court's first year, 10 of the 37 offenders invited to participate have been expelled and had their original jail or prison sentences reinstated. Many others have been sanctioned for relapsing.

But substance abuse experts know that even those most determined to beat their addictions typically stumble on the road to recovery, so most relapsers are sent back to the starting line repeatedly before they are banished from treatment altogether.

First 2 men complete program

Wednesday, as most of the 25 offenders still progressing through earlier stages of the program looked on hopefully, the treatment court recognized the first two men to complete the program.

Gregory -- I have chosen to honor the custom, common to most recovery groups, of dispensing with last names -- is a 45-year-old truck driver who began drinking when he was 8 years old. He completed the 52-week program without a relapse and is credited with helping other addicts remain in treatment.

■ One week of
Oakland County
stories
■ One week of
Wayne County
stories
■ One week of
Macomb County
stories

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Alex has been clean and sober since Sept. 11, 2001 -- "the day all the trouble started, and the day my own trouble ended." Now a middle-aged waiter, he accepted his graduation certificate as his aging father looked on. The older man looked as if someone had just hoisted a Greyhound bus off his chest.

About two-thirds of the addicts paroled from prison are back behind bars within three years of their release. If Gregory and Alex persevere in their sobriety, every taxpayer will share their victory.

Their lives. Our money.

Contact BRIAN DICKERSON at 248-586-2607 or dicker@freepress.com.

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Confronting Drugs: Community Initiatives - Global Issues Electronic Journal July 1999

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9/26/01 12:00:00

Confronting Drugs

Drug Courts Mark a Decade of Success

U.S. Attorney General Janet Reno

Drug Courts have become one of the judicial system's most effective strategies for rehabilitating drug offenders. Judges, prosecuting attorneys, and defense attorneys work together with the offender in a regimen of hearings and interviews devoted to reform and rehabilitation as well as to punishment. In an intense program of monitoring and supervision, the judge can become the defendant's confessor, mentor, and taskmaster, all the while recognizing the serious and debilitating nature of drug abuse as a disorder.

U.S. Attorney General Janet Reno was the state attorney in Dade County, Florida, in 1989, and helped to establish the first drug court in the United States. Reno was a featured speaker when the National Association of Drug Court Professionals met in Miami in June 1999 to recognize a decade of progress. Excerpts of her remarks are below.

When I think of what has happened in 10 years, I just say it did work. You can make a difference and you can get ideas and see them come to fruition. You can see peoples' lives saved. You can see babies born drug free. You can see people have a new beginning. You can see crime go down. And it is because of the energy and the commitment of the people in this room, and I salute you and say "keep on".

There are now more than 390 operational drug courts and more than 200 in the planning stages. Even more amazing is the adoption of the drug court philosophy of treatment combined with sanctions -- I call it the good old-fashioned carrot and stick approach.

I think it represents a new era for the courts of this nation. If the courts can control the case, if the courts can have the resources to give juvenile delinquents a chance to grow strong in a positive way and impose changes, and if the courts can be assured of a reentry program that gives people an opportunity to come back to the community with a chance of success, courts can make an extraordinary difference. If courts look at it from a problem-solving point of view and a community point of view rather than just as legal theories, it can really, truly make a difference. I think it is a new era because we have come to recognize that the criminal justice system, in partnership with the public health community, can do so much more together than either can do apart.

Look at what happened. More than 140,000 individuals have enrolled in drug courts around the nation and probably for the first time received real supervision, real treatment that can make a difference in enabling them to become clean and sober. More than 14 states have enacted legislation relating to authorizing or funding drug courts and several more states are on their way in doing so.

Our communities are benefiting. More than 750 babies have been born drug-free to drug court participants. This is one of my favorite statistics. We have got to expand because there are too many children still being born riddled with drugs. More than 3,500 parents were able to regain custody of their children as a result of their drug court participation. More than 4,500 parents have become current in child support payments as a result of drug court participation, and I think that's wonderful.

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One of the points that was very clear to us all was that we must have an evaluation of the drug court to continually, constantly look at how we could improve it, that we could never let our standards be impaired. Those evaluations have been extraordinarily important and today we know much more about the success of drug courts than we did even last year. We know from last year's Columbia University National Center on Addiction and Substance Abuse Study that drug courts provide closer, more comprehensive supervision, and much more frequent drug testing and monitoring during the program than other forms of community supervision. More importantly, drug use and criminal behavior are substantially reduced while offenders are participating in the drug court.

These are concrete results. We are beginning to see a drug court system that breaks the cycle of substance abuse and crime. I believe the drug court concept as it is expanded into other areas can be absolutely instrumental in helping this nation end the culture of violence that's plagued it for too long.

I used to wonder what would happen if we started looking at crime in America from a problem-solving point of view, with the coming together in each community of police, schools, parks, recreation specialists, business people, and the medical community. If we can come together, if we can deal with guns as we have dealt with drugs and drug courts, if we can deal with the problems of youth who are unsupervised and alone too often in the afternoons and evenings, we can truly make a difference in this country.

We can continue to reduce violence -- it has gone down seven years in a row -- if we continue what you are about here today. But it is imperative, if we are to succeed, for drug courts to reach a broader population and to have an even greater impact on all aspects of our community. Despite all of the successes we have witnessed, we're reaching only a small fraction of the approximately 800,000 arrests that are made for drug possession annually, not to mention drug-related offenses and probation violations. The drug court approach can provide the structure to judicially supervise all cases -- adults, family, and juveniles -- that cover substance abuse offenders. We know it works.

The Justice Department and the government are really pleased. I'm elated to be able to see the increase in federal support for the work that you are doing in your community. Compared to your \$11.9 million appropriation four years ago, today the appropriation is \$40 million.

We can't stop there. It is not money that's going to make the drug courts the tremendous success they can be. Drug courts are about people, about solving their problems. Because of the people in this room from all over this country, we have shown that you can approach these problems with people in mind, with their hopes, their fears, their dreams, their failures, their frustrations, and help them rebuild a life. We can solve their problems and we can solve the nation's problems and make this nation a safer, healthier place for all to live.

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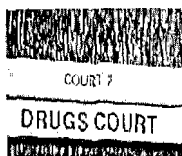
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JUSTICE



Drug courts judged a success

14/05/2002

The first six months of Scotland's first drug court have been judged a success by Executive Ministers.

Deputy Justice Minister Richard Simpson said the Glasgow court had had a positive impact, with the number of Drug Treatment and Testing Orders imposed almost doubling.

He praised the work of the team set up to oversee the court and the effectiveness of inter-agency working that has become its hallmark.

The Glasgow drug court began in November last year and has so far heard more than 60 cases and imposed 33 Drug Treatment and Testing Orders. The court hopes to hear more than 150 cases a year.

The drug court is supported by seven different agencies who contribute to a dedicated team that attempts to ensure the smooth working of the new procedures in relation to the screening of offenders for entry to the court, and the review process which supports offenders through the duration of their orders.

Since the court began there has been an encouraging increase in the number of Drug Treatment and Testing Orders imposed in other courts throughout the city. Since November there have been 45 orders imposed, almost double the number of orders placed in an average six month period of the earlier pilot project (25).

Dr Simpson said:

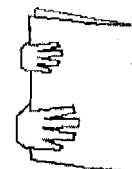
"It is encouraging to see the early results from the Glasgow drug court. The potential success this unique

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course of justice can deliver can have a dramatic impact on reducing crime in the city as well as diverting suitable cases away from custody to rehabilitation with the aim of breaking the cycle of crime and drug dependency.

"The drug court is by no means a soft option. Those referred to the drug court undergo a rigorous programme of drug testing and treatment and can be referred back to the courts for sentencing if they break the terms of their order."

The recently published Executive drug prevalence report for the first time established the estimated number of drug users in Scotland. It is estimated there are 13,788 problematic drug users in Glasgow.

One addict commits an average of 26 crimes a month to support a £1500 a month drug habit. These crimes will include shoplifting, housebreaking, car theft, fraud and prostitution to sustain the habit. Each addict will commit more than 300 crimes a year. The cost of drug-related crime in Glasgow is an estimated £300 million a year.

Drug Treatment and Testing Orders are a key feature of the Glasgow drug court after being piloted over a two year period from October 1999 to October 2001 in both Glasgow and Fife. The Executive commissioned research which was carried out by Stirling University to evaluate the success of the DTTOs over this period. The evaluation is due to be published next month.

The report shows that after six months on a DTTO programme, an offender had reduced his/her habit by almost 90 per cent. Offenders reported a marked reduction in drug use and drug related offending since being placed on a DTTO, spending an average £57 a week on drugs six months into a DTTO, compared to £490 a week before being given an order.

The cost to the local community from stolen property alone is estimated at more than £3 million a year. Each offender costs society £31,200 a year in costs of stolen property.

The average cost of a 12 month DTTO was £7992 compared to the estimated cost of a six month prison sentence in 1999/00 at £14,187

Dr Simpson said:



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Drug courts judged a success

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"It is clear that breaking drug addiction can have a positive impact on reducing the impact and cost of crime on our local communities. By treating those offenders who commit crime to feed their habit, the vicious cycle of drug addiction and crime can be broken.

"Drug addiction affects all our communities, from the impact on drug addicts and their families to the local communities and businesses affected by the their chaotic lifestyles and the crime so often involved. In the summer another drug court pilot will begin in Fife and if these two prove successful we will look at extending them to other parts of Scotland.

"Although in its early days, the drug court has clearly had a positive impact in increasing sentencers' confidence in using the DTTO as a disposal, however, we must not be complacent and we will continue to monitor the progress of the drug court. Even at this stage, the results prove more effective than short prison sentences in addressing offending behaviour."

News Release: SEJD039/2002

14/05/2002

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Essex Drug Court Celebrates Five Years of Success As Eight Participants Graduate on June 21

FOR IMMEDIATE RELEASE
Contact: Linda Brown Holt
June 19, 2001
Phone: (509) 252-9580

David Toma, famous through TV Series, is Guest Speaker

Newark, NJ - The success of Essex County's drug court will be reflected Thursday in the faces of eight men and women who will accept certificates from Judge Michael R. Casale and walk out of the Essex County Courthouse here into a new world of opportunity and freedom from addiction.

The Fifth Commencement of the Essex Vicinage Drug Court at 2 p.m. June 21 "will be as special as every other graduation" said Judge Casale, the Essex Vicinage Drug Court Judge. AFamilies, loved ones, children will all be on hand, and there will be tears and laughter. But there's a big difference. For these men and women, graduation may mean the difference between life and death."

Guest speaker for commencement will be someone who has seen first-hand the devastation that crime and addiction can cause in people's lives: David Toma, the heavyweight boxing champion and former Newark police detective whose exciting career inspired two 1970s television series, Baretta and Toma.

"We are privileged to bring David Toma, who is considered one of the nation's most powerful motivational speakers, to address our graduates and their families," Judge Casale said.

"Drug Court affords its participants an opportunity to break once and for all the vicious cycle of drug addiction," said Assignment Judge Joseph A. Falcone. "The intense supervision and hands-on approach of the program has proven successful as evidenced by the number of graduates who continue to live productive, drug-free lives. The cost savings to society, while significant, is secondary to the benefits realized, both emotionally and financially, by the successful candidates."

Part of the New Jersey Judiciary, the Essex Vicinage Drug Court program started in May 1997, the second such program in New Jersey. Drug court is a special court dedicated exclusively to cases involving drug-using offenders. Drug court offers comprehensive supervision, drug testing, treatment and immediate sanctions and incentives. The program involves a team approach on the part of Judges, prosecutors, defense counsel, probation officers, law enforcement and correctional personnel, educational and vocational experts, substance abuse treatment specialists, community leaders and others.

The Essex County program currently has 120 participants and has graduated 65 individuals during the past four graduations. Eighty percent of the current participants are men. Types of charges against participants include controlled dangerous substances near or on school property and burglary.

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FEBRUARY 2003 TERM

Essex Drug Court Celebrates Five Years of Success As Eight Participants Graduate on June 21

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One of the first graduates came into the program with a 30-year history of drug abuse. Coming into the program with numerous medical problems, she was admitted and completed the program in 18 months. Today, she is employed in a halfway house in Newark, a position she obtained through the drug court program.

"Currently, the system we have for dealing with drug addicted individuals seems to be ineffective," says the Hon. Harold W. Fulilove, Presiding Judge of the Essex Vicinage Criminal Division. "Drug Courts have become more creative and try new ways to work with drug addicted individuals to break the cycle of drug addiction. The team approach by the courts and other agencies and personnel can help to stop addiction and crime at the root and help to turn people's lives around and improve the quality of life for everyone."

Key contributors to the Essex program's success include Assignment Judge Joseph A. Falcone, Presiding Judge Casale, staff of the Essex criminal and probation divisions, and staff from the Essex prosecutor's and public defender's office. Key participating treatment providers include Integrity House and CURA, Inc., in Newark; Straight and Narrow in Passaic; and Damon House in New Brunswick.

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GOVERNOR BUSH SPEAKS AT DADE COUNTY DRUG COURT GRADUATION

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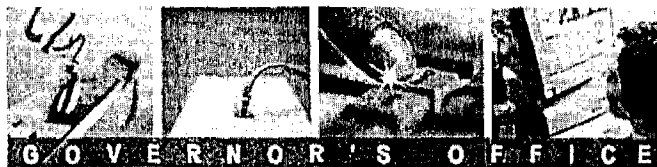
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Governor Bush Speaks at Dade County Drug Court Graduation

-- Florida Continues Efforts to Significantly Cut Drug Use --

For Immediate Release
 Friday, May 17, 2002

Contact:
 Elizabeth Hirst
 (850) 488-5394

MIAMI -- Governor Jeb Bush today reaffirmed his strong commitment to cutting drug abuse in Florida while speaking at the graduation ceremony of the Dade County Drug Court.

"We are committed to dramatically decreasing drug abuse in Florida," Governor Bush said. "The graduates here today demonstrate the effectiveness of the drug court system to encourage abstinence from drugs. Data shows that drug courts provide an exceptionally high success rate for treating the addicted and breaking the cycle between drugs and crime."

Drug courts aim to reduce recidivism in the criminal justice system by putting non-violent, non-habitual drug offenders into treatment programs rather than imprisoning them. Florida has been a pioneer in the drug court movement. During his speech, the Governor praised the graduates for their resolve and success in staying clean of drugs over the past 12 months and encouraged them to continue to remain drug free and to steer clear of the crime fueled by drug use.

First Lady Columba Bush and the Director of Florida's Office of Drug Control Jim McDonough were also present at today's graduation ceremony.

"Governor Bush's leadership has helped make the Florida Drug Court System one of the most viable in the nation. Drug courts are setting the pace for retention of addicts in drug treatment programs and for keeping them free of drugs and crime in the months and years after treatment. As a result, we are making steady progress in reducing drug abuse and crime in Florida."

Governor Bush has increased substance abuse treatment and prevention funding by 62 percent or \$95 million over four years. Bringing total funding in this critical area to \$246.9 million. As a result,

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more than 45,000 people are receiving substance abuse services, for a total of 245,000 people treated in 2001. Drug Courts--the most effective of all treatment efforts--have increased from 36 statewide in 1998 to a total of 71 by the end of this year and 79 by 2003.

In addition to the Governor efforts, the First Lady is also focused on reducing drug use among Florida's youth. As the state's leading spokesperson for prevention of youth substance abuse, Mrs. Bush and Director McDonough visits schools throughout the state each month to speak with youth about the dangers affiliated with alcohol and substance abuse.

Governor Bush and the First Lady were joined by 100 children earlier today at the dedication of the "Governor's Riverwalk Reef" at Peanut Island in Riviera Beach. The "Governor's Riverwalk Reef" has been created from three drug-smuggling vessels seized by U.S. Customs over the past several months on the Miami River as part of Operation Riverwalk.

Also under Governor Bush, Operation Riverwalk was created. A two-year operation joining 26 federal, state, and local agencies to stop drug trafficking on the Miami River, Riverwalk combined elements of law-enforcement, prevention, environmental protection, and economic development to turn the river from a wide open drug port to a vibrant a safer community. Since it was created, 7031 lbs. of illegal drugs have been seized as a result of Operation Riverwalk.

The Governor's Drug Control Strategy incorporates all aspects of solving the drug problem, including effective education, prevention, treatment and law-enforcement. The Florida Office of Drug Control oversees the strategy's implementation along with the departments of Children and Families, Corrections, Juvenile Justice, Health, Law Enforcement, Business and Professional Regulation, the Florida National Guard, the Florida Highway Patrol, other state agencies, community coalitions, local law-enforcement and government officials, non-governmental organizations, and federal agencies committed to counter drug abuse. The Florida Office of Drug Control, as well as its mandated counter part, the Statewide Drug Policy Advisory Council, is charged with developing objective measures of success to ensure progress is made across the spectrum of drug control efforts.

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Annual
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Drug Court Graduation
San Francisco Superior Court
Remarks by Chief Justice Ronald M. George
December 17, 2002

Statistics
Reports

Good afternoon. I am very pleased to participate in this very important event. The individuals whose graduation we are here to celebrate have overcome many difficulties and obstacles to stand here, and — like your friends, family members — we in the judicial system are all very proud of what you have achieved.

Other
Reports and
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Request for
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The concept of a drug court was first introduced in the early 1990's. Today, there are 158 drug courts functioning in 50 of California's 58 counties. San Francisco's program, which began only 7 years ago, will graduate some 400 individuals this year.

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Drug courts are different. They require courts and judges to step outside the confines of their traditional roles and work in close partnership with other participants in the justice system — and with defendants themselves. In fact, everyone involved — judges, lawyers, defendants, and support services — must rethink their roles and act differently. What has been remarkable has been the way so many individuals have met these challenges and exceeded all expectations.

Drug courts concentrate on a focused goal: reducing repeat offenses by providing individually-tailored services and responses to assist offenders who have drug abuse problems. That sounds very abstract — but success is easy to measure: Consider the effect on the lives of individuals who appear before drug courts and on the lives of their families. In other words, look at the graduates we honor today, and those who are here to applaud them.

Since becoming Chief Justice of California in 1996, I have had the opportunity to visit several drug courts, and the privilege of attending some very memorable and moving graduation ceremonies. I have met with quite a few drug court graduates, like those in this room. Their success stories are truly inspiring.

Graduates of drug courts have returned to school, earned degrees, found stable housing, gotten off the unemployment and welfare rolls, found new jobs, and once again become productive members of their communities.

Many graduates have been reunited with children who had been removed from the care of their parents because of parental addiction or drug-related crimes. Many of these graduates are passing their wisdom on to other persons, by helping in drug rehabilitation and drug court programs.

It is no secret to any of us in this room that drug and alcohol abuse plays an enormous role in a majority of the criminal, family, and juvenile cases that come before our courts. Substance abuse affects more than the abuser — it affects his or her family, friends, and community. And that in part is what drug court programs help to address — the variety of effects that a drug abuser's actions can have, including the neglect or abuse of a child, domestic violence, criminal activity engaged in to support an addiction, and the impoverishment of a family.

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Drug court programs afford courts the opportunity to look beyond the criminal act that brings an individual into contact with the court system and to consider the larger context of his or her life — as well as the future of that individual in the community — rather than having to resort to unproductive incarceration.

Drug courts have been successful in large part because they are built upon a collaborative model. Historically, courts viewed their role as distinct from that of other agencies within the justice system. The court served as decision-maker. A defendant's life beyond his or her offense was relevant primarily for sentencing purposes — and once an offender was sentenced, the courts expected to have no further contact with the individual unless he or she re-offended.

The drug court model takes a very different view of the role of the courts. For the model to succeed, it requires courts to join with district attorneys, public defenders, and court administrators, as well as treatment specialists, community services, and the probation department, in working with the defendant.

The promise of this new approach has been recognized not only in California, but across our nation. In 2000, the Conference of Chief Justices — an organization of which I am President-elect and which includes the Chief Justices of every state in the union — adopted a resolution supporting the development of these courts.

In California, we increasingly have been developing a broader definition and potential application of what has come to be called "collaborative justice." This term includes a number of innovative court programs that are aimed at improving access to services for individuals, while providing better protection for the public and enabling more members of society to be productive. San Francisco has initiated specialized programs that include not only drug courts, but also domestic violence and unified family courts, and plans for a mental health court.

Whenever I encounter individuals involved in the operation of a drug court project or another collaborative court setting, I always am struck by their enthusiasm and their devotion — what, in fact, often amounts to zeal on their part. The drug court movement is one that requires vision from all participants. It asks of you something that the court system does not frequently call upon us to do — to believe in the possibility of real change and in the positive power of education, support, and personal commitment, and to recognize that a transformation in one part of an individual's life can have a profound effect on every part.

There are many challenges that lie ahead for the courts in general and for our nation as a whole. A historic budget crisis, uncertainty about personal security, balancing individual rights and the need for safety — all these provide part of the background of our daily lives. You who graduate today will have many day-to-day challenges to face — but you now have new tools and resources to help you do so successfully.

In a time of uncertainty and fear, it is truly a pleasure to salute the San Francisco court and its partners in the justice community and the community-at-large for their dedicated efforts to make a true difference in the lives of San Franciscans. In the judicial system, our primary goal is ensuring access and fairness to all who need the services of the courts. Drug courts are one very important way to give depth and breadth to that commitment, and to help ensure that courts are here to serve every member of our community.

Let me close by thanking the other individuals who have made this event possible — the graduates who have made a commitment to turning their lives around and already have made a difference. Congratulations to each of you on your achievements to date. And my best wishes for a happy and healthy holiday

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season, and a new year that will bring continued success and satisfaction.

Thank you again for asking me to join you here today.

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Supervisor **BOBBY ELEUTERIUS** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **LARRY BENEFIELD** moved adoption of the following:

ORDER TAKING UNDER ADVISEMENT THE REQUEST OF THE SECOND CIRCUIT COURT DISTRICT TO ESTABLISH A DRUG COURT; AND DIRECTING THE COUNTY ADMINISTRATOR TO OBTAIN FROM DADE COUNTY, FLORIDA STATISTICS AND COST FOR THE OPERATION OF THEIR DRUG COURT AND TO RESEARCH ANY FINANCIAL ASSISTANCE AVAILABLE FROM THE STATE OR FEDERAL GOVERNMENTS TO FUND SAID PROGRAM

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY TAKE UNDER ADVISEMENT the request of the Second Circuit Court District to establish a Drug Court.

IT IS FURTHER ORDERED that the Board does HEREBY DIRECT the County Administrator to obtain from Dade County, Florida statistics and cost for the operation of their Drug Court and to research any financial assistance available from the State or Federal governments to fund said program.

Supervisor **BOBBY ELEUTERIUS** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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Mr. Kealeal Hassin, Jr. P.E., appeared before the Board to give an overview of Phase V of the renovations for the Gulfport Courthouse and answered questions by the Board members and the judges concerning said renovations.

After a full discussion, Supervisor **LARRY BENEFIELD** moved adoption of the following:

**ORDER AUTHORIZING KEAL HASSIN, JR., P.E., PROJECT ENGINEER, TO
ADVERTISE FOR BIDS FOR PHASE V - RENOVATIONS OF THE GULFPORT
COURTHOUSE INCLUDING ALTERNATES A (SECURITY GLASS) & B (ESCAPE
DOORS)**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY AUTHORIZE Kealeal Hassin, Jr., P.E., Project Engineer, to advertise for bids for Phase V - renovations of the Gulfport Courthouse including alternates A (security glass) & B (escape doors).

Supervisor **WILLIAM W. MARTIN** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor Eleuterius inquired about renovations needed at the Second Judicial Courthouse, repair of bricks from the facade, and of the air and heat system. After a full discussion, Supervisor **BOBBY ELEUTERIUS** moved adoption of the following:

ORDER DIRECTING KELEAL HASSIN, JR., P.E., TO EVALUATE THE REPAIRS TO THE FACADE AND THE HEAT/AIR SYSTEM, TO REPORT HIS FINDINGS WITHIN SIX WEEK, AND TO PREPARE BID DOCUMENTS FOR RENOVATION OF THE CIRCUIT COURT AREA IN THE SECOND JUDICIAL DISTRICT COURTHOUSE

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY DIRECT Keleal Hassin, Jr., P.E., to evaluate the repairs to the facade and the heat/air system, to report his findings within six week, and to prepare bid documents for renovation of the Circuit Court area in the Second Judicial District Courthouse.

Supervisor **WILLIAM W. MARTIN** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

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Mr. Steve Delahousey appeared before the Board to give a report on the medical crisis. He stated that the Governor is working on legislation establishing an insurance pool for medical practice and that Senator Debbie Dawkins is sponsoring Senate Bill 2628 dealing with said matter. She also wanted to express her appreciation for the Board's action with regard to the medical malpractice crisis.

After discussion, Supervisor **WILLIAM W. MARTIN** moved adoption of the following:

A RESOLUTION OF THE HARRISON COUNTY BOARD OF
SUPERVISORS EXTENDING THE DECLARATION OF A
STATE OF EMERGENCY ADOPTED ON JANUARY 23,
2003, DUE TO THE LOSS OF LOCAL PHYSICIAN
SURGICAL SERVICES, PURSUANT TO MISS. CODE
ANNOTATED §33-15-17, ET. SEQ., AND §45-17-1,
ET. SEQ., AND FOR RELATED PURPOSES.

WHEREAS, on January 23, 2003, the Harrison County Board of Supervisors ("the Board") adopted a resolution declaring a State of Emergency due to the anticipated loss of local Physician Surgical Services, pursuant to Miss. Code Annotated §33-15-17, et. seq. And §45-17-1, et. seq.; and

WHEREAS, the Board has determined that the State of Emergency, which was adopted pursuant to the facts and circumstances set forth in the Resolution did, in fact, occur and still exists in that the health, safety and welfare of the citizens of Harrison County require that the State of Emergency be extended; and

WHEREAS, the Board has received an Opinion from the Attorney General's Office, which confirmed the fact that the Board had the power and authority to declare such a State of Emergency. A copy of same is attached as Exhibit "A" and made a part hereof as it fully copied in words and figures herein; and

WHEREAS, this State of Emergency shall be continued for a period of seven (7) days, as provided by statute, at which time its renewal will be considered.

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NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, AS FOLLOWS:

SECTION I. The facts, matters and things recited in the preamble of this Resolution, and the Resolution adopted on January 23, 2003, are hereby adopted as the official findings of the Harrison County Board of Supervisors.

SECTION II. A "State of Emergency" to seek aid and to protect the health, safety and welfare of persons, who may be affected by the local healthcare crisis be, and is hereby officially declared, proclaimed and extended for the reasons in the preamble of this Resolution, and the Resolution adopted on January 23, 2003.

SECTION III. The State of Emergency shall continue for a period of seven (7) days, as provided by statute, at which time it will be again considered.

Supervisor LARRY BENEFIELD seconded the Motion to adopt the above and foregoing Resolution whereupon the President put the question to a vote with the following results:

Supervisor BOBBY ELEUTERIUS	voted, <u>AYE</u>
Supervisor MARLIN LADNER	voted, <u>AYE</u>
Supervisor LARRY BENEFIELD	voted, <u>AYE</u>
Supervisor CONNIE ROCKCO	voted, <u>AYE</u>
Supervisor WILLIAM MARTIN	voted, <u>AYE</u>

The majority of the members present having voted in the affirmative, the President then declared the Motion carried and the Resolution adopted on this the 3rd day of February, 2003.

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

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FILE NO. 000 01730 US 14-20 10-0111 GEN L OPINIONS

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STATE OF MISSISSIPPI



OFFICE OF THE ATTORNEY GENERAL

MIKE MOORE
ATTORNEY GENERAL

OPINION
DIVISION

January 30, 2003

Joseph R. Meadows, Esquire
Harrison County Board of Supervisors
Post Office Drawer 550
Gulfport, Mississippi 39502

Re: Board of Supervisors Authority Regarding Local State of Emergency

Dear Mr. Meadows:

Attorney General Mike Moore has received your recent correspondence on behalf of the Harrison County Board of Supervisors and has assigned the Board's urgent request for an opinion to me for research and reply. Due to the number of your letters, both are attached in their entirety and incorporated herein. Briefly, you present the following pertinent facts, followed by your three questions and the responses thereto.

In late January, many Harrison and Hancock County surgeons declared that they would be taking a "one-month leave of absence" due to problems with medical malpractice insurance. The Harrison County Board of Supervisors, concerned for the health, safety, and welfare of the county's citizens, responded by adopting a Resolution declaring a State of Emergency pursuant to Miss. Code Annotated Section 33-15-1, et. seq.

The surgical staff of Gulfport Memorial Hospital, Garden Park Medical Center and Hancock Medical Center subsequently issued a statement declaring that "no surgeries, emergency or otherwise, would be performed at these facilities." This statement refuted the Board's belief, held at the time the Board adopted its Resolution, that there would be surgeons available to respond to medical emergencies. Thus the Board considers that the county's medical situation has drastically deteriorated.

450 HIGH STREET - POST OFFICE BOX 220 - JACKSON, MISSISSIPPI 39205-0220
TELEPHONE (601) 359-3680 - FACSIMILE (601) 359-3796

EXHIBIT

11A

JAN 30 '03 14:35

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Joseph R. Meadows, Esquire
January 30, 2003
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[The City of Gulfport and Hancock County have also adopted similar resolutions declaring a state of emergency. However, Gulfport Memorial Hospital is jointly owned by Harrison County and the City of Gulfport and, therefore, the request for opinion is limited to the effect of the Resolution on Gulfport Memorial Hospital.]

1. The Harrison County Board of Supervisors, having declared a State of Emergency in Harrison County, must the Governor now declare a State of Emergency for the provisions of Miss. Code Annotated Section 33-15-1, et. seq. to become effective/operative?

While the Governor may, upon request by the Board, declare a state of emergency, he is not required to do so for the provisions of Sections 33-15-1, et. seq., Miss. CODE ANN. (1972, as amended) to become operative. See Section 33-15-11(b)(16), Miss. CODE ANN. (1972, as amended). Among the purposes for which the Mississippi Legislature enacted the Mississippi Emergency Management Law, Sections 33-15-1, et. seq., is the declared need "to confer upon the Governor, the agency and *upon the executive heads or governing bodies of the municipalities and counties of the state the emergency powers provided*" by the Law. Section 33-15-3(a), Miss. CODE ANN. (1972, as amended) [Emphasis added.] Section 33-15-17(d), Miss. CODE ANN. (1972, as amended), uses the following language to grant the county's board of supervisors the authority to declare a state of emergency.

A local emergency as defined in Section 33-15-5 may be proclaimed by the governing body of a municipality or county. The governing body shall review the need for continuing the local emergency at least every seven (7) days until such local emergency is terminated, and shall proclaim the termination of such local emergency at the earliest possible date that conditions warrant. During a local emergency, the governing body of a political subdivision may promulgate orders and regulations necessary to provide for the protection of life and property, including orders or regulations imposing a curfew within designated boundaries where necessary to preserve the public order and safety. Such orders and regulations and amendments and rescissions thereof shall be in writing and shall be given widespread notice and publicity. [Emphasis added.]

Turning to Section 33-15-5, Miss. CODE ANN. (1972, as amended), the following applicable definitions are provided.

(g) "Local emergency" means the duly proclaimed existence of conditions of disaster or extreme peril to the safety of persons and property within the territorial limits of a county and/or municipality caused by such conditions as air or water pollution, fire, flood, storm, epidemic, earthquake, resource shortages or other natural or man-made conditions, which conditions are or are likely to be beyond the control of the services, personnel, equipment and facilities of the political

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subdivision and require the combined forces of other subdivisions or of the state to combat.

(m) "Disaster" means any natural, technological or civil emergency as defined in this section that causes damage of sufficient severity and magnitude to result in a declaration of an emergency by a county or municipality, the Governor or the President of the United States.

If a board of supervisors finds and determines, consistent with fact, that a local emergency, as defined by Section 33-15-5(g) exists, then the board has the authority to declare a state of emergency and invoke the provisions of Section 33-15-1, *et. seq.*

2. Assuming the Governor should declare a State of Emergency, what immunities would the County, its Elected Officials, Memorial Hospital, its Administrative Staff and the Doctors who practice at Memorial Hospital have, if any?

In a state of emergency declared by the Governor, the state and the county and its board of supervisors, employees and agents are entitled to full immunity as provided by Section 33-15-21, MISS. CODE ANN. (1972, as amended).

(a) Neither the state nor any political subdivision thereof, nor other agencies, nor, except in cases of willful misconduct, the agents, employees, or representatives of any of them engaged in any emergency management activities, while complying with or attempting to comply with this article or any rule or regulation promulgated pursuant to the provisions of this article, shall be liable for the death of or any injury to persons, or damage to property, as a result of such activity.

Those individuals not covered by the Emergency Management Act, arguably such as the doctors, would not be entitled to the protection of full immunity. Review of the Emergency Management Act reveals two possible methods of providing immunity to these individuals. The first method invokes the provisions of Section 33-15-17(b), MISS. CODE ANN. (1972, as amended), which grants a county:

the power to enter into contracts and incur obligations necessary to combat such disaster, protecting the health and safety of persons and property, and providing emergency assistance to the victims of such disaster. Each county and municipality is authorized to exercise the powers vested under this section in the light of the exigencies of the extreme emergency situation without regard to time-consuming procedures and formalities prescribed by law pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the levying of taxes and the appropriation and expenditure of public funds.

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Pursuant to Section 33-15-17(c)(4), the county has the power and authority, subject to the order of the board of supervisors, "to assign and make available for duty, the employees, property or equipment of the subdivision relating to fire fighting, engineering, rescue, *health, medical and related services*, police, transportation, construction, and similar items or services for emergency management purposes either within or outside of the limits of the subdivision." [Emphasis added.]

Thus the county has the authority to contract directly with medical personnel and, in so doing, provide that personnel with the full immunity afforded a county employee pursuant to Section 33-15-21. Please note that care should be taken to ensure that such medical personnel are contract personnel and not independent contractors.

A second method of providing immunity to medical personnel is to request that the Governor proclaim a state of emergency in the affected area pursuant to Section 33-15-11(b)(16).

To proclaim a state of emergency in an area affected or likely to be affected thereby when he finds that the conditions described in Section 33-15-5(g) exist, or when he is requested to do so by the mayor of a municipality or by the president of the board of supervisors of a county, or when he finds that a local authority is unable to cope with the emergency. Such proclamation shall be in writing and shall take effect immediately upon its issuance. As soon thereafter as possible, such proclamation shall be filed with the Secretary of State and be given widespread notice and publicity. The Governor, upon advice of the director, shall review the need for continuing the state of emergency at least every thirty (30) days until the emergency is terminated and shall proclaim the termination of the state of emergency at the earliest possible date that conditions warrant.

The Governor would then have the authority pursuant to Section 33-15-11 to activate the Mississippi Emergency Management Agency (MEMA) and assume operational control over all or part of the emergency management functions. MEMA, created pursuant to Section 33-15-7, Miss. CODE ANN. (1972, as amended), has the authority to provide support from available personnel, equipment and other resources in areas stricken by emergency. Section 33-15-15(a), Miss. CODE ANN. (1972, as amended). Section 33-15-15(b) provides that:

Personnel of emergency management support forces while on duty, whether within or without the state, shall:

(3) If they are not employees of the state or a political subdivision thereof, *be entitled to compensation by the state at a rate commensurate with their duties and responsibilities and to the same rights and immunities as are provided by law for the employees of this state.* [Emphasis added.]

Returning to Section 33-15-21, we find that statutory law grants full immunities, except in cases of willful misconduct, to the employees of this state.

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

FILE No. 535 01/30 '03 14:28 ID:ATTY GEN'L OPINIONS

6013595025

PAGE 6

Joseph R. Meadows, Esquire
 January 30, 2003
 Page 5

Thus, MEMA may contract with medical personnel to provide emergency surgical services at the hospital and provide the contract personnel with the full immunity provided for employees of this state. Again, please note that care should be taken to ensure that such personnel are contract personnel and not independent contractors. Further, contract personnel must be paid by MEMA or the county for the services provided.

3. Assuming the Governor does not declare a State of Emergency, what immunities would the County, its Elected Officials, Memorial Hospital, its Administrative Staff, and the Doctors, who practice at Memorial Hospital have, based upon the Local Declaration of a State of Emergency passed by the Harrison County Board of Supervisors have, if any?

Please see our response to your second question in which we note that full immunity for the county and its board of supervisors is provided by the Emergency Management Act. That response also outlines a means of providing full immunity to medical personnel through county action in declaring a state of emergency.

Finally, any employee of the county is entitled to that immunity provided pursuant to Section 11-46-1, *et. seq.*, MISS. CODE ANN. (1972, as amended), the Tort Claims Act. That is, suit may be brought against the county, its elected officials and employees, but liability cannot exceed \$500,000.00. Section 11-46-15, MISS. CODE ANN. (1972, as amended). However, "no employee shall be held personally liable for acts or omissions occurring within the course and scope of the employee's duties." Section 11-46-7, MISS. CODE ANN. (1972, as amended).

If we may be of further service, please let us know.

Very truly yours,

MIKE MOORE, ATTORNEY GENERAL

By:

Charlene R. Pierce

Charlene R. Pierce
 Special Assistant Attorney General

Attachments

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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Mr. Tom Strange, with Veridian Systems Division, appeared before the Board to request access to the County's critical infrastructure data to develop an environmental response tool (model storm surge) in conjunction with the Jackson State University under a grant from NOAA.

After full discussion, Supervisor **WILLIAM W. MARTIN** moved adoption of the following:

**ORDER AUTHORIZING THE RELEASE OF THE COUNTY'S CRITICAL
INFRASTRUCTURE DATA HOUSED AT GULF REGIONAL PLANNING COMMISSION
TO VERIDIAN SYSTEMS DIVISION TO DEVELOP A MODEL STORM SURGE**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY AUTHORIZE the release of the County's critical infrastructure data housed at Gulf Regional Planning Commission to Veridian Systems Division to develop a model storm surge.

Supervisor **LARRY BENEFIELD** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

The request of Mr. William E. Knesal, Jr., P.E., representing Cedar Poppas Commercial Park to discuss access to development located in Intraplex 10 Light Industrial Center through County owned property, was postponed until February 10, 2003.

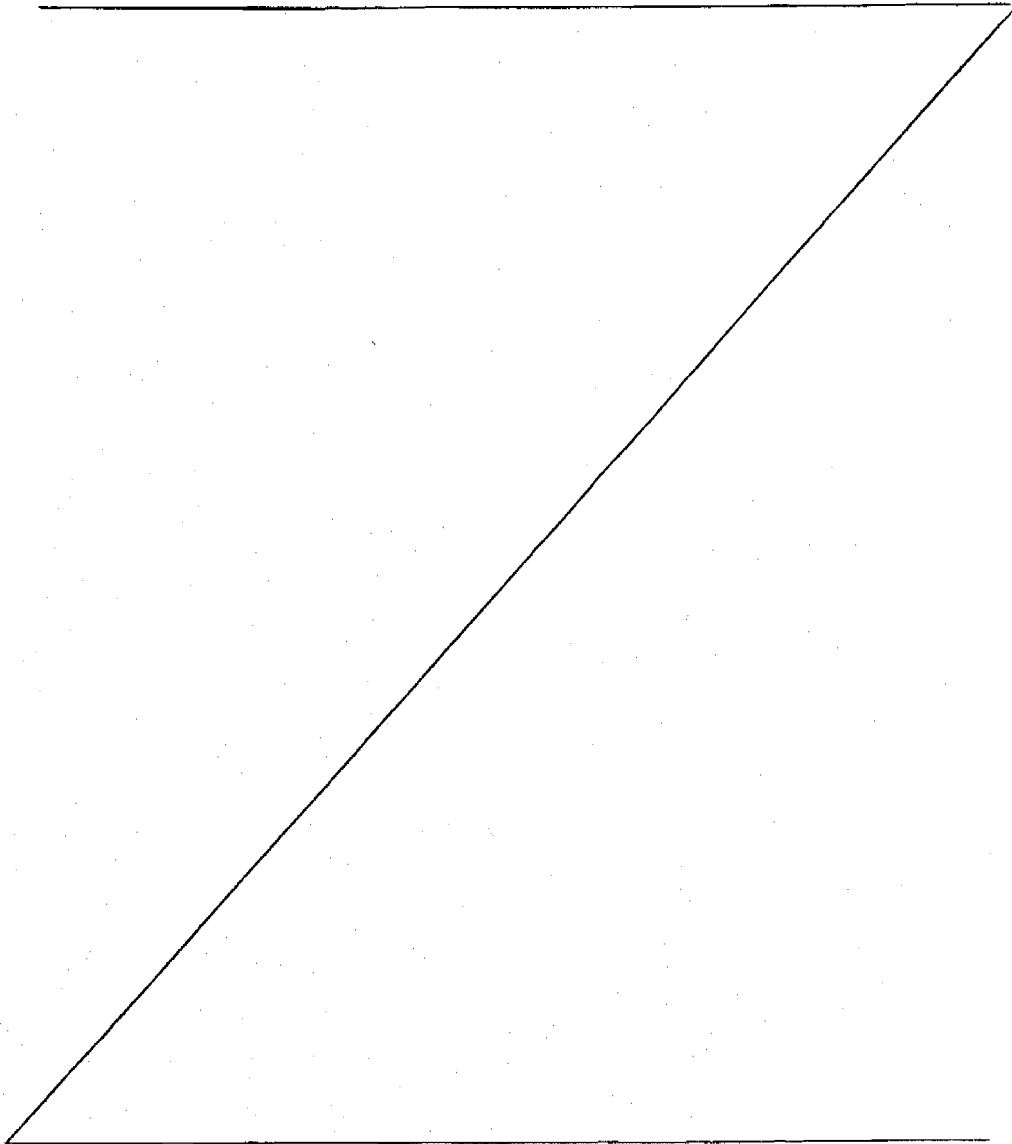
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MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **WILLIAM W. MARTIN** moved adoption of the following:

**ORDER ACKNOWLEDGING RECEIPT OF EIGHT PHOTOGRAPHS TAKEN BY MR.
WADE SHOWING THE CONDITION OF THE RIGHT-OF-WAY WHERE THE
ACCIDENT OCCURRED AND THE DAMAGE TO HIS VEHICLE ATTACHED AS
EXHIBITS A1-A8**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY ACKNOWLEDGE receipt of the following eight photographs taken by Mr. Wade showing the condition of the right-of-way where the accident occurred and the damage to his vehicle attached as Exhibits A1-A8:



MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM



1 of 8



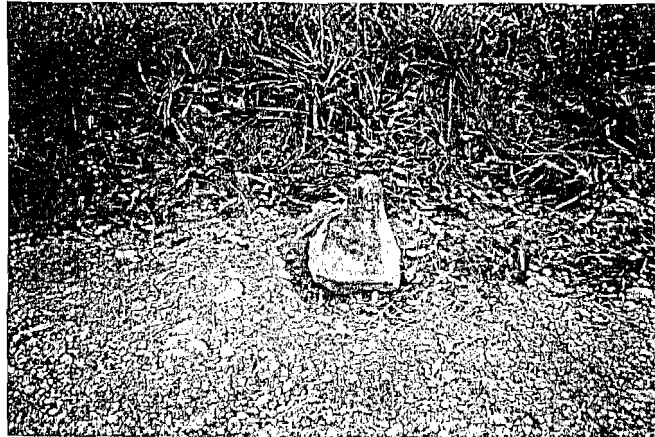
2 of 8



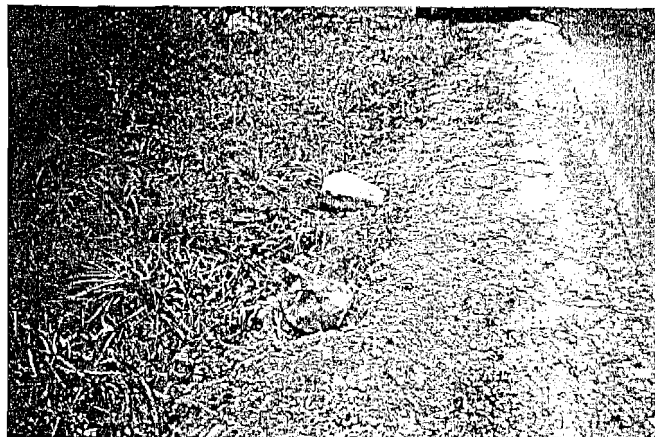
3 of 8

EXHIBIT A

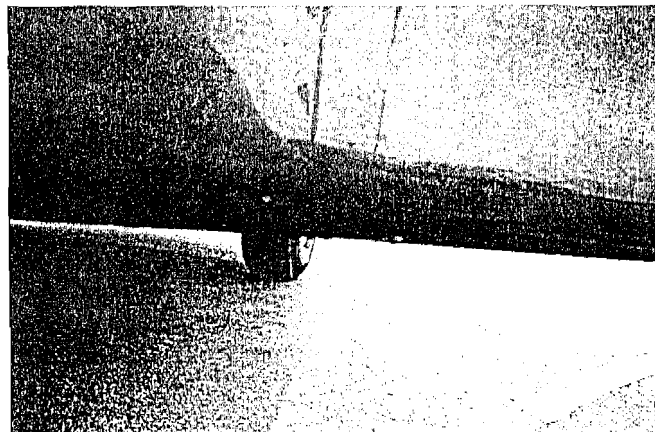
MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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4 of 8



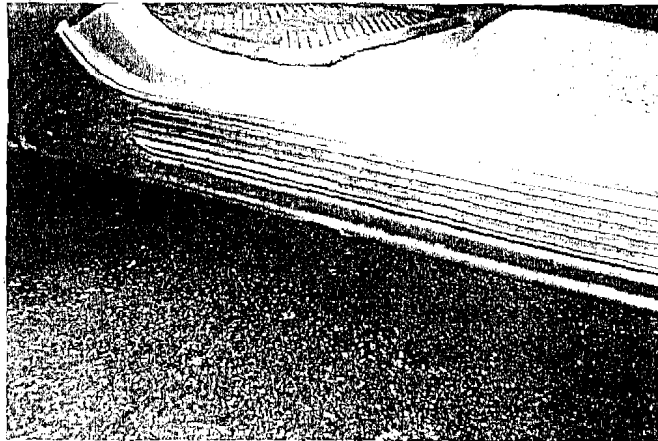
5 of 8



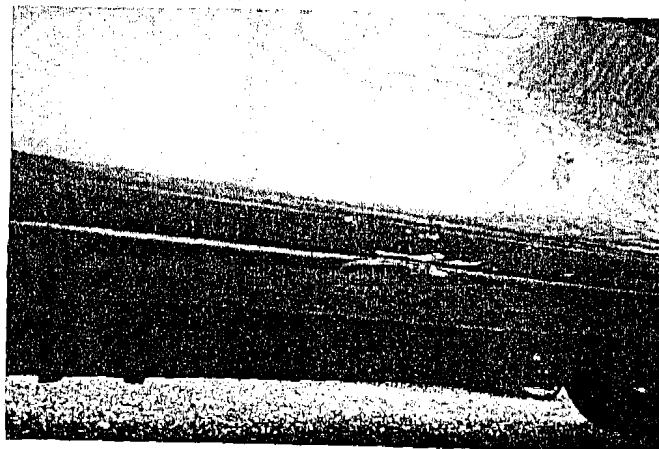
6 of 8

EXHIBIT A

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM



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EXHIBIT A

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **LARRY BENEFIELD** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **LARRY BENEFIELD** moved adoption of the following:

ORDER RESCINDING ORDER ADOPTED JANUARY 27, 2003, MINUTE BOOK
376, PAGE 462, DENYING PAYMENT OF MATTHEW WADE'S ACCIDENT CLAIM

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY RESCIND Order adopted January 27, 2003, Minute Book 376, page 462, denying payment of Matthew Wade's accident claim.

Supervisor **CONNIE M. ROCKCO** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **LARRY BENEFIELD** moved adoption of the following:

**ORDER APPROVING PAYMENT OF \$356.00 TO TONY'S AUTO BODY & PAINTING
ON CLAIMANT MATTHEW WADE FOR AUTO DAMAGE, PAYABLE FROM THE TORT
ACCOUNT**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY APPROVE payment of \$356.00 to Tony's Auto Body & Painting on claimant Matthew Wade for auto damage, payable from the Tort Account.

Supervisor **CONNIE M. ROCKCO** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **WILLIAM W. MARTIN** moved adoption of the following:

**ORDER TAKING UNDER ADVISEMENT THE REQUEST FROM THE ELECTION
COMMISSION FOR COMPENSATION FOR WORK DONE ON REDISTRICTING
UNTIL THE BOARD ATTORNEY REVIEWS THE ATTORNEY GENERAL'S OPINION
NO. 2002-0326 AND REPORTS HIS FINDINGS TO THE BOARD FOR
APPROPRIATE ACTION AT A LATER DATE**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY TAKE UNDER ADVISEMENT the request from the Election Commission for compensation for work done on redistricting until the Board Attorney reviews the Attorney General's opinion No. 2002-0326 and reports his findings to the Board for appropriate action at a later date.

Supervisor **LARRY BENEFIELD** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Mrs. Gayle Parker, Circuit Clerk, reported that her office will incur overtime to notify the voters of the upcoming precinct changes. She also requested an update of the program for voters' addresses.

After full discussion, Supervisor **WILLIAM W. MARTIN** moved adoption of the following:

**ORDER APPROVING THE EMPLOYMENT OF ANDERSON CONSULTANTS, INC.
FOR PROFESSIONAL SERVICES TO CREATE PROGRAM FOR VOTERS RECORDS
UPDATE AND MAINTENANCE AT A COST NOT TO EXCEED \$1,500.00**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY APPROVE the employment of Anderson Consultants, Inc. for professional services to create program for voters records update and maintenance at a cost not to exceed \$1,500.00.

Supervisor **CONNIE M. ROCKCO** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **LARRY BENEFIELD** moved the adoption of the following Order:

**AN ORDER OF THE HARRISON COUNTY BOARD OF SUPERVISORS
APPROVING THE PROPOSED PRECINCT LINE CHANGES, PRECINCT NAME
CHANGES AND PRECINCT VOTING LOCATION CHANGES IN THE NEW
SUPERVISOR VOTING DISTRICTS 1, 2, 3, 4 AND 5, AS RECOMMENDED BY
THE ELECTION COMMISSIONERS, AND FOR RELATED PURPOSES**

WHEREAS, the Harrison County Board of Supervisors has heretofore submitted its proposed Redistricting Plan to the United States Department of Justice and has received approval of same; and

WHEREAS, it is now incumbent upon the Board to approve proposed Precinct Line Changes, Precinct Name Changes and Precinct Voting Location Changes for Supervisor Voting Districts 1, 2, 3, 4 and 5 to conform with the new Supervisor Voting District Lines;

WHEREAS, the Harrison County Election Commissioners have recommended new Precinct Line Changes, Precinct Name Changes and Precinct Voting Location Changes in the new Supervisor Voting Districts 1, 2, 3, 4 and 5, all of which the Board does hereby approve.

NOW THEREFORE, BE IT ORDERED,

SECTION I: Upon the adoption of this Order, the Harrison County Board of Supervisors does hereby approve the proposed Precinct Changes, Precinct Name Changes and Precinct Voting Location Changes in new Supervisor Districts 1, 2, 3, 4 and 5, as previously approved by the United States Department of Justice.

SECTION II: That a certified copy of this Order along with the Proposed Precinct Line Changes, Precinct Name Changes and Precinct Voting Location Changes in new Supervisor Voting Districts 1, 2, 3, 4 and 5 shall be filed with the United States Department of Justice for its review and approval.

SECTION III: Upon approval by the United States Department of Justice, same shall be forwarded to the Secretary of State along with the previously approved Supervisor Voting District Lines in Districts 1, 2, 3, 4 and 5.

Supervisor **CONNIE M. ROCKCO** seconded the Motion to adopt the above and foregoing Order whereupon the President put the question to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted,	AYE
Supervisor MARLIN LADNER voted,	AYE
Supervisor LARRY BENEFIELD voted,	AYE
Supervisor CONNIE ROCKCO voted,	AYE
Supervisor WILLIAM MARTIN voted,	AYE

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

The majority of the members present having voted in the affirmative, the President then declared the Motion carried and the Order adopted on this the 3rd day of February 2003.

* * *

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

(SUPERVISOR ELEUTERIUS OUT ON VOTE)

Supervisor **CONNIE M. ROCKCO** moved the adoption of the following Order:

**AN ORDER OF THE HARRISON COUNTY BOARD OF
SUPERVISORS APPROVING THE FINAL ADOPTION OF THE
PROPOSED REVISIONS TO THE OFFICIAL LAND DEVELOPMENT
REGULATIONS FOR HARRISON COUNTY, ARTICLE IX, SECTIONS
903, 904, 905, 907, and 908, AND FOR RELATED PURPOSES.**

WHEREAS, based upon the Board's study, and the recommendations of Daniel Boudreaux, County Engineer, the Board does hereby adopt the proposed revisions to the official Land Development Regulations for Harrison County, Article IX, Sections 903, 904, 905, 907, and 908; and

WHEREAS, the Board approves the second reading and final adoption of the referenced revisions.

NOW THEREFORE, BE IT ORDERED,

SECTION I: Upon the adoption of this Order, and having concluded the second reading of the proposed revisions of the Official Land Development Regulations, the Board does hereby approve and adopt the revisions to the Official Land Development Regulations for Harrison County, Article IX, Sections 903, 904, 905, 907, and 908 as follows:

Section 903.5 - storm drains shall be designed to carry not less than the storm water from the maximum 24 hour rain fall expected to occur once in 25 years with a run-off factor of ninety percent (90%) for pavements and buildings and a variable run-off factor for ground areas, dependent on topographic conditions and other characteristics in accord with accepted engineering practices.

Section 904.2 - All pavement or surfacing design plans must be approved by the County Engineer before any construction is undertaken to insure adequate design for the existing soil conditions and proposed use to which it is to be subjected.

Asphalt Surface Course: hot bituminous pavement - surface cores No. SC-1, two inches (2") minimum thickness, MSHD State Aid Specifications.

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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Concrete Pavement: concrete pavement will be allowed only by special permission of the Board of Supervisors, and the base shall be limestone or treated, MSHD State Aid Specifications.

Base Course: Clay gravel and Mechanically Stabilized Base Courses are not acceptable. Base thickness shall be supported by engineering calculations.

Subbase: Subbase shall be proof rolled in the presence of a Harrison County Engineering Representative.

Section 905.1 - In Type I and II developments, the developer shall connect with an existing water supply system or shall construct and install a water system in accordance with the standards of the State Board of Health and utilities, and shall provide a water connection for each lot. Fire protection shall be provided by the installation of fire hydrants located so that each residence is within five hundred (500) feet of a hydrant. Hydrants shall be served by a minimum size water main of eight (8) inches or six (6) inches if lines are looped or as supported by engineering calculations.

Section 907.1 - In Type I subdivisions, sidewalks shall be required. In Type II subdivisions, sidewalks shall be required for lot widths less than one hundred (100) feet. All sidewalks shall be concrete and a minimum of four (4) feet wide in residential areas and seven (7) feet wide in business areas. Thickness shall be at least four (4) inches.

Section 908.5 - B. 1. Base shall be limestone or treated, MSHD State Aid Specifications: (a) one gradation sample per 500 L.F. of base in place. (b) one density sample with depth check per 500 L.F. of base in place.

SECTION II: that in all other respects, the Official Land Development Regulations, as revised December 6, 1982, shall remain in full force and effect.

Supervisor **WILLIAM W. MARTIN** seconded the Motion to adopt the above and foregoing Order whereupon the President put the question to a vote with the following results:

Supervisor BOBBY ELEUTERIUS	voted, (OUT ON VOTE),
Supervisor MARLIN LADNER	voted, AYE,
Supervisor LARRY BENEFIELD	voted, AYE,
Supervisor CONNIE ROCKCO	voted, AYE.
Supervisor WILLIAM MARTIN	voted, AYE.

The majority of the members present having voted in the affirmative, the President then declared the Motion carried and the Order adopted on this the 3rd day of February, 2003.

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

(SUPERVISOR ELEUTERIUS OUT ON VOTE.)

Supervisor **LARRY BENEFIELD** moved adoption of the following:

**ORDER APPROVING THE EMPLOYMENT OF CULLIFER AND ASSOCIATES TO
APPRAISE ADDITIONAL RIGHT-OF-WAY ON ROAD 401**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY APPROVE the employment of Cullifer and Associates to appraise additional right-of-way on Road 401.

Supervisor **WILLIAM W. MARTIN** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	(OUT ON VOTE)
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

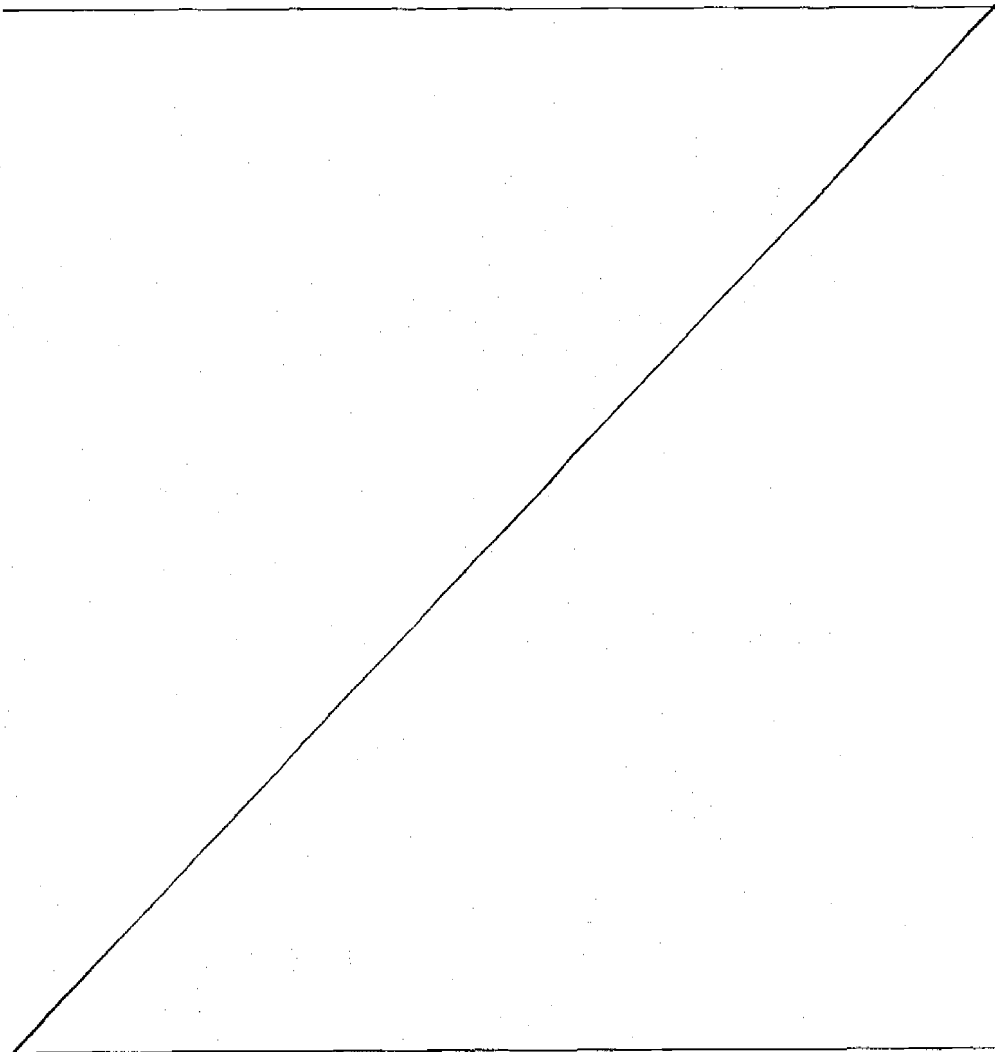
MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **LARRY BENEFIELD** moved adoption of the following:

ORDER APPROVING CHANGE ORDER NO. 2 TO CONTRACT OF SAMUEL B. DAY CONSTRUCTION IN THE AMOUNT OF \$2,618.00, ADDING 56 CALENDAR DAYS TO DATE OF COMPLETION FOR THE RENOVATION TO THE HARRISON COUNTY ADULT DETENTION FACILITY SUPPORT SERVICE COMPLEX, AS RECOMMENDED BY SHAW DESIGN GROUP, P.A., PROJECT ARCHITECT, AND AUTHORIZING THE BOARD PRESIDENT TO EXECUTE THE SAME

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY APPROVE Change Order No. 2 to contract of Samuel B. Day Construction in the amount of \$2,618.00, adding 56 calendar days to date of completion for the renovation to the Harrison County Adult Detention Facility Support Service Complex, as recommended by Shaw Design Group, P.A., Project Architect.

IT IS FURTHER ORDERED that the Board does HEREBY AUTHORIZE the Board President to execute the following Change Order No. 2:



MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM



Contract Administration
G701 Change Order

Distribution List:

Owner	_____
Architect	<u>X</u> _____
Contractor	_____
Field	_____
Other	_____

PROJECT (Name and address):

Renovations to the Harrison County Adult
Detention Facility - Support Service Complex

Gulfport, MS

TO CONTRACTOR (Name and address):

Samuel B. Day Construction
15296 South Swan Road
Gulfport, MS 39503

CHANGE ORDER NUMBER: Two (2)

DATE: January 27, 2003

ARCHITECT'S PROJECT NUMBER:

Commission 2023.3

CONTRACT DATE: May 28, 2002

CONTRACT FOR: Construction - Lump Sum

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

1. Add coffee counter, sink, and related plumbing in workshop area.	ADD \$1,464.00
2. Due to unforeseen sub-surface conflicts, new gravity sewer line conflicted with existing under ground lines. In lieu of gravity system, a lift station was required to be added with related electrical work.	ADD \$4,757.00
3. An allowance of \$10,000.00 was part of project for new exterior CCTV and monitor. For this system to connect to existing main building system and monitored at main building's booking, additional work was required which exceeded the allowance.	ADD \$2,163.00
4. Delete sod at exterior perimeter of building and replace with seeding.	DEDUCT \$2,209.00
5. Provide interior signage for building. Delete exterior plaque and building letters. Add Contractor and approved rain days for months of July, August, September October and November. Documented back-up attached. Add Forty One (41) Calendar Days.	DEDUCT \$1,557.00
7. Delete concrete culvert at road.	ADD - Fifteen (15) Calendar Days.
8. Add days for millwork and lift station.	

TOTAL ADD	\$2,618.00

The original (Contract Sum) (~~Guaranteed Maximum Price~~) was	\$ 489,000.00
The net change by previously authorized Change Orders	\$ 19,077.00
The (Contract Sum) (~~Guaranteed Maximum Price~~) prior to this Change Order was	\$ 508,077.00
The (Contract Sum) (~~Guaranteed Maximum Price~~) will be (increased) (~~decreased~~) (~~unchanged~~) by this Change Order in the amount of	\$ 2,618.00
The new (Contract Sum) (~~Guaranteed Maximum Price~~) including this Change Order will be	\$ 510,695.00
The Contract Time will be (increased) (~~decreased~~) (~~unchanged~~) by Fifty Six Calendar Days (56) days.	
The date of Substantial Completion as of the date of this Change Order therefore is February 15, 2003.	

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Shaw Design Group, P.A. ARCHITECT (Firm name) 2503 13th Street Gulfport, MS 39501 ADDRESS <i>Philip W. Shaw</i> BY (Signature) Philip W. Shaw, A.I.A. (Typed name) 1-29-03 DATE	Samuel B. Day Construction CONTRACTOR (Firm name) 15296 South Swan Road Gulfport, MS 39503 ADDRESS <i>Samuel B. Day</i> BY (Signature) Samuel B. Day (Typed name) 1/28/03 DATE	Harrison County Board of Supervisors P.O. Drawer CC Gulfport, MS 39502 OWNER (Firm name) ADDRESS BY (Signature) Marlin Ladner, President (Typed name) DATE

CAUTION: You should sign an original AIA Contract Document. An original assures changes will not be obscured.

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Samuel B. Day
CONSTRUCTION, INC.

November 12, 2002

Shaw Design Group
P. O. Box 1147
Gulfport, MS 39502

Atten: Joe Schneider

Re: Renovations to Harrison County Detention Facility
Support Service Complex

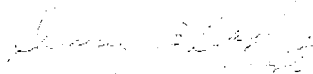
Dear Mr. Schneider:

As per your request of November 11, 2002, the deduction for the deletion of building letters and building plaque is \$1,588.00. Attached please find our worksheet.

If you have any questions, please call.

Respectfully,

Samuel B. Day Construction, Inc.


Samuel B. Day
President

SBD/gt

Encl: (1)

RECEIVED

NOV 12 2002

SHAW DESIGN
GROUP, PA

152203a Board of Supervisors, Harrison County, Mississippi

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

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45-110 1/2 x 1/2

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MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Werco Building Specialties, Inc; 9283580;

Oct 11-02 11:04AM;

Page 1 of 1

WERCO BUILDING SPECIALTIES, INC.

9445 Lindale Ave. P.O. Box 15763 Baton Rouge, Louisiana 70805

(225) 927-8376 Fax (225) 927-8378

www.wercospecs.com

Page 1 of 1

To Day, Samuel B Construction Co
 15296 S Swan Road
 Gulfport, MS 39503

Attn: Ginger

Quote Number: 13225

Date: 10/7/02

Project: Harrison County Detention Facility

Location: Harrison County, MS

Architect:

We propose to furnish the following material for the account of Werco Building Specialties, Inc.:

Description	Manufacturer	Price
Signage	ASI Sign Systems	\$485.00

(12) Interior Door Signage

Per Spec's and Schedule

Note: Number of Interior Door Signs read 20, but the count is actually 12--We quoted (12)

Revised 10/11

Addenda Received: 0

Note: All of the above materials are furnished only. No tax is included. Proposal is subject to escalation and renegotiation after 30 days from date of our proposal.

Firm Name

By SAMUEL B. DAY CONSTRUCTION

15296 S. SWAN ROAD-

Accepted GULFPORT, MS 39503

Please sign and return one copy

Note: Any deviations from above will require repricing.

Delivery F.O.B. Factory Full Freight Allowed
 Respectfully Submitted.

By Eric Rowzee

WERCO BUILDING SPECIALTIES, INC.
 "A BUILDING SPECIALTY DISTRIBUTOR SINCE 1975"

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Samuel B. Day
CONSTRUCTION, INC.

November 11, 2002

Shaw Design Group
P. O. Box 1147
Gulfport, MS 39502

Atten: Joe Schneider

Re: Renovations to Harrison County Detention Facility
Support Service Complex

Dear Mr. Schneider:

Attached please find our worksheet and Krol Electric bid for the CCTV at the above referenced project. In addition to the \$10,000.00 allowance, a cost of \$2,163.00 is needed to perform this work.

If you have any questions, please call.

Respectfully,

Samuel B. Day Construction, Inc.

Samuel B. Day
President

SBD/gt

Encl: (2)

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GROUP, P.A.

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM


 15 600 1/2" x 11" Paper
 15 300 1/2" x 11" Paper
 15 300 1/2" x 11" Paper

CCTV

Road

All

Mid

1st April 2003

110

1057

11860

1057

1860

186

2046

110

2163

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Krol Electric Inc.

12090 New Orleans Ave.
Gulfport, MS 39503
Harrison

Phone 228-832-9911
Fax 228-832-0608

November 8, 2002

Samuel Day Construction, Inc.
15296 South Swan Road
Gulfport, MS 39502

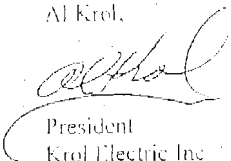
Bid price for equipment for CCTV at Adult Detention Center Facility: \$9,506.00

Bid price for all labor, material, and permit to complete the installation of the above CCTV equipment: \$2,354.00

Total bid price \$ 11,860.00

Thank you. If you have any question, please call me.

Al Krol,


President
Krol Electric Inc.

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Samuel B. Day
CONSTRUCTION, INC.

November 11, 2002

Shaw Design Group
P. O. Box 1147
Gulfport, MS 39502

Attn: Joe Schneider

Re: Renovations to Harrison County Detention Facility
Support Service Complex

Dear Mr. Schneider:

We propose to furnish labor, material and equipment for the Pump/Lift station at the above referenced project for the lump sum price of \$4,757.00. Enclosed please find our worksheet and electrical and mechanical quotes.

If you have any questions, please call.

Respectfully,

Samuel B. Day Construction, Inc.

Samuel B. Day
President

SBD/gt

Encl: (3)

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GROUP, PA

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

Rational Bond 15-605 Eye Guard
45-305 2 Pack
Made in USA

L.F. station

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Fac. & Ins Bond .057

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MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Krol Electric Inc.

12090 New Orleans Ave
Gulfport, MS 39503
Harrison

Phone 228-832-9911

Fax 228-832-0608

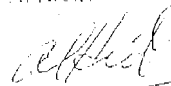
November 8, 2002

Samuel Day Construction, Inc.
15296 South Swan Road
Gulfport, MS 39502

Bid price for all labor, material, and permit to complete electrical power to panel for grinder pump at Support Service Complex.
Total bid price: \$ 835.50

Thank you. If you have any question, please call me.

Al Krol,


President

Krol Electric Inc.

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

10/30/2002 15:34 226-467-0805

ROCKY'S PLUMBING

PAGE 01/01

FROM ROCKY'S PLUMBING LLC.
406 FAVRE STREET
WAVELAND MS. 39376

TO: SAMUEL DAY CONSTRUCTION INC.
15296 SOUTH SWAN ROAD
GPT MS. 39503

JOB: HARRISON COUNTY DETENTION FACILITY

CREDIT: ON 170 LF. 4 INCH SEWER PIPE. \$ 204.00
2 INCH PIPE FOR FORCE MAIN 170 LF + \$ 59.50
TOTAL CREDIT + 144.50

LIFT STATION WITH EXTRA MOTOR ALUMINUM LID CONTROL PANEL
SET IN PLACE NOT INCLUDING ELECTRICAL WIRING

\$3400.00
CREDIT 144.50
TOTAL COST \$3255.50

THANK YOU

Rocky Pagan

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Samuel B. Day
CONSTRUCTION, INC.

November 11, 2002

Shaw Design Group
P. O. Box 1147
Gulfport, MS 39502

Atten: Joe Schneider

Re: Renovations to Harrison County Detention Facility
Support Service Complex

Dear Mr. Schneider:

As per your request of November 1, 2002, the deduction for seeding in lieu of sod work is \$2,209.00. Attached please find our worksheet.

If you have any questions, please call.

Respectfully,

Samuel B. Day Construction, Inc.

Samuel B. Day
President

SBD/gt

Encl: (1)

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

 Harrison County Board of Supervisors
 15-005 1-000000
 45-005 2-000000
 15-005 3-000000

11/1/02

Sod

1	Sod	1650.91	2	2100
2	Sod & Fort	1.4		200
3				<u>1600</u>
4	Pro	1.10		190
5	Ten. Cont. Ins.	1057		<u>2090</u>
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MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Samuel B. Day
CONSTRUCTION, INC.

October 28, 2002

Shaw Design Group
P. O. Box 1147
Gulfport, MS 39502

Atten: Joe Schneider

Re: Harrison County Detention Facility
Support Service Complex

Dear Mr. Schneider:

We propose to furnish labor and material for the counter top and cabinet per your request and drawings of October 10, 2002 for the lump sum price of \$1,464.00.

If you have any questions, please call.

Respectfully,

Samuel B. Day Construction, Inc.

Samuel B. Day
President

SBD/gt

Encl: (2)

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OCT 28 2002
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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

10-11-56 8685456
CMS
COMMERCIAL MILLWORK SPECIALIST, INC.
1518 U 28th ST.
GULFPORT, MS 39501
228-868-3888
FAX 868-5456

October 14, 2002

Samuel B Day Construction, Inc.
15296 South Swan Rd.
Gulfport, MS 39501

Attn: Sam

Re: Detention Support Services

WE PROPOSE TO PROVIDE ALL LABOR, MATERIALS AND
INSURANCE TO FURNISH AND INSTALL THE FOLLOWING:

1. Corridor 104

5' base cabinet and counter

\$780.00
Unfinished
Tax Excluded

If you have any questions, please call me.

Thank you,

Trey Pennell

DAY SUPPORT

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Samuel B. Day
CONSTRUCTION, INC.

October 28, 2002

Shaw Design Group
P. O. Box 1147
Gulfport, MS 39502

Atten: Joe Schneider

Re: Harrison County Detention Facility
Support Service Complex

Dear Mr. Schneider:

We have been unable to locate the water main to add the fire hydrant at the main entrance or on the South side of the entrance road. We have excavated to a depth of 6' and probed an additional 5' with no success. We have also exhausted every source that we know of to find as-builts, knowledgeable people, etc.

Please advise how to proceed with this work. If you have any questions, please call.

Respectfully,

Samuel B. Day Construction, Inc.

Samuel B. Day
President

SBD/gt

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OCT 28 2002

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GROUP, P.C.

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

 **Samuel B. Day**
CONSTRUCTION, INC.

August 6, 2002

Shaw Design Group
P. O. Box 1147
Gulfport, MS 39502

Atten: Joe Schneider

Re: Harrison County Detention Facility
Support Service Complex

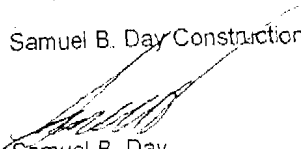
Dear Mr. Schneider:

Attached please find the daily rain totals for the month of July 2002. We are requesting nine (9) additional days be added to our contract due to the fifteen (15) adverse weather days in July. As per the contract specifications, six (6) adverse weather days are the norm for July.

If you have any questions, please call.

Respectfully,

Samuel B. Day Construction, Inc.


Samuel B. Day
President

SBD/gt

Encl: (1)

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MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

limatological report for July, 2002 at

Page 1 of 1

AnythingWeather.com

Gulfport, MS
Weather Website

Sponsored By:

HailWatch

Nationwide daily hail reports



AnythingWeather Monthly Report July 2002



Monthly Summary:

High Temperature: 96.0°F 7/19/2002

Low Temperature: 69.0°F 7/23/2002

High Humidity: 100% 7/1/2002

Low Humidity: 47% 7/19/2002

Heating Deg. Days: 0.0

Cooling Deg. Days: 501.5

Total Precipitation: 7.15"

Peak Wind Gust: 40 mph 7/7/2002

Station Location:

Gulfport-Biloxi Regional
Airport

Gulfport, MS

Elevation: 39 Feet

Lat: 30.42N Long: 089.08W

[Use metric units](#)

[Back to Current Conditions](#)

[Back to Monthly Report](#)

Date	Mean Temp. (°F)	Max Temp. (°F)	Min Temp. (°F)	Mean Humidity (%)	Heat Deg Days	Cool Deg Days	Rainfall (in.)	Mean Wind (mph)	Max Wind (mph)
Jul 1	79.8	87.0	71.0	78	0.0	14.0	0.00	4	11
Jul 2	80.1	89.0	71.0	77	0.0	15.0	0.00	4	10
Jul 3	81.2	91.0	73.0	76	0.0	17.0	0.00	3	10
Jul 4	79.8	91.0	73.0	82	0.0	17.0	0.00	5	33
Jul 5	79.2	91.0	73.0	80	0.0	17.0	0.84	4	23
Jul 6	80.5	89.0	73.0	80	0.0	16.0	0.00	4	11
Jul 7	80.8	89.0	71.0	82	0.0	15.0	0.02	4	40
Jul 8	77.3	86.0	71.0	85	0.0	13.5	0.47	6	24
Jul 9	79.8	89.0	73.0	84	0.0	16.0	0.00	5	11
Jul 10	81.0	91.0	73.0	80	0.0	17.0	0.00	6	14
Jul 11	82.1	93.0	73.0	78	0.0	18.0	0.00	2	9
Jul 12	80.7	91.0	73.0	82	0.0	17.0	0.05	4	17
Jul 13	77.2	89.0	73.0	87	0.0	16.0	0.16	3	18
Jul 14	76.8	84.0	73.0	91	0.0	13.5	0.08	3	9
Jul 15	79.5	87.0	73.0	84	0.0	15.0	0.00	3	12
Jul 16	82.0	89.0	73.0	79	0.0	16.0	0.00	4	9
Jul 17	84.6	93.0	73.0	73	0.0	18.0	0.00	3	9
Jul 18	85.5	95.0	77.0	72	0.0	21.0	0.00	3	8
Jul 19	85.0	96.0	75.0	72	0.0	20.5	0.00	3	10
Jul 20	83.9	93.0	75.0	77	0.0	19.0	0.00	3	10
Jul 21	77.7	93.0	73.0	78	0.0	18.0	0.15	7	37
Jul 22	79.4	89.0	71.0	80	0.0	15.0	0.15	6	20
Jul 23	79.1	89.0	69.0	81	0.0	14.0	0.00	3	10
Jul 24	78.3	89.0	75.0	87	0.0	17.0	0.86	4	39
Jul 25	75.6	84.0	71.0	82	0.0	12.5	2.56	4	20
Jul 26	80.4	87.0	73.0	85	0.0	15.0	0.01	3	18
Jul 27	82.6	89.0	75.0	80	0.0	17.0	0.02	4	11
Jul 28	84.4	89.0	78.0	75	0.0	18.5	0.00	4	12
Jul 29	82.1	89.0	75.0	79	0.0	17.0	0.27	5	23

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

Climatological report for July, 2002 at

Page 2

Jul 30	75.3	84.0	09:53	71.0	12:21	90	0.0	12.5	0.89	5	14	11:24
Jul 31	76.6	84.0	10:53	73.0	00:53	88	0.0	13.5	0.62	3	9	09:53

2002

Feb	Mar	Apr	May
Jun	Jul	Aug	

AnythingWeather Communications, Inc.
2350 N Rocky View Rd | Castle Rock, CO 80104 | Phone: 1-800-845-0383 | Copyright 2001

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

 **Samuel B. Day**
CONSTRUCTION, INC.

September 9, 2002

Shaw Design Group
P. O. Box 1147
Gulfport, MS 39502

Atten: Joe Schneider

Re: Harrison County Detention Facility
Support Service Complex

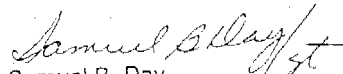
Dear Mr. Schneider:

Attached please find the daily rain totals for the month of August 2002. We are requesting seven (7) additional days be added to our contract due to the twelve (12) adverse weather days in August. As per the contract specifications, five (5) adverse weather days are the norm for August.

If you have any questions, please call.

Respectfully,

Samuel B. Day Construction, Inc.


Samuel B. Day
President

SBD/gt

Encl: (1)

2003.9 207

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

Climatological report for August, 2002 at

Page 1

AnythingWeather.com

Gulfport, MS
Weather Website

Sponsored By:



Winter Park Resort



AnythingWeather Monthly Report

August 2002

**Monthly Summary:**

High Temperature: 93.0°F 8/7/2002

Low Temperature: 71.0°F 8/1/2002

High Humidity: 100% 8/1/2002

Low Humidity: 38% 8/10/2002

Heating Deg. Days: 0.0

Cooling Deg. Days: 491.0

Total Precipitation: 5.93"

Peak Wind Gust: 40 mph 8/25/2002

Use metric units

[Back to Current Conditions](#)[Back to Monthly Report](#)**Station Location:**Gulfport-Biloxi Regional
Airport

Gulfport, MS

Elevation: 39 Feet

Lat: 30.42N Long: 089.08W

Date	Mean Temp. (°F)	Max Temp. (°F)	Min Temp. (°F)	Mean Humidity (%)	Heat Deg Days	Cool Deg Days	Rainfall (in.)	Mean Wind (mph)	Max Wind (mph)
Aug 1	77.0	87.0	71.0	84	0.0	14.0	0.13	4	18
Aug 2	76.7	91.0	71.0	87	0.0	16.0	2.22	5	36
Aug 3	81.1	91.0	73.0	79	0.0	17.0	0.06	5	11
Aug 4	78.5	86.0	73.0	78	0.0	14.5	0.07	10	24
Aug 5	79.4	84.0	73.0	60	0.0	13.5	2.09	11	27
Aug 6	79.7	87.0	75.0	86	0.0	16.0	0.02	2	5
Aug 7	81.5	93.0	73.0	81	0.0	18.0	0.13	2	18
Aug 8	81.2	89.0	77.0	79	0.0	18.0	0.04	9	28
Aug 9	79.8	87.0	71.0	67	0.0	14.0	0.00	7	23
Aug 10	79.5	89.0	71.0	68	0.0	15.0	0.00	8	21
Aug 11	81.2	87.0	75.0	77	0.0	16.0	0.00	12	26
Aug 12	81.3	87.0	73.0	75	0.0	15.0	0.00	7	19
Aug 13	79.4	87.0	73.0	82	0.0	15.0	0.00	4	12
Aug 14	81.3	87.0	75.0	79	0.0	16.0	0.00	4	9
Aug 15	84.0	87.0	82.0	69	0.0	19.5	0.00	9	16
Aug 16	84.7	89.0	78.0	79	0.0	18.5	0.11	9	21
Aug 17	83.8	87.0	77.0	76	0.0	17.0	0.00	5	17
Aug 18	81.8	89.0	75.0	83	0.0	17.0	0.00	5	11
Aug 19	81.1	87.0	75.0	87	0.0	16.0	0.30	3	8
Aug 20	80.2	87.0	78.0	86	0.0	17.5	0.00	2	8
Aug 21	79.7	86.0	75.0	86	0.0	15.5	0.04	4	9
Aug 22	77.2	84.0	73.0	86	0.0	13.5	0.69	3	10
Aug 23	81.1	87.0	73.0	81	0.0	15.0	0.00	3	9
Aug 24	82.0	89.0	75.0	78	0.0	17.0	0.00	4	9
Aug 25	80.0	91.0	73.0	79	0.0	17.0	0.00	7	40
Aug 26	76.2	89.0	71.0	88	0.0	15.0	0.00	4	11
Aug 27	80.2	89.0	71.0	76	0.0	15.0	0.00	3	9
Aug 28	81.2	91.0	71.0	68	0.0	16.0	0.00	5	11
Aug 29	79.9	89.0	71.0	74	0.0	15.0	0.00	4	9
Aug 30	79.7	87.0	73.0	79	0.0	15.0	0.00	6	11

http://www.anythingweather.com/Monthly_P.asp?station=KGPT&Date=8/1/2002&Metric=False

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

Climateological report for August, 2002 at

Page 2 of 2

Aug 31 78.8 84.0 12.53 73.0 04:53 84 0.0 13.5 0.03 8 14 16:53

2002

Feb	Mar	Apr	May
Jun	Jul	Aug	Sep

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2350 N Rocky View Rd | Castle Rock, CO 80104 | Phone: 1- 978-594-5250 | Copyright 2001,2002

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

 **Samuel B. Day**
CONSTRUCTION, INC.

November 4, 2002

Shaw Design Group
P. O. Box 1147
Gulfport, MS 39502

Atten: Joe Schneider

Re: Renovations to Harrison County Detention Facility
Support Service Complex

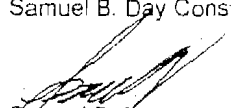
Dear Mr. Schneider:

Attached please find the daily rain totals for the month of October 2002 that were published in The Sun Herald. We are requesting nine (9) additional days be added to our contract due to the twelve (12) adverse weather days in October. As per the contract specifications, three (3) adverse weather days are the norm for October.

If you have any questions, please call.

Respectfully,

Samuel B. Day Construction, Inc.


Samuel B. Day
President

SBD/gt

Encl: (1)

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GROUP, PA

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

October 2002							September 2002	November 2002
							S M T W T F S	S M T W T F S
							1 2 3 4 5 6 7	1 2
							8 9 10 11 12 13 14	3 4 5 6 7 8 9
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							22 23 24 25 26 27 28	17 18 19 20 21 22 23
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Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday		
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	.16	.35						
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			.55	.22		.17		
27	28	29	30	31	1	2		
.50	.45	1.05	.07					

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

 **Samuel B. Day**
CONSTRUCTION, INC.

October 28, 2002

Shaw Design Group
P. O. Box 1147
Gulfport, MS 39502

Atten: Joe Schneider

Re: Renovations to Harrison County Detention Facility
Support Service Complex

Dear Mr. Schneider:

Attached please find the daily rain totals for the month of September 2002 that were published in The Sun Herald. We apologize for the lateness of this request. The web site where we were getting the previous information is no longer available.

We are requesting ten (10) additional days be added to our contract due to the fourteen (14) adverse weather days in September. As per the contract specifications, four (4) adverse weather days are the norm for September.

If you have any questions, please call.

Respectfully,

Samuel B. Day Construction, Inc.


Samuel B. Day
President

SBD/gt

Encl: (1)

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OCT 28 2002

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GROUP, PA

2023.3 / 3.07

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

September 2002							August 2002	October 2002
							S M T W T F S	S M T W T F S
							1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday		
1 .10	2	3 .19	4	5	6 .01	7 2.96		
8 .39	9	10	11	12	13 .36	14		
15 .55	16	17	18	19	20 .14	21 .06		
22	23 .12	24 .03	25 04	26 4.43	27 2.6	28		
29	30	1	2	3	4	5		

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

AnythingWeather.com

Gulfport, MS
Weather Website

Sponsored By:

HailWatch

Nationwide daily hail reports

AnythingWeather Monthly Report July 2002

Monthly Summary:

High Temperature: 96.0°F 7/19/2002

Low Temperature: 69.0°F 7/23/2002

High Humidity: 100% 7/1/2002

Low Humidity: 47% 7/19/2002

Heating Deg. Days: 0.0

Cooling Deg. Days: 501.5

Total Precipitation: 7.15"

Peak Wind Gust: 40 mph 7/7/2002

[Use metric units](#)

[Back to Current Conditions](#)

Station Location:

Gulfport-Biloxi Regional
Airport

Gulfport, MS

Elevation: 39 Feet

Lat: 30.42N Long: 89.08W

[Back to Monthly Report](#)

Date	Mean Temp. (°F)	Max Temp. (°F)	Min Temp. (°F)	Mean Humidity (%)	Heat Deg Days	Cool Deg Days	Rainfall (in.)	Mean Wind (mph)	Max Wind (mph)
Jul 1	79.8	87.0	71.0	78	0.0	14.0	0.00	4	11
Jul 2	80.1	89.0	71.0	77	0.0	15.0	0.00	4	10
Jul 3	81.2	91.0	73.0	76	0.0	17.0	0.00	3	10
Jul 4	79.8	91.0	73.0	82	0.0	17.0	0.00	5	33
Jul 5	79.2	91.0	73.0	80	0.0	17.0	0.84	4	23
Jul 6	80.5	89.0	73.0	80	0.0	16.0	0.00	4	11
Jul 7	80.8	89.0	71.0	82	0.0	15.0	0.02	4	40
Jul 8	77.3	86.0	71.0	85	0.0	13.5	0.47	6	24
Jul 9	79.8	89.0	73.0	84	0.0	16.0	0.00	5	11
Jul 10	81.0	91.0	73.0	80	0.0	17.0	0.00	6	14
Jul 11	82.1	93.0	73.0	78	0.0	18.0	0.00	2	9
Jul 12	80.7	91.0	73.0	82	0.0	17.0	0.05	4	17
Jul 13	77.2	89.0	73.0	87	0.0	16.0	0.16	3	18
Jul 14	76.8	84.0	73.0	91	0.0	13.5	0.03	3	9
Jul 15	79.5	87.0	73.0	84	0.0	15.0	0.00	3	12
Jul 16	82.0	89.0	73.0	79	0.0	16.0	0.00	4	9
Jul 17	84.6	93.0	73.0	73	0.0	18.0	0.00	3	9
Jul 18	85.5	95.0	77.0	72	0.0	21.0	0.00	3	8
Jul 19	85.0	96.0	75.0	72	0.0	20.5	0.00	3	10
Jul 20	83.9	93.0	75.0	77	0.0	19.0	0.00	3	10
Jul 21	77.7	93.0	73.0	78	0.0	18.0	0.15	7	37
Jul 22	79.4	89.0	71.0	80	0.0	15.0	0.15	6	20
Jul 23	79.1	89.0	69.0	81	0.0	14.0	0.00	3	10
Jul 24	78.3	89.0	75.0	87	0.0	17.0	0.86	4	39
Jul 25	75.6	84.0	71.0	82	0.0	12.5	2.56	4	20
Jul 26	80.4	87.0	73.0	85	0.0	15.0	0.01	3	18
Jul 27	82.6	89.0	75.0	80	0.0	17.0	0.02	4	11
Jul 28	84.4	89.0	78.0	75	0.0	18.5	0.00	4	12
Jul 29	82.1	89.0	75.0	79	0.0	17.0	0.27	5	23

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

12/04/2002 09:56 2288322161

SAMUEL B. DAY CO

PAGE 04



December 3, 2002

Shaw Design Group
P. O. Box 1147
Gulfport, MS 39502

Attn: Joe Schneider

Re: Renovations to Harrison County Detention Facility
Support Service Complex

Dear Mr. Schneider:

Attached please find the daily rain totals for the month of November 2002 that were published in The Sun Herald. We are requesting six (6) additional days be added to our contract due to the eleven (11) adverse weather days in November. As per the contract specifications, five (5) adverse weather days are the norm for November.

If you have any questions, please call

Respectfully,

Samuel B. Day Construction, Inc.

A handwritten signature in cursive script that reads 'Samuel B. Day' followed by a stylized initial or flourish.

Samuel B. Day
President

SBD/gt

Encl: (1)

15256 South Swan Road, Gulfport, Mississippi 39503-8751

Phone: 601-822-2077, Fax: 601-822-2161

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

81/24/2003 10:18 2289322161

SAMUEL B. DAY, CU

PAGE 02

 **Samuel B. Day**
CONSTRUCTION, INC.

January 24, 2003

Shaw Design Group
P. O. Box 1147
Gulfport, MS 39502

Atten: Joe Schneider

Re: Renovations to Harrison County Detention Facility
Support Service Complex

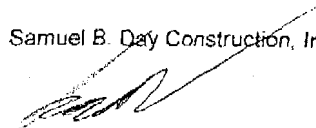
Dear Mr. Schneider:

As per your request, the credit for thirty (30) linear feet of 18 X 11 RCP for the above referenced project is \$1,557.00.

If you have any questions, please call.

Respectfully,

Samuel B. Day Construction, Inc.


Samuel B. Day
President

SBD/gt

Encl. (1)

15298 South Swan Road - Gulfport, Mississippi 39503-8751

phone: 228-832-2077 fax: 228-832-2161

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

01/24/2003 10:19 2003022151

SAMUEL B DAY CO

PAGE 03

 National Brand
45-805 Eye-Rite®
45-305 2-Pack
Made in USA

JUL 1

C. 100.7

Pipe (RCP)

Produced By	Initials	Date
Approved By		

	1	2	3	4	5
1	181.11 RCP	30LF	23 93	891	
2	Labor	30LF	15	410	
3				1348	
4	M & D	110		135	
5	Power Tech	105		74	
6				1557	
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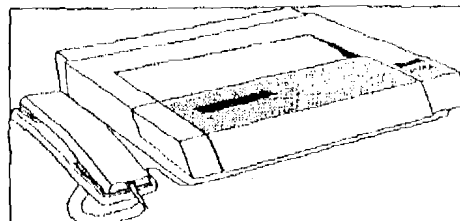
01/24/2003 10:18 2288322161

SAMUEL B DAY CO

PAGE 01

Phone: (228) 832-2077

Fax: (228) 832-2161



SAMUEL B. DAY CONSTRUCTION INC.
15296 South Swan Road, Gulfport, Mississippi 39503

FACSIMILE TO:

DATE: 1/24COMPANY: Shaw DesignATTENTION: Joe FAX #: _____FROM: Sam Number of pages including cover sheet: 3

RE: _____

COMMENTS: _____

*****THANK YOU*****

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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Supervisor **BOBBY ELEUTERIUS** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

The matter of consideration of approval of the bare ground lease with Memorial Hospital at Gulfport for E-911 property and the land lease and tower access agreement with the City of Biloxi for E-911 property was held over for action at a later date.

* * *

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

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ORDINANCE NO. 0212HC235

Supervisor LARRY BENEFIELD moved the adoption of the following order:

**AN ORDER CONCURRING WITH THE PLANNING
COMMISSION TO APPROVE A ZONING TEXT
AMENDMENT AMENDING SECTION 415 TABLE OF
USES DOG BREEDING KENNEL AND ADD TO SECTION
203 - MEANING OF WORDS AND TERMS COMMERCIAL
KENNEL AND NON - COMMERCIAL KENNEL.**

WHEREAS, the Harrison County Board of Supervisors finds and does so determine under Section 906 and based upon the recommendation of the Harrison County Planning Commission and county departments, as well as its existing needs and development, and based upon a reasonable consideration of the character of the district and neighborhood and suitability for particular purposes, that the following Text Amendment will add to Section 415 Table of Uses: Dog Kennel and amend Section 203 Meaning of Words and Terms Commercial Kennel and Non-Commercial Kennel. The case file number is 0212HC235.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, AS FOLLOWS:

SECTION 1: That the Official Zoning Text of Harrison County Zoning Ordinance of the County of Harrison, adopted the 28th day of August, 2000, as amended, be and the same is hereby amended to provide that the following described intent to add to Section 415 Table of Uses: Dog Kennel and amend Section 203 Meaning of Words and Terms Commercial Kennel and Non-Commercial Kennel.

Amend Section 203 - Meaning of Words and Terms

Add the following:

Kennel, Commercial: Any facility where six or more dogs, cats or other domesticated animals over the age of six (6) months are housed, bred, or boarded and where money is customarily exchanged for services or product.

Commercial kennels are subdivided into two types of facilities, commercial breeding kennels and commercial boarding kennels. Commercial breeding kennels are to be accessory to a residential use only. Where the use is mixed, the most stringent regulation shall apply.

A veterinary clinic providing boarding for animals receiving professional treatment shall not be considered a commercial boarding kennel. A veterinary clinic boarding well animals owned by customers and meeting the above definition shall be considered a commercial boarding kennel.

Kennel, Non-commercial: Any facility where six or more dogs, cats or other domesticated animals are housed and/or bred for the pleasure of the owner, and where the operation of said facility is exempt from Federal, State or County business regulations. A Non-commercial kennel is accessory to a residential use.

Amend Section 415 Table of Uses

Kennel, Dog Breeding: Allowed by conditional use permit (C) in A-1 (general agriculture) and E-1 (very low density residential) Districts.

The following conditions must be met at all times during operation of a breeding kennel:

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- 1) Animals will be housed within buildings having adequate ventilation and protection from weather.
- 2) Exercise runs shall be provided.
- 3) Confined animals shall be in areas of adequate size and allowed regular access to exercise runs.
- 4) Animals shall be maintained in a good state of health and receive regular professional veterinary care.
- 5) The kennel shall not be within 100' of an adjoining residential lot or residence.
- 6) Proper sanitation and odor control shall be observed.
- 7) Animals shall be humanely treated and shall not be deprived of clean water, proper food, and clean surroundings.
- 8) Unless a public sewer connection is available, the sewer serving the facility must be installed as specified by the Mississippi State Department of Health.

SECTION 2. For good cause being shown and the interest and welfare of Harrison County, the citizens thereof require that the said Ordinance be in full force and effect immediately upon its passage and enrolled as provided by law.

Supervisor WILLIAM MARTIN seconded the motion to adopt the above foregoing Ordinance whereupon the President put the question to a vote with the following results:

Supervisor BOBBY ELEUTERIUS	<u>AYE</u> _____
Supervisor LARRY BENEFIELD	<u>AYE</u> _____
Supervisor MARLIN LADNER	<u>AYE</u> _____
Supervisor WILLIAM MARTIN	<u>AYE</u> _____
Supervisor CONNIE ROCKCO	<u>AYE</u> _____

The majority of the members present having voted in the affirmative, the President then declared the Motion carried and the Order adopted on this the 3rd day of February, 2003.

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ORDINANCE NO. 0301HC003

Supervisor LARRY BENEFIELD moved the adoption of the following order:

AN ORDER CONCURRING WITH THE PLANNING COMMISSION TO APPROVE A ZONING MAP AMENDMENT. THE PROPERTY IS CURRENTLY ZONED C-2 (GENERAL COMMERCIAL) AND E-1 (VERY LOW DENSITY RESIDENTIAL) DISTRICT. THE REQUEST IS TO CHANGE THE ZONING DISTRICT CLASSIFICATION TO A C-2 (GENERAL COMMERCIAL) DISTRICT.

WHEREAS, the Harrison County Board of Supervisors finds and does so determine under Section 906 and based upon the recommendation of the Harrison County Planning Commission and county departments, as well as its existing needs and development, and based upon a reasonable consideration of the character of the district and neighborhood and suitability for particular purposes, that the property which is generally described as being located east of Hwy 49 and south of Kellogg Road, should be rezoned for the purpose of building two new buildings and expanding the existing business. The ad valorem tax parcel numbers of the subject property are 0705-08-011.001 and 0705-08-012.000. The case file number is 0301HC003.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, AS FOLLOWS:

SECTION 1: That the Official Zoning Map of Harrison County Zoning Ordinance of the County of Harrison, adopted the 28th day of August, 2000, as amended, be and the same is hereby amended to provide that the following described property be rezoned from its present classification of a C-2 (General Commercial) and E-1 (Very Low Density Residential) District to that of a C-2 (General Commercial) District.

DESCRIPTION:

Tract 2

Commence at a found $\frac{1}{4}$ inch re-bar marking the Northeast corner of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 8, Township 6 South, Range 11 West, Harrison County, Mississippi; Thence West along the North boundary of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 8, a distance of 657.81 feet to the true POINT OF BEGINNING; Thence West along the North boundary of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 8, a distance of 207.65 feet to a found $\frac{1}{4}$ inch re-bar on the Eastern right-of-way of U. S. Hwy. No. 49; Thence South 24 Degrees 12 Minutes 56 Seconds East along the Eastern right-of-way of said U. S. Hwy. No. 49, a distance of 137.01 feet to a point in the center of a road; Thence North 69 Degrees 41 Minutes 31 Seconds East along the center of said road, a distance of 161.61 feet to a point; Thence South 82 Degrees 52 Minutes 30 Seconds East along the center of said road, a distance of 23.32 feet to a point; Thence North 17 Degrees 56 Minutes 58 Seconds West, a distance of 75.43 feet to the POINT OF BEGINNING. The property contains 0.44 acres more or less, and is located in the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 8. The property is subject to a road right-of-way along the South boundary of the property as shown on the plat.

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Tract 3

Commence at a found $\frac{3}{4}$ inch re-bar marking the Northeast corner of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 8, Township 6 South, Range 11 West, Harrison County, Mississippi; Thence West along the North boundary of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 8, a distance of 865.47 feet to a found $\frac{3}{4}$ inch re-bar on the Eastern right-of-way of U. S. Hwy. No. 49; Thence South 24 Degrees 12 Minutes 56 Seconds East along the Eastern right-of-way of said U. S. Hwy. No. 49, a distance of 137.01 feet to the true POINT OF BEGINNING; Thence South 24 Degrees 12 Minutes 56 Seconds East along the Eastern right-of-way of said U. S. Hwy. No. 49, a distance of 79.20 feet to a found $\frac{3}{4}$ inch re-bar; Thence North 89 Degrees 51 Minutes 12 Seconds East, a distance of 182.70 feet to a point; Thence North 17 Degrees 56 Minutes 58 Seconds West, a distance of 131.35 feet to a point in a road; Thence North 82 Degrees 52 Minutes 30 Seconds West along the center of said road, a distance of the 23.32 feet to a point; Thence South 69 Degrees 41 Minutes 31 Seconds West along the center of said road, a distance of 161.61 feet to the POINT OF BEGINNING. The property contains 0.44 acres more or less, and is located in the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 8. The property is subject to a road right-of-way along the Northern boundary of the property as shown on the plat.

The ad valorem Tax Parcel Numbers are 0705-08-011.001 and 0705-08-012.000.

See attached site location map.

SECTION 2. For good cause being shown and the interest and welfare of Harrison County, the citizens thereof require that the said Ordinance be in full force and effect immediately upon its passage and enrolled as provided by law.

Supervisor WILLIAM MARTIN seconded the motion to adopt the above forgoing Ordinance whereupon the President put the question to a vote with the following results:

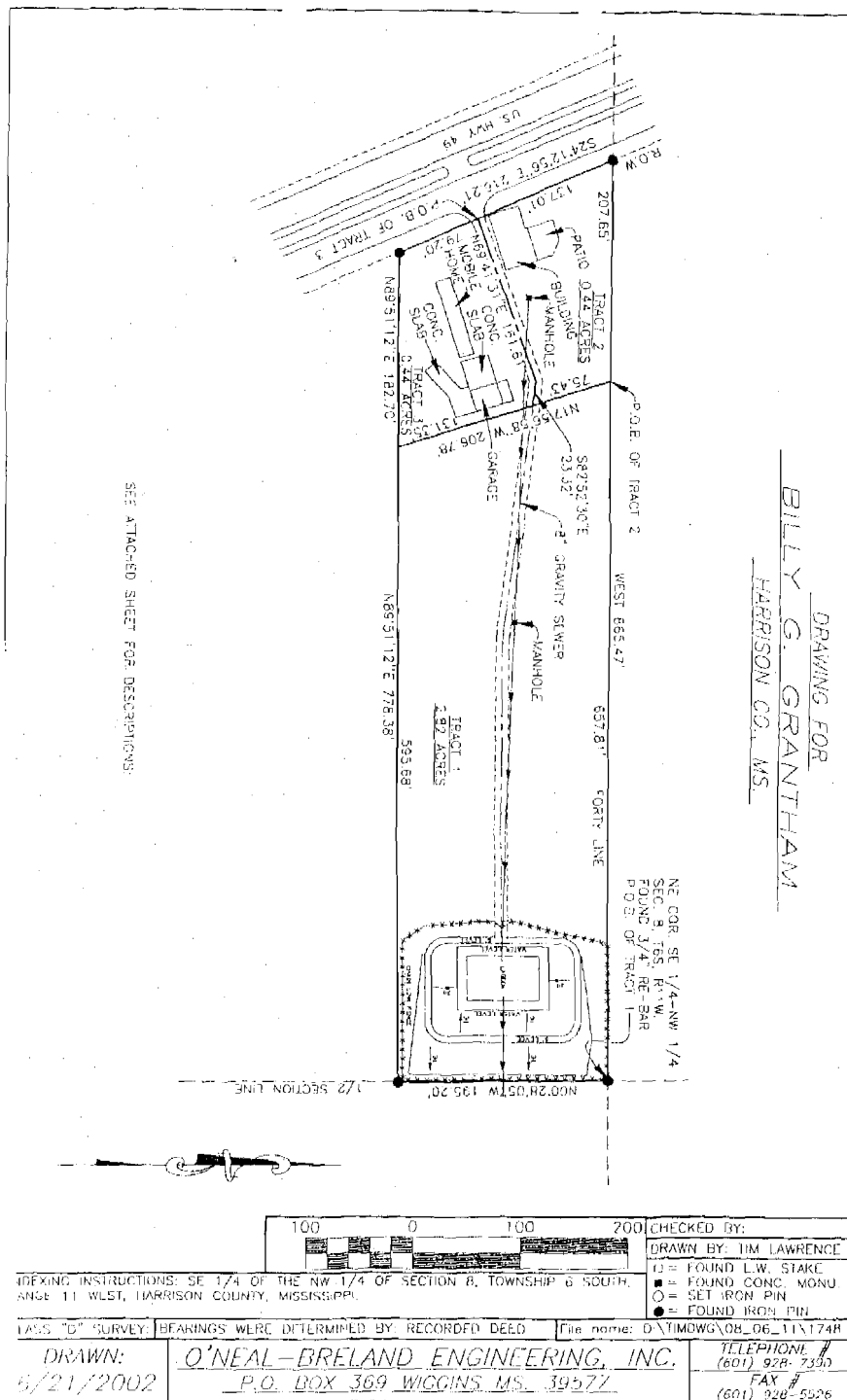
Supervisor BOBBY ELEUTERIUS	AYE <u> </u>
Supervisor LARRY BENEFIELD	AYE <u> </u>
Supervisor MARLIN LADNER	AYE <u> </u>
Supervisor WILLIAM MARTIN	AYE <u> </u>
Supervisor CONNIE ROCKCO	AYE <u> </u>

The majority of the members present having voted in the affirmative, the President then declared the Motion carried and the Order adopted on this the 3rd day of February, 2003.

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FEBRUARY 2003 TERM



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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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ORDINANCE NO. 0301HC004

Supervisor LARRY BENEFIELD moved the adoption of the following order:

AN ORDER CONCURRING WITH THE PLANNING COMMISSION TO APPROVE A ZONING MAP AMENDMENT. THE PROPERTY IS CURRENTLY ZONED AS AN E-1 (VERY LOW DENSITY RESIDENTIAL) DISTRICT. THE REQUEST IS TO CHANGE THE ZONING DISTRICT CLASSIFICATION TO AN R-1 (LOW DENSITY RESIDENTIAL) DISTRICT.

WHEREAS, the Harrison County Board of Supervisors finds and does so determine under Section 906 and based upon the recommendation of the Harrison County Planning Commission and county departments, as well as its existing needs and development, and based upon a reasonable consideration of the character of the district and neighborhood and suitability for particular purposes, that the property which is generally described as being located north of Hwy 53 and south of and adjacent to Jeremy Road, should be rezoned for the purpose of creating three, single family residential lots. The ad valorem tax parcel number of the subject property is 0706L-01-001.000. The case file number is 0301HC008.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, AS FOLLOWS:

SECTION 1: That the Official Zoning Map of Harrison County Zoning Ordinance of the County of Harrison, adopted the 28th day of August, 2000, as amended, be and the same is hereby amended to provide that the following described property **be rezoned from its present classification of a E-1 (Very Low Density Residential) District to that of an R-1 (Low Density Residential) District.**

DESCRIPTION:

5 AC BEG AT NW COR OF SEC 19 E 484.8 FT S 496.7 FT W 484.8 FT TO SEC LINE N ALONG SEC LINE 496.7 FT TO POB LESS THAT PART FOR MARK WEST RD & JEREMY RD PART OF NW 1/4 OF NW 1/4 OF SEC 19-6-11

The ad valorem Tax Parcel Number is 0706L-01-001.000.

See attached site location map.

SECTION 2. For good cause being shown and the interest and welfare of Harrison County, the citizens thereof require that the said Ordinance be in full force and effect immediately upon its passage and enrolled as provided by law.

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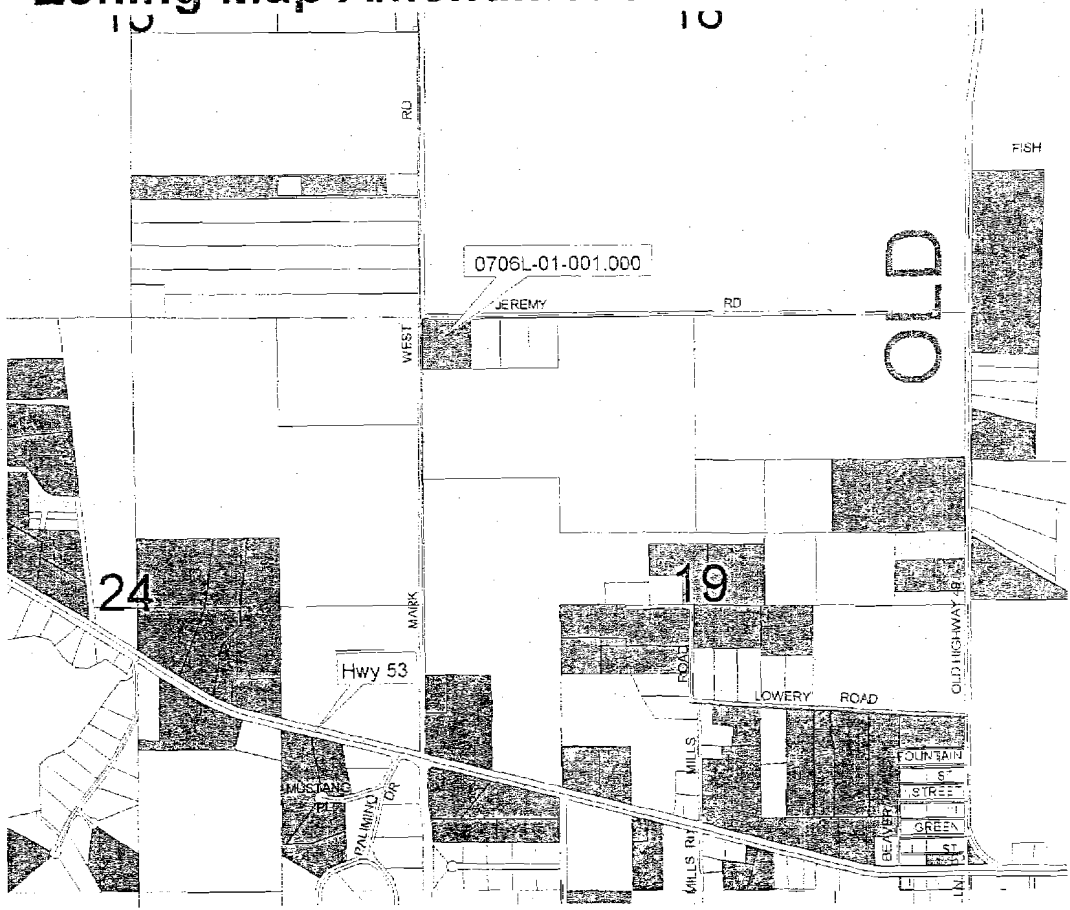
Supervisor WILLIAM MARTIN seconded the motion to adopt the above forgoing Ordinance whereupon the President put the question to a vote with the following results:

Supervisor BOBBY BLEUTERIUS	<u>AYE</u> _____
Supervisor LARRY BENEFIELD	<u>AYE</u> _____
Supervisor MARLIN LADNER	<u>AYE</u> _____
Supervisor WILLIAM MARTIN	<u>AYE</u> _____
Supervisor CONNIE ROCKCO	<u>AYE</u> _____

The majority of the members present having voted in the affirmative, the President then declared the Motion carried and the Order adopted on this the 3rd day of February, 2003.

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0301HC004
Zoning Map Amendment



- SPECIAL USE AND OVERLAY DISTRICTS**
- Airport District
 - Waterfront District
 - Recreational District
- Zoning.shp**
- A-1 General Agriculture
 - E-1 Very Low Density Residential
 - R-1 Low Density Residential
 - R-2 Medium Density Residential
 - R-3 High Density Residential
 - O-1 Office
 - C-1 Neighborhood Commercial
 - C-2 General Commercial
 - C-3 Resort Commercial
 - I-1 Light Industry
 - I-2 General Industry
 - MPC Master Planned Community



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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

ORDINANCE NO. 0301HC008

Supervisor LARRY BENEFIELD moved the adoption of the following order:

AN ORDER CONCURRING WITH THE PLANNING
COMMISSION TO APPROVE A ZONING MAP
AMENDMENT. THE PROPERTY IS CURRENTLY ZONED
E-1 (VERY LOW DENSITY RESIDENTIAL) DISTRICT.
THE REQUEST IS TO CHANGE THE ZONING DISTRICT
CLASSIFICATION TO AN C-2 (GENERAL
COMMERICAL) DISTRICT.

WHEREAS, the Harrison County Board of Supervisors finds and does so determine under Section 906 and based upon the recommendation of the Harrison County Planning Commission and county departments, as well as its existing needs and development, and based upon a reasonable consideration of the character of the district and neighborhood and suitability for particular purposes, that the property which is generally described as being located north of 28th Street, east of and adjacent to Beatline Road and south of Basch Road, should be rezoned for the purpose of establishing an Automobile repair and maintenance shop of a minor nature. The ad valorem tax parcel number of the subject property 0510J-03-006.003. The case file number is 0301HC008.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, AS FOLLOWS:

SECTION 1: That the Official Zoning Map of Harrison County Zoning Ordinance of the County of Harrison, adopted the 28th day of August, 2000, as amended, be and the same is hereby amended to provide that the following described property be rezoned from its present classification of a E-1 (Very Low Density Residential) District to that of an C-2 (General Commerical)

DESCRIPTION:

2.7 AC BEG 1309.2 FT S OF NW COR OF SEC 34 ON E MAR OF BEATLINE RD E 436 FT TO W MAR OF 25 FT ROAD S ALONG ROAD 41 FT E 12.5 FT S 35 DGS E 195 FT W 642.5 FT TO BEATLINE RD N ALONG ROAD 210 FT TO POB PART OF W 1/2 OF NW 1/4 OF SEC 34-7-12

The ad valorem Tax Parcel Number is 0510J-03-006.003.

See attached site location map.

SECTION 2. For good cause being shown and the interest and welfare of Harrison County, the citizens thereof require that the said Ordinance be in full force and effect immediately upon its passage and enrolled as provided by law.

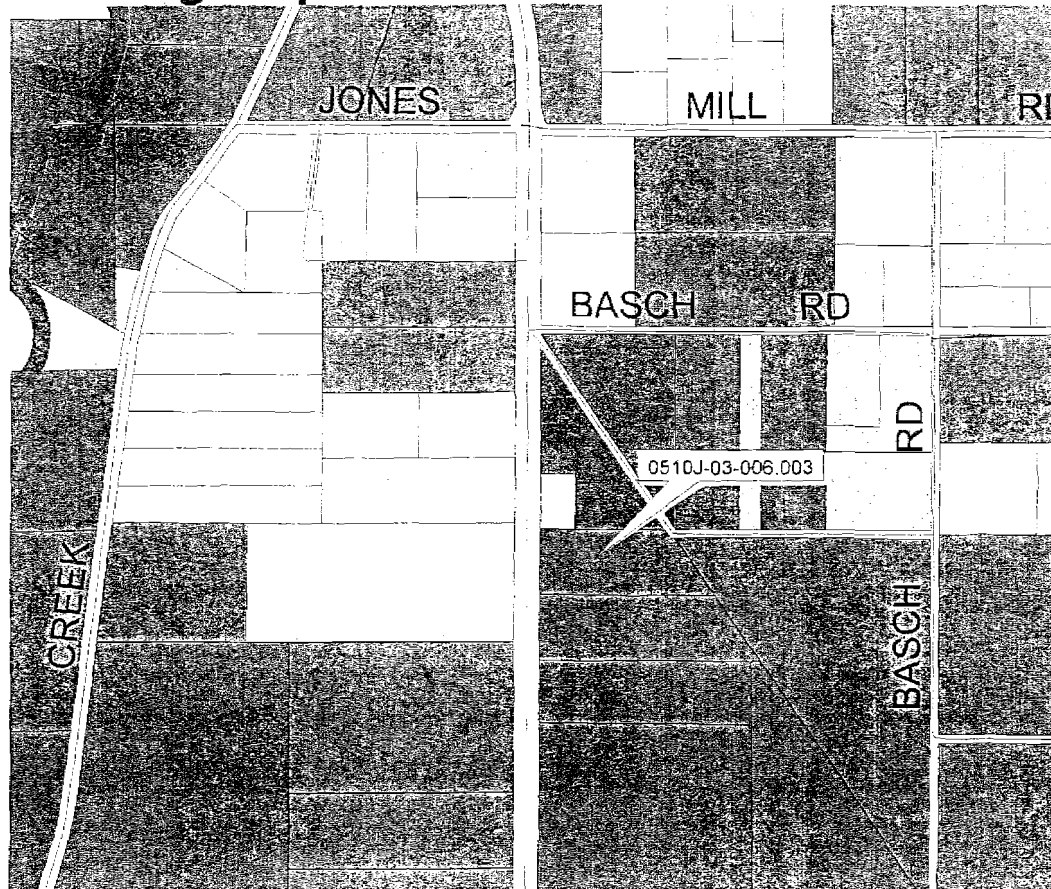
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Supervisor WILLIAM MARTIN seconded the motion to adopt the above forgoing Ordinance whereupon the President put the question to a vote with the following results:

Supervisor BOBBY ELEUTERIUS	<u>AYE</u> ,
Supervisor LARRY BENEFIELD	<u>AYE</u> ,
Supervisor MARLIN LADNER	<u>AYE</u> ,
Supervisor WILLIAM MARTIN	<u>AYE</u> ,
Supervisor CONNIE ROCKCO	<u>AYE</u> ,

The majority of the members present having voted in the affirmative, the President then declared the Motion carried and the Order adopted on this the 3rd day of February, 2003.

0301HC008 Zoning Map Amendment



700 0 700 1400 Feet

- SPECIAL USE AND OVERLAY DISTRICTS**
- Airport District
 - Waterfront District
 - Recreational District
 - Zoning.shp
 - A-1 General Agriculture
 - E-1 Very Low Density Residential
 - R-1 Low Density Residential
 - R-2 Medium Density Residential
 - R-3 High Density Residential
 - O-1 Office
 - C-1 Neighborhood Commercial
 - C-2 General Commercial
 - C-3 Resort Commercial
 - I-1 Light Industry
 - I-2 General Industry
 - MPC Master Planned Community



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ORDER AUTHORIZING PAYMENT
IN THE AMOUNT OF \$601,240.54 TO M/A - COM CRITICAL RADIO SYSTEMS, INC.

WHEREAS, the Harrison County Emergency Communications Commission was created by the Board of Supervisors under authority of §19-5-305, Mississippi Code Annotated, as amended, and its membership represents all city and county public safety agencies in the County, and the Harrison County Emergency Communications Commission is governed and empowered according to §§ 19-5-301, et seq., Mississippi Code Annotated, as amended; and

WHEREAS, the Harrison County Emergency Communications Commission, with the authorization of the Harrison County Board of Supervisors, entered into a contract with M/A-COM Critical Radio Systems, Inc. on June 11, 2001, for the purchase and installation of components of a county-wide emergency communications system within Harrison County; and

WHEREAS, the Commissioners of the Harrison County Emergency Communications Commission found that all the communications systems, equipment, contracts, assignments, leases, warranties, licenses, and other assets, which are the subject of its contract with M/A-COM Critical Radio Systems, Inc., were reasonable and necessary for carrying out the purposes and intent of §§ 19-5-301 through 19-5-319 of the Mississippi Code of 1972 Annotated, as amended; and

WHEREAS, the Harrison County Board of Supervisors found by Resolution dated June 11, 2001, that the equipment and communications system was necessary for carrying out the purposes of the E-911 Act (§19-5-301, et seq. of the Mississippi Code of 1972 Annotated, as amended), within Harrison County; and

WHEREAS, the original contract between the Harrison County Board of Supervisors, Harrison County Emergency Communications Commission, and M/A-COM Critical Radio Systems, Inc., was for a total contract cost of SEVEN MILLION FIFTY TWO THOUSAND FIVE

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

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HUNDRED FIFTY SIX DOLLARS and 97/100 (\$7,052,556.97) which the Harrison County Board of Supervisors found to be fair market value; and

WHEREAS, since the contract date of June 11, 2001, the Harrison County Board of Supervisors have authorized the following Change Orders and Payments:

CONTRACT AMOUNT		PAYMENTS	
Original Contract	\$7,052,556.97	\$1,057,883.55	07/23/01
Change Order #1 - 10/01/01	-\$ 96,531.75	\$ 546,978.29	01/28/02
Change Order #2 - NO CHANGE to contract amount - 12/03/01	-0-	\$ 280,869.76	04/01/02
Change Order #3 - 05/13/02	+\$ 142,018.00	\$ 686,187.62	04/22/02
Change Order #4 - 10/28/02	+ 63,967.12	\$ 289,055.21	07/29/02
Change Order #5 - 10/28/02	+ 514,714.69	\$ 423,038.73	09/09/02
Total Contract Amount with Change Orders	\$7,676,725.03	\$ 441,854.69	10/28/02
		\$ 270,966.79	12/16/02
TOTAL PAYMENTS TO DATE		\$3,996,834.64	
AMOUNT REMAINING TO BE PAID		\$3,679,890.39	

and;

WHEREAS, pursuant to the provisions of the aforesaid contract approved by the Harrison County Board of Supervisors, M/A - COM Critical Radio Systems, Inc. has requested on Invoice No. MEMINVHC13TH, a partial payment of that portion of the payment schedule representing 15% of the total Change Orders No. 4 and 5 due at execution per Section 1.5 Purchase Payment Schedule of the contract due M/A-COM in the amount of EIGHTY SIX THOUSAND EIGHT HUNDRED TWO DOLLARS and 27/100 (\$86,802.27); Invoice No.

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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MEMINVHC14TH, a partial payment of that portion of the payment schedule representing 45% of the contract due upon delivery of system components in the amount of EIGHTY THREE THOUSAND FIVE HUNDRED TWELVE DOLLARS and 89/100 (\$83,512.89); and on Invoice No. MEMINVHC15TH, a partial payment of that portion of the payment schedule representing 30% of the contract due to M/A-COM upon installation of system components in the amount of FOUR HUNDRED THIRTY THOUSAND NINE HUNDRED TWENTY FIVE DOLLARS and 38/100 (\$430,925.38), all as more fully detailed on the attached copies which are attached hereto and incorporated herein as **Exhibit "A"**; and

WHEREAS, the Commissioners of the Harrison County Emergency Communications Commission found by Resolution dated January 21, 2003, that M/A-COM had complied with the contract with regard to the payment plan, as certified by the letter from Moses Engineers attached hereto and incorporated as **Exhibit "B"**; and

WHEREAS, the Commissioners of the Harrison County Emergency Communications Commission found by Resolution dated January 21, 2003, that the Communications Coordinator, Gil Bailey, had certified that M/A - COM Critical Radio Systems, Inc. is entitled to said payment in the sum of SIX HUNDRED ONE THOUSAND TWO HUNDRED FORTY DOLLARS and 54/100 (\$601,240.54), as stated in his letter attached hereto and incorporated herein as **Exhibit "C"**; and

WHEREAS, the Commissioners of the Harrison County Emergency Communications Commission found by Resolution dated January 21, 2003, that M/A - COM Critical Radio Systems, Inc., had complied with the Contract Provisions that are required for M/A - COM Critical Radio Systems, Inc. to receive said payment under the said contract in the amount of SIX HUNDRED ONE THOUSAND TWO HUNDRED FORTY DOLLARS and 54/100

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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(\$601,240.54), leaving a balance of THREE MILLION SEVENTY EIGHT THOUSAND SIX HUNDRED FORTY NINE DOLLARS and 85/100 (\$3,078,649.85) a copy of said Resolution is attached hereto and incorporated herein as **Exhibit "D"**;

NOW THEREFORE, BE IT ORDERED by the Harrison County Board of Supervisors as follows:

SECTION 1

The Harrison County Board of Supervisors authorize and approve payment to M/A - COM Critical Radio Systems, Inc. in the amount of SIX HUNDRED ONE THOUSAND TWO HUNDRED FORTY DOLLARS and 54/100 (\$601,240.54), which is a partial payment due M/A-COM under the terms of the payment schedule set forth in the contract, at the next meeting of the Harrison County Board of Supervisors, or as soon thereafter as may be practicable, all in accordance with the terms of the contract.

The above and foregoing Order was introduced by Supervisor WILLIAM MARTIN, who moved the adoption of same. Said Motion was seconded by Supervisor CONNIE ROCKCO.

Upon being put to a vote, the results were as follows:

Supervisor BOBBY ELEUTERIUS voted	<u>AYE</u>
Supervisor LARRY BENEFIELD voted	<u>AYE</u>
Supervisor MARLIN LADNER voted	<u>AYE</u>
Supervisor WILLIAM MARTIN voted	<u>AYE</u>
Supervisor CONNIE ROCKCO voted	<u>AYE</u>

The motion having received the affirmative vote of a majority of the members present, the President of the Governing Body declared the motion carried and the Order adopted, on this the 3rd day of February 2003.

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

tyco

Electronics

M/A-COMP.O. BOX 2000
Lynchburg, VA 24501

FEDERAL ID # 25-1849837

SEND PAYMENT SHOWING REFERENCE NO. & INVOICE DATE TO:

M/A-COM

DEPT AT 40432

ATLANTA, GA 31192-0432

For Billing Inquiries Only call:

TAMARA HAWKINS

804-385-2669

For Collection/Account balance Inquiries call:

PAYMENT TERMS

Net 45

INVOICE DATE

12/11/02

INVOICE NUMBER

MEMINVHC13TH

CUSTOMER NO 19123	P.O. C444	CUSTOMER P.O. NUMBER Contract Dated 6/11/01	SHIP TO	INVOICE DATE 12/11/02	INVOICE NUMBER MEMINVHC13TH
BILL TO HARRISON COUNTY EMERGENCY COMMUNICATIONS COMMISSION ATTN: MR. GIL BAILEY 15309B COMMUNITY ROAD GULFPORT, MS 39503			HARRISON COUNTY EMERGENCY COMMUNICATIONS COMMISSION ATTN: MR. GIL BAILEY 15309B COMMUNITY ROAD GULFPORT, MS 39503		
ITEM NO.	DESCRIPTION	NOTE	QUANTITY	UNIT PRICE	EXTENDED AMOUNT
C444	TO INVOICE YOU 15% OF TOTAL CHANGE ORDERS 4 AND 5 DUE AT EXECUTION PER SECTION 1.5 PURCHASE PAYMENT SCHEDULE OF CONTRACT				
001	CHANGE ORDER 4 (63,987.12 * .15 = \$9,595.07)		1	\$9,595.07	\$9,595.07
002	CHANGE ORDER 5 (514,714.69 * .15 = \$77,207.20)		1	\$77,207.20	\$77,207.20
AMOUNT DUE NOW					\$86,802.27
TOTAL AMOUNT BILLED					\$86,802.27

EXHIBIT

M/A-COM CERTIFIES THAT THE GOODS COVERED BY THIS

INVOICE WERE PRODUCED IN COMPLIANCE WITH ALL APPLICABLE REQUIREMENTS OF SECTIONS 8, 9 AND 12 OF THE FAIR LABOR STANDARDS ACT, AS AMENDED, AND OF REGULATIONS AND ORDERS OF THE UNITED STATES DEPARTMENT OF LABOR ISSUED UNDER SECTION 14 THEREOF.

DIRECT CORRESPONDENCE ONLY TO:

M/A-COM
CREDIT AND COLLECTIONS
P.O. BOX 2000
LYNCHBURG, VA 24501**ORIGINAL**

AN EQUAL OPPORTUNITY EMPLOYER

Harrison County
C444 C033551
19123
15% Invoice #13 Billing Detail

	Revised Contract Value Chg Ord 5	Previously Invoiced 1 - 12	This Period	Less 45% Delivery	Less 30% Installation	Less: 10% Final Acceptance	15% Amount Due This Invoice	Total Invoiced to Date	Balance to Invoice
Biloxi									
Ancillary Multiplexers	\$ 42,069.60	\$ 25,241.76	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 25,241.76	\$ 16,827.84
Backup Control Station	\$ 64,460.60	\$ 38,426.45	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 38,426.45	\$ 26,034.05
Control Point	\$ 79,633.40	\$ 47,780.04	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 47,780.04	\$ 31,853.36
Biloxi North	\$ 341,384.76	\$ 217,942.96	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 217,942.96	\$ 123,441.80
Biloxi South	\$ 591,686.31	\$ 321,391.27	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 321,391.27	\$ 260,295.05
Fire Station Paging	\$ 224,071.60	\$ 123,790.34	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 123,790.34	\$ 700,261.26
Harrison County Exp Console	\$ 360,715.10	\$ 180,429.06	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 180,429.06	\$ 120,286.04
Harrison County Consoles	\$ 29,273.40	\$ 17,564.04	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 17,564.04	\$ 11,709.36
Interoperability	\$ 86,697.36	\$ 41,432.16	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 41,432.16	\$ 45,265.20
Harrison/Gulfport									
CEC to IMC Upgrade	\$ 548,167.70	\$ 315,184.31	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 315,184.31	\$ 232,983.39
Control Pt Upgrade - Gulfport	\$ 299,371.10	\$ 134,633.56	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 134,633.56	\$ 164,737.54
CSD300 to CSD500 Upgrade	\$ 57,715.00	\$ 34,629.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 34,629.00	\$ 23,086.00
North Site Upgrade	\$ 248,475.60	\$ 125,831.66	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 125,831.66	\$ 122,643.94
South Site Upgrade	\$ 248,475.60	\$ 112,197.17	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 112,197.17	\$ 136,278.43
Harrison GP West									
GP West	\$ 504,327.04	\$ 274,284.09	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 274,284.09	\$ 230,042.95
Vendor & Services									
Biloxi North	\$ 938,181.15	\$ 715,602.53	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 715,602.53	\$ 222,578.62
Chg ord No. 1 To Biloxi North Vendor	\$ (96,531.75)	\$ (14,479.76)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (14,479.76)	\$ (82,051.99)
Biloxi South	\$ 451,171.35	\$ 140,525.36	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 140,525.36	\$ 310,645.99
Gulfport North	\$ 263,784.60	\$ 122,577.14	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 122,577.14	\$ 141,207.46
Gulfport South	\$ 21,867.30	\$ 3,280.10	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,280.10	\$ 18,587.21
Gulfport West	\$ 347,821.55	\$ 218,698.49	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 218,698.49	\$ 129,123.06
Systemwide	\$ 1,341,442.85	\$ 734,133.86	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 734,133.86	\$ 607,308.99
SCAT Options									
SCAT Options	\$ 41,754.10	\$ 6,263.12	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,263.12	\$ 35,490.99
EDG EQUIPMENT C/O 3									
EDG EQUIPMENT C/O 3	\$ 89,827.50	\$ 52,471.51	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 52,471.51	\$ 37,355.99
PROFILE SYSTEM C/O 3									
PROFILE SYSTEM C/O 3	\$ 12,155.50	\$ 1,823.93	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,823.93	\$ 10,331.57
SERVICES C/O 3									
SERVICES C/O 3	\$ 30,035.00	\$ 5,181.04	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 5,181.04	\$ 24,853.96
CHANGE ORDER 4									
CHANGE ORDER 4	\$ 63,967.12		\$ 63,967.12	\$ (28,785.20)	\$ (19,190.14)	\$ (6,398.71)	\$ 9,595.07	\$ 9,595.07	\$ 54,372.05
CHANGE ORDER 5									
CHANGE ORDER 5	\$ 514,714.69		\$ 514,714.69	\$ (251,621.61)	\$ (154,414.41)	\$ (51,471.47)	\$ 77,207.20	\$ 77,207.20	\$ 437,507.49
Total	\$ 7,676,725.03	\$ 3,996,834.59	\$ 578,681.81	\$ (260,406.81)	\$ (173,604.54)	\$ (57,668.18)	\$ 86,509.27	\$ 4,063,636.86	\$ 3,593,088.17

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

12/11/2002

Harrison County Emergency Communications Commission
15309-B Community Road
Gulfport, MS 39503

Dear Sirs:

I am writing in reference to scope of work billed on M/A Com invoice MEMINVHC14TH. The 83,512.89 figure represents forty-five percent of the value for the delivery of the Alcatel microwave equipment, Decibel cabinets, multiplexes, cables, connectors, power distribution units, Decibel tower top amps, speaker kits, and Allen-Telecom connection kits for the various sites. Finally, the Services on line three and line eleven are calculated based on three percent of the total services pricing. If you have any further questions or concerns, please contact me at 434-385-2669.

Thank you,



Tamara Hawkins
Project Financial Analyst
M/A COM, PRS
434-385-2669 Voice
434-385-2182 Fax

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

tyco

Electronics

M/A-COMP.O. BOX 2406
Lynchburg, VA 24501

FEDERAL ID # 25-1649837

RENEWAL NOTICE: NO RENEWAL DATE TO
 M/A-COM
 DEPT AT 40432
 ATLANTA, GA 31192-0432

For Billing Inquiries Only call:
 TAMARA HAWKINS
 800-305-2569
 For Collection/Account balance inquiries call:

PAYMENT TERMS

Net 45

SERVICE DATE 12/11/02

ISSUED NUMBER

MEMPHVC14TH

CUSTOMER NO.	19123	P.T.O.	C444	CUSTOMER P.O. NUMBER	Contract Dated 6/11/01	SHIP TO	12/11/02	ISSUE NUMBER	MEMINVHC14TH
HARRISON COUNTY EMERGENCY COMMUNICATIONS COMMISSION ATTN: MR. GIL BAILEY 15309B COMMUNITY ROAD GULFPORT, MS 39503				HARRISON COUNTY EMERGENCY COMMUNICATIONS COMMISSION ATTN: MR. GIL BAILEY 15309B COMMUNITY ROAD GULFPORT, MS 39503					
ITEM NO.	DESCRIPTION			NOTE	QUANTITY	UNIT PRICE	EXTENDED AMOUNT		
C444	TO INVOICE THE COUNTY OF HARRISON FOR FORTY-FIVE PERCENT (45%) OF CONTRACT PRICE DUE AT DELIVERY OF SYSTEM COMPONENTS TO YOUR PREMISES PER 1.5 PURCHASE PAYMENT SCHEDULE. IN ACCORDANCE WITH SEC 4 PRICING (PARTS DETAIL REPORT) CONTAINED IN MAY 14, 2001 HARRISON COUNTY EOACS SYSTEM EXPANSION (MRP 21143)								
	Vendor & Services								
001	Biloxi North				1	\$63,168.31	\$63,168.31		
	Chg Ord 1 Reduction				1	(\$96,531.75)	(\$96,531.75)		
002	Biloxi South				1	\$6,079.33	\$6,079.33		
003	Systemwide Services (3%) (System Engr, Project Mgmt, etc)				1	\$40,243.29	\$40,243.29		
	Biloxi								
004	Biloxi North				1	\$1,200.00	\$1,200.00		
005	Biloxi South				1	\$3,200.00	\$3,200.00		
006	Fire Station Paging				1	\$13,227.60	\$13,227.60		
	Harrison / Gulfport								
007	Control Pt Upgrade - Gulfport				1	\$9,469.64	\$9,469.64		
008	North Site Upgrade				1	\$105,483.45	\$105,483.45		
009	South Site Upgrade				1	\$5,254.54	\$5,254.54		
	Harrison GP West								
010	GP West				1	\$21,733.24	\$21,733.24		
	Change Order 3								
011	Profile System				1	\$12,155.50	\$12,155.50		
012	Services				1	\$901.05	\$901.05		
	SUBTOTAL						\$185,584.20		
	LESS 15% ADVANCE						(\$27,837.63)		
	LESS 30% DUE UPON INSTALLATION						(\$55,675.26)		
	LESS 10% DUE UPON ACCEPTANCE						(\$18,558.42)		
	AMOUNT DUE NOW						\$83,512.89		
TOTAL AMOUNT BILLED							\$83,512.89		

INVA. CLAIM CERTIFIES THAT THE GOODS COVERED BY THIS INVOICE WERE PRODUCED IN COMPLIANCE WITH ALL APPLICABLE REQUIREMENTS OF SECTIONS 6.7 AND 12 OF THE FAIR LABOR STANDARDS ACT, AS AMENDMENTS AND OF NEGOTIATIONS ARE UNDERWAY.

FOR 1530, PRINTED SEATTLE'S DEPARTMENT OF LABOR (ISSUED) UNDER SECTION 16.14 THE REOF

ENCL. & CORRESPONDENCE ONLY
MAIL ROOM
CREDIT AND COLLECTIONS
P.O. BOX 2040
FAIRBANKS, ALASKA 99701

ORIGINAL

M/A-COM certifies that the goods covered by this invoice were produced in compliance with the applicable requirements of Sections 57 and 13 of the Fair Labor Standards Act, as amended, and of Regulations and Orders of the United States Department of Labor issued under Section 14 of the Act.

EXACT CORRESPONDENCE ONLY TO:
 M/A-COM
 CREDIT AND COLLECTIONS
 P.O. BOX 2406
 LYNCHBURG, VA 24501

ORIGINAL
 AN EQUAL OPPORTUNITY EMPLOYER

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

12/11/2002

Harrison County Emergency Communications Commission
15309-B Community Road
Gulfport, MS 39503

Dear Sirs:

I am writing in reference to scope of work billed on M/A Com invoice MEMINVHC15TH. The 430,925.38 figure represents thirty percent of the value for the following installations. First, CII installed the Biloxi North 10 Channel Simulcast TX site. Next, CII installed the expansion for Gulfport North and South. Also, the CBC/IMC upgrade and Control Point Voter Upgrade located at the Gulfport North site was completed. Finally, CII installed the Gulfport West 20 Channel Simulcast TX site. Secondly, Alcatel finished the install of Biloxi North, Gulfport North, and Gulfport West. All of these items are listed on the vendor and services pricing sheet. Finally, the Systemwide Services charged are calculated based on seventeen percent of the total systemwide services pricing also found in the Vendor and Services pricing detail. If you have any further questions or concerns, please contact me at 434-385-2669

Thank you,



Tamara Hawkins
Project Financial Analyst
M/A COM, PRS
434-385-2669 Voice
434-385-2182 Fax

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

tyco
Electronics
M/A-COM
P. O. BOX 2000
Lynchburg, VA 24501
FEDERAL ID # 25-1849837

SEND PAYMENT SHOWING INVOICE NO. & INVOICE DATE TO:
M/A-COM
DEPT AT 40432
ATLANTA, GA 31192-0432

For Billing Inquiries Only call:
TAMARA HAWKINS
804-385-2669
For Collection/Account balance Inquires call:

PAYMENT TERMS:
Net 45
INVOICE DATE: 12/11/02 INVOICE NUMBER: MEMINVHC15TH

CUSTOMER NO. 19123	P.O. C444	CUSTOMER P.O. NUMBER Contract Dated 6/11/01	INVOICE DATE 12/11/02	INVOICE NUMBER MEMINVHC15TH	
BILL TO HARRISON COUNTY EMERGENCY COMMUNICATIONS COMMISSION ATTN: MR. GIL BAILEY 15309B COMMUNITY ROAD GULFPORT, MS 39503		SHIP TO HARRISON COUNTY EMERGENCY COMMUNICATIONS COMMISSION ATTN: MR. GIL BAILEY 15309B COMMUNITY ROAD GULFPORT, MS 39503			
ITEM NO.	DESCRIPTION	NOTE	QUANTITY	UNIT PRICE	EXTENDED AMOUNT
C444	TO INVOICE THE COUNTY OF HARRISON FOR THIRTY PERCENT (30%) OF CONTRACT PRICE DUE AT INSTALLATION OF SYSTEM COMPONENTS TO YOUR PREMISES PER 1.5 PURCHASE PAYMENT SCHEDULE. IN ACCORDANCE WITH SEC 4 PRICING (PARTS DETAIL REPORT) CONTAINED IN MAY 14, 2001 HARRISON COUNTY EDACS SYSTEM EXPANSION (MBP 21149)				
001	Harrison / Gulfport CEC to IMC Upgrade		1	\$548,167.70	\$548,167.70
002	Control Pt Upgrade - Gulfport		1	\$274,902.55	\$274,902.55
	Vendor & Services				
003	Biloxi North		1	\$90,753.86	\$90,753.86
004	Chg Ord 1 Reduction		1	(\$96,531.75)	(\$96,531.75)
005	Gulfport North		1	\$65,761.22	\$65,761.22
006	Gulfport West		1	\$72,231.74	\$72,231.74
007	Systemwide Services (19%) (System Engr, Project Mgmt, etc)		1	\$386,567.11	\$386,567.11
	Change Order 3				
008	EDG Equipment		1	\$74,870.63	\$74,870.63
009	Profile System		1	\$9,116.63	\$9,116.63
010	Services		1	\$10,578.25	\$10,578.25
	SUBTOTAL				\$1,436,417.94
	LESS 15% ADVANCE				(\$215,462.69)
	LESS 45% DUE UPON EQUIPMENT DELIVERY				(\$646,388.07)
	LESS 10% DUE UPON ACCEPTANCE				(\$143,641.79)
	AMOUNT DUE NOW				\$430,925.38
TOTAL AMOUNT BILLED					\$430,925.38

M/A-COM CERTIFIES THAT THE GOODS COVERED BY THIS INVOICE WERE PRODUCED IN COMPLIANCE WITH ALL APPLICABLE REQUIREMENTS OF SECTIONS 6.7 AND 12 OF THE FAIR LABOR STANDARDS ACT, AS AMENDED, AND OF REGULATIONS AND ORDERS OF THE UNITED STATES DEPARTMENT OF LABOR ISSUED UNDER SECTION 14 (THE HOFER).

DIRECT CORRESPONDENCE ONLY TO:
M/A-COM
CREDIT AND COLLECTIONS
P.O. BOX 2000
LYNCHBURG, VA 24501

ORIGINAL
AN EQUAL OPPORTUNITY EMPLOYER

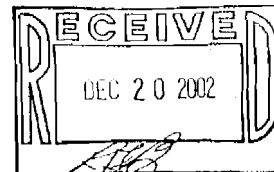
Harrison County
C444 C033551
19123
30% Invoice #15 Billing Detail

	Revised Contract Value Chg Ord 5	Previously Invoiced 1 - 14	This Period	Less 15% Ownpymt	Less 45% Delivery	Less: 10% Final Acceptance	30% Amount Due This Invoice	Total Invoiced to Date	Balance to Invoice
Biloxi									
Ancillary Multiplexers	\$ 42,069.60	\$ 25,241.76	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 25,241.76	\$ 16,827.84
Backup Control Station	\$ 64,460.50	\$ 38,426.45	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 38,426.45	\$ 26,034.05
Control Point	\$ 79,633.40	\$ 47,780.04	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 47,780.04	\$ 31,853.36
Biloxi North	\$ 341,384.76	\$ 218,482.96	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 218,482.96	\$ 122,901.80
Biloxi South	\$ 591,686.31	\$ 322,631.27	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 322,631.27	\$ 268,655.05
Fire Station Paging	\$ 224,071.60	\$ 129,742.76	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 129,742.76	\$ 94,328.84
Harrison County Exp Console	\$ 300,715.10	\$ 180,429.06	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 180,429.06	\$ 120,286.04
Harrison County Consoles	\$ 29,273.40	\$ 17,564.04	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 17,564.04	\$ 11,709.36
Interoperability	\$ 66,657.36	\$ 41,432.16	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 41,432.16	\$ 45,265.20
Harrison/Gulfport									
CEC to IMC Upgrade	\$ 548,167.70	\$ 315,184.31	\$ 548,167.70	\$ (82,225.16)	\$ (246,675.47)	\$ (54,616.77)	\$ 164,450.31	\$ 479,634.62	\$ 69,533.08
Control Pt Upgrade -Gulfport	\$ 289,371.10	\$ 138,894.90	\$ 274,902.55	\$ (41,235.38)	\$ (123,706.15)	\$ (27,490.25)	\$ 82,470.76	\$ 221,365.67	\$ 68,005.43
CSD300 to CSD500 Upgrade	\$ 57,715.00	\$ 34,629.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 34,629.00	\$ 23,086.00
North Site Upgrade	\$ 248,475.60	\$ 173,299.21	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 173,299.21	\$ 75,176.39
South Site Upgrade	\$ 248,475.60	\$ 114,561.71	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 114,561.71	\$ 133,913.89
Harrison GP West									
GP West	\$ 504,327.04	\$ 284,064.04	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 284,064.04	\$ 220,263.01
Vendor & Services									
Biloxi North	\$ 938,181.15	\$ 744,026.27	\$ 90,753.66	\$ (13,613.08)	\$ (40,839.24)	\$ (9,075.39)	\$ 27,226.16	\$ 771,254.43	\$ 166,926.72
Chg ord No. 1 To Biloxi North Vendor	\$ (96,531.75)	\$ (57,919.05)	\$ (96,531.75)	\$ 14,479.76	\$ 43,439.29	\$ 9,653.18	\$ (28,959.53)	\$ (86,878.58)	\$ (9,653.17)
Biloxi South	\$ 451,171.35	\$ 143,281.06	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 143,281.06	\$ 307,910.29
Gulfport North	\$ 263,784.60	\$ 122,577.14	\$ 65,761.22	\$ (9,864.16)	\$ (29,592.55)	\$ (6,576.12)	\$ 19,728.37	\$ 142,305.51	\$ 121,479.09
Gulfport South	\$ 21,867.30	\$ 3,280.10	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,280.10	\$ 18,587.21
Gulfport West	\$ 347,831.55	\$ 218,698.49	\$ 72,231.74	\$ (10,834.76)	\$ (32,504.28)	\$ (7,223.17)	\$ 21,669.52	\$ 240,368.01	\$ 107,463.54
Systemwide	\$ 1,341,442.85	\$ 752,243.34	\$ 386,567.11	\$ (57,985.07)	\$ (173,955.20)	\$ (38,656.71)	\$ 115,970.13	\$ 658,213.47	\$ 473,229.38
SCAT Options	\$ 41,754.10	\$ 6,263.12	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,263.12	\$ 35,490.99
Change Order 3									
EDG Equipment	\$ 99,827.50	\$ 52,471.51	\$ 74,870.63	\$ (11,230.59)	\$ (33,691.78)	\$ (7,487.06)	\$ 22,461.19	\$ 74,932.70	\$ 24,894.80
Profile System	\$ 12,155.50	\$ 7,293.31	\$ 9,116.83	\$ (1,367.49)	\$ (4,102.48)	\$ (911.66)	\$ 2,734.99	\$ 10,028.30	\$ 2,127.20
Services	\$ 30,035.00	\$ 5,566.51	\$ 10,578.25	\$ (1,536.74)	\$ (4,760.21)	\$ (1,057.63)	\$ 3,773.48	\$ 8,759.99	\$ 21,275.02
CHANGE ORDER 4	\$ 63,967.12	\$ 9,595.07	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9,595.07	\$ 54,372.05
CHANGE ORDER 5	\$ 514,714.69	\$ 77,207.20	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 77,207.20	\$ 437,507.49
Total	\$ 7,676,725.03	\$ 4,167,149.74	\$ 1,436,417.93	\$ (215,462.69)	\$ (646,399.07)	\$ (143,641.79)	\$ 430,925.38	\$ 4,598,075.11	\$ 3,078,649.92

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MOSES
ENGINEERS



December 16, 2002

Mr. Gil Bailey
HARRISON COUNTY
911 COMMUNICATIONS COMMISSION
 15309B Community Road
 Gulfport, MS 39503

REFERENCE: Countywide 800 MHz Radio System
 ME File No. 2000-007

SUBJECT: M/A-Com Invoices
 MEMINVHC13TH
 MEMINVHC14TH
 MEMINVHC15TH

Dear Gil:

We have received three invoice submittals, MEMINVHC13TH, MEMINVHC14TH and MEMINVHC15TH, from M/A COM for review.

Invoice MEMINVHC13TH, \$86,802.27, is for the initial 15% contract value for Change Order No. 4 (antenna components) and Change Order No. 5 (Biloxi-South Tower).

Invoice MEMINVHC14TH, \$83,512.89, represents 45% of the value of delivered microwave equipment, antenna system components and technical services.

Invoice MEMINVHC15TH, \$430,925.38, represents installation services completed at all sites except for Biloxi-South.

These invoices appear correct and should be processed for payment.

Yours very truly,

MOSES ENGINEERS

Dominic F. Tusa

DFT/vsm

Enclosures

CONSULTING ENGINEERS

Mechanical
 Electrical
 Telecommunications
 909 Poydras Street, Suite 2150
 New Orleans, Louisiana 70112-1034
 Tel. 504-586-1725
 Fax 504-586-1846
 email: MOSES@MOSESENGINEERS.com



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**Harrison County Emergency
Communications Commission**

15309-B Community Road, Gulfport, Mississippi 39503

Phone (228) 831-0760 • Fax (228) 831-0762

e-mail address: harrison911@co.harrison.ms.us

TO: HCECC Members

FROM: Robert Bailey, 911 Coordinator *RB*

RE: M/A-Com Invoices # MEMINVHC13TH / MEMINVHC14TH /
MEMINVHC15TH

DATE: December 20, 2002

I have reviewed the above referenced invoices and determined that the services and equipment indicated have been performed or delivered. Therefore, pursuant to the requirements of the contract I recommend that these invoices be approved for payment.



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RESOLUTION AUTHORIZING PAYMENT
IN THE AMOUNT OF \$601,240.54 TO M/A - COM CRITICAL RADIO SYSTEMS, INC.
AND REQUESTING THE BOARD OF SUPERVISORS OF HARRISON
COUNTY, MISSISSIPPI TO MAKE SUCH PAYMENT

WHEREAS, the Harrison County Emergency Communications Commission was created by the Board of Supervisors under authority of §19-5-305, Mississippi Code Annotated, as amended, and its membership represents all city and county public safety agencies in the County, and the Harrison County Emergency Communications Commission is governed and empowered according to §§ 19-5-301, et seq., Mississippi Code Annotated, as amended; and

WHEREAS, the Harrison County Emergency Communications Commission, with the authorization of the Harrison County Board of Supervisors, entered into a contract with M/A-COM Critical Radio Systems, Inc. on June 11, 2001, for the purchase and installation of components of a county-wide emergency communications system within Harrison County; and

WHEREAS, The Commissioners of the Harrison County Emergency Communications Commission found that all the communications systems, equipment, contracts, assignments, leases, warranties, licenses, and other assets, which are the subject of its contract with M/A-COM Critical Radio Systems, Inc., were reasonable and necessary for carrying out the purposes and intent of §§ 19-5-301 through 19-5-319 of the Mississippi Code of 1972 Annotated, as amended; and

WHEREAS, the Harrison County Board of Supervisors found by Resolution dated June 11, 2001, that the equipment and communications system was necessary for carrying out the purposes of the E-911 Act (§19-5-301, et seq. of the Mississippi Code of 1972 Annotated, as amended), within Harrison County; and

WHEREAS, the original contract between the Harrison County Board of Supervisors, Harrison County Emergency Communications Commission, and M/A-COM Critical Radio Systems,



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Inc., was for a total contract cost of SEVEN MILLION FIFTY TWO THOUSAND FIVE HUNDRED FIFTY SIX DOLLARS and 97/100 (\$7,052,556.97) which the Harrison County Board of Supervisors found to be fair market value; and

WHEREAS, since the contract date of June 11, 2001, the Harrison County Board of Supervisors have authorized the following Change Orders and Payments:

CONTRACT AMOUNT		PAYMENTS	
Original Contract	\$7,052,556.97	\$1,057,883.55	07/23/01
Change Order #1 - 10/01/01	-\$ 96,531.75	\$ 546,978.29	01/28/02
Change Order #2 - NO CHANGE to contract amount - 12/03/01	-0-	\$ 280,869.76	04/01/02
Change Order #3 - 05/13/02	+\$ 142,018.00	\$ 686,187.62	04/22/02
Change Order #4 - 10/28/02	+ 63,967.12	\$ 289,055.21	07/29/02
Change Order #5 - 10/28/02	+ 514,714.69	\$ 423,038.73	09/09/02
Total Contract Amount with Change Orders	\$7,676,725.03	\$ 441,854.69	10/28/02
		\$ 270,966.79	12/16/02
TOTAL PAYMENTS TO DATE		\$3,996,834.64	
AMOUNT REMAINING TO BE PAID		\$3,679,890.39	

and;

WHEREAS, pursuant to the provisions of the aforesaid contract approved by the Harrison County Board of Supervisors, M/A - COM Critical Radio Systems, Inc. has requested on Invoice No. MEMINVHC13TH, a partial payment of that portion of the payment schedule representing 15% of the total Change Orders No. 4 and 5 due at execution per Section 1.5 Purchase Payment Schedule of the contract due M/A-COM in the amount of EIGHTY SIX

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THOUSAND EIGHT HUNDRED TWO DOLLARS and 27/100 (\$86,802.27); Invoice No. MEMINVHC14TH, a partial payment of that portion of the payment schedule representing 45% of the contract due upon delivery of system components in the amount of EIGHTY THREE THOUSAND FIVE HUNDRED TWELVE DOLLARS and 89/100 (\$83,512.89); and on Invoice No. MEMINVHC15TH, a partial payment of that portion of the payment schedule representing 30% of the contract due to M/A-COM upon installation of system components in the amount of FOUR HUNDRED THIRTY THOUSAND NINE HUNDRED TWENTY FIVE DOLLARS and 38/100 (\$430,925.38), all as more fully detailed on the attached copies which are attached hereto and incorporated herein as **Exhibit "A"**; and

WHEREAS, the Commissioners of the Harrison County Emergency Communications Commission find that M/A-COM has complied with the contract with regard to the payment plan, as certified by the letter from Moses Engineers attached hereto and incorporated as **Exhibit "B"**; and

WHEREAS, the Commissioners of the Harrison County Emergency Communications Commission find that the Communications Coordinator, Gil Bailey, has certified that M/A - COM Critical Radio Systems, Inc. is entitled to said payment in the sum of SIX HUNDRED ONE THOUSAND TWO HUNDRED FORTY DOLLARS and 54/100 (\$601,240.54), as stated in his letter attached hereto and incorporated herein as **Exhibit "C"**; and

WHEREAS, the Commissioners of the Harrison County Emergency Communications Commission find that M/A - COM Critical Radio Systems, Inc., has complied with the Contract Provisions that are required for M/A - COM Critical Radio Systems, Inc. to receive said payment under the said contract in the amount of SIX HUNDRED ONE THOUSAND TWO HUNDRED FORTY DOLLARS and 54/100 (\$601,240.54), leaving a balance of THREE MILLION

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SEVENTY EIGHT THOUSAND SIX HUNDRED FORTY NINE DOLLARS and 85/100
(\$3,078,649.85;

NOW THEREFORE, BE IT RESOLVED by the Commissioners of the Harrison
County Emergency Communications Commission as follows:

SECTION 1

The Commissioners of Harrison County Emergency Communications Commission respectfully request the Harrison County Board of Supervisors to issue payment to M/A - COM Critical Radio Systems, Inc. in the amount of SIX HUNDRED ONE THOUSAND TWO HUNDRED FORTY DOLLARS and 54/100 (\$601,240.54), which is a partial payment due M/A-COM under the terms of the payment schedule set forth in the contract, at the next meeting of the Harrison County Board of Supervisors, or as soon thereafter as may be practicable, all in accordance with the terms of the contract.

RESOLVED on this the 21st day of January, 2003.

The above and foregoing Resolution pertaining to M/A-COM Invoices No. MEMINVHC13TH; MEMINVHC14TH; and MEMINVHC15TH was introduced by Commissioner TAYLOR, who moved the adoption of same. Said Motion was seconded by Commissioner MIXON. Upon being put to vote, the results were as follows:

Chief RICH MARVIL, Pass Christian Fire Department

AYE

Chief BRUCE DUNAGAN, Biloxi Police Department

ABSENT

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Sheriff GEORGE H. PAYNE, JR., Harrison County Sheriff's Dept. (JUAN ALLEN-PROXY)	<u>AVE</u>
LINDA ROUSE, Harrison County Civil Defense	<u>AVE</u>
Chief GEORGE MIXON, Harrison County Fire Services	<u>AVE</u>
Chief WAYNE PAYNE, Gulfport Police Department (CARL GANGEMI-PROXY)	<u>AVE</u>
Chief PAT SULLIVAN, Gulfport Fire Department	<u>ABSENT</u>
BOBBY SPAYDE, 1st Judicial District	<u>AVE</u>
JEFF TAYLOR, 2nd Judicial District	<u>AVE</u>
STEVE FORD, County at Large	<u>AVE</u>
STEVE DELAHOUSEY, Emergency Medical Services	<u>AVE</u>
HARLEY SHINKER, Long Beach Police Department	<u>AVE</u>
JIM COMER, D'Iberville Fire Department (GERALD SMITH-Asst. Chief)	<u>AVE</u>
JOHN DUBUISSON, Pass Christian Police Department	<u>AVE</u>
CAPT. ALBERT SANTA CRUZ, Mississippi Highway Patrol	<u>ABSENT</u>
CHIEF GEORGE BASS, Long Beach Fire Department	<u>AVE</u>
CHIEF DAVID ROBERTS, Biloxi Fire Department (Roy Beddingfield-proxy)	<u>AVE</u>

WHEREUPON, Chairman Steve Delahousey declared the motion carried and the resolution adopted on the 21st day of January, 2003.

HARRISON COUNTY EMERGENCY
COMMUNICATIONS COMMISSION

BY: Steve Delahousey

ATTEST:

Robert D. Barber

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Supervisor **WILLIAM W. MARTIN** moved adoption of the following:

**ORDER APPROVING PAYMENT OF CLAIMS FOR SERVICES RENDERED TO THE
911 COMMISSION AS APPROVED BY SAME ON JANUARY 21, 2003, AS
LISTED**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY APPROVE payment of the following claims for services rendered to the 911 Commission as approved by same on January 21, 2003:

- a) \$1,054.17 to Fullhouse Venture Company L.P. for rental of warehouse to store radio system infrastructure for the county wide radio system, payable from 097-287-530.
- b) \$2,063.22 to Dukes, Dukes, Keating & Faneca, P.A. for legal services, payable from 097-287-550.
- c) \$58,590.00 to Guild-Hardy Architects, P.A. for needs assessment/feasibility study (75% complete) of the 911 consolidated dispatch center, payable from 097-287-556.

Supervisor **CONNIE M. ROCKCO** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

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MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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Supervisor **LARRY BENEFIELD** moved adoption of the following:

ORDER ACCEPTING RESIGNATIONS, AS LISTED

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY ACCEPT the resignation of Albert White, Human Services, Maintenance, effective February 14, 2003.

Supervisor **WILLIAM W. MARTIN** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

MINUTE BOOK
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Supervisor **WILLIAM W. MARTIN** moved adoption of the following:

**ORDER CONCURRING WITH COUNTY ADMINISTRATOR ON REPLACEMENTS
AND CHANGES, AS LISTED**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY CONCUR with County Administrator on the following replacements and changes:

Eva Sullivan, Youth Court Shelter, Child Care Worker, going from part time to full time with no change in salary, effective February 1, 2003, replacing Sherry Price who was making \$9.02 an hour.

Shemaine Reynolds, Human Services, Case Manager, regular full time at a rate of \$757.97 bimonthly, effective February 1, 2003, replacing Diana Kuns who was making \$757.97 bimonthly.

Supervisor **LARRY BENEFIELD** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

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MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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Supervisor **LARRY BENEFIELD** moved adoption of the following:

**ORDER APPROVING PAYMENT OF ACCIDENT RELATED CLAIMS TO BE PAID
FROM THE TORT ACCOUNT, AS LISTED**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY APPROVE payment of the following accident related claims, to be paid from the tort account:

- 1) \$85.00 payable to North Bay Towing and Truck Salvage in the claim of John Gustin, as recommended by Safety Officer Andy Guerra.
- 2) \$377.79 payable to Charlie Henderson Ford for the claim of Shannon Necaie, as recommended by Safety Officer Andy Guerra.
- 3) \$524.05 payable to Associated Adjusters for services rendered on the claim of Marsha Garrett.
- 4) \$1,652.50 payable to Associated Adjusters for services rendered on the claim of Iris Jackson.
- 5) \$1,219.10 payable to Associated Adjusters for services rendered on the claim of Donald R. Roberson.
- 6) \$414.05 payable to Associated Adjusters for services rendered on the claim of Shella Mance.
- 7) \$150.00 payable to Associated Adjusters for services rendered on the claim of Leroy Bryant.
- 8) \$304.67 payable to Associated Adjusters for services rendered on the claim of Stewart Waltman.
- 9) \$418.10 payable to Associated Adjusters for services rendered on the claim of Robert Vanlieu, Sr.
- 10) \$459.16 payable to Associated Adjusters for services rendered on the claim of Shella Mance.
- 11) \$275.90 payable to Associated Adjusters for services rendered on the claim of Constance Tolby.
- 12) \$201.44 payable to Dunaway Glass for windshield damage to Robin Sullivan's vehicle as recommended by Safety Officer Richard Quave.

Supervisor **WILLIAM W. MARTIN** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE

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Supervisor WILLIAM W. MARTIN voted

AYE

Supervisor CONNIE M. ROCKCO voted

AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

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Supervisor **CONNIE M. ROCKCO** moved adoption of the following:

**ORDER AUTHORIZING THE EMPLOYMENT OF ONE PART-TIME PC SPECIALIST
FOR THE DATA PROCESSING DEPARTMENT**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY AUTHORIZE the employment of one Part-time PC Specialist for the Data Processing Department.

Supervisor **LARRY BENEFIELD** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

The Sheriff's representative reported that 1,020 persons are currently housed in the Harrison County Jail Facilities.

* * *

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Supervisor **LARRY BENEFIELD** moved adoption of the following:

**ORDER RESCINDING ORDER DATED DECEMBER 2, 2002 APPROVING LIST OF
SURPLUS PROPERTY FOR THE SHERIFF'S DEPARTMENT**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY RESCIND Order dated December 2, 2002, Minute Book 374, page 396, approving list of surplus property for the Sheriff's Department.

Supervisor **CONNIE M. ROCKCO** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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Supervisor **LARRY BENEFIELD** moved adoption of the following:

ORDER APPROVING UPDATED LIST OF SURPLUS PROPERTY FROM THE
SHERIFF'S DEPARTMENT DATED JANUARY 15, 2003

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY APPROVE the updated list of surplus property from the Sheriff's Department dated January 15, 2003:

HARRISON COUNTY
 SHERIFF'S DEPARTMENT

DECLARED SURPLUS PROPERTY BY BOARD OF SUPERVISORS ON DECEMBER 2, 2002

MAKE	MODEL	SERIAL NO.	ASSET NO.	MAKE	MODEL	SERIAL NO.	ASSET NO.
BERETTA	92FC	D42727Z	5105	S&W	6906	VJN1717	
BERETTA	92FS	247015Z	13225	S&W	5906	TZC7199	8472
BERETTA	380	F16669Y	13227	S&W	TSW40-13	MSF8425	13266
COLT		19679		S&W	CS45	EKW7129	10992
DAN WESSON	357	268785		S&W	686	AJU0898	3303
GLOCK	21	AHV852	EVIDENCE	S&W	19	4K86325	
GLOCK	21	CWK178	13231	S&W	686	AJM9421	3080
GLOCK	19	EX958	13240	S&W		BPD2962	8509
GLOCK	21	CWK177	13232	S&W	686	AFP9733	1705
GLOCK	21	ACU298	EVIDENCE	S&W	686	AJM2131	3081
RUGER		30492178		S&W	688	AJH4140	3073
RUGER		30276155		S&W	686	AJM7270	3085
RUGER		30333345		S&W	38 CAL	ADA9893	
S&W	5906	TZD5836	8465	S&W	686	AEY7286	1707
S&W	CS45	EKW7140	10983	S&W	686	ATF6369	1700
S&W	5906	TZD5890	8481	S&W	686	ATF6352	1710
S&W	5906	TZD5955	8469	S&W	686	AJM1454	3079
S&W	TSW40-13	MSF8408	13265	S&W	686	ATF6398	1702
S&W	6906	TZW3480	13269	S&W	686	ATF5423	1713
S&W	5906	TZD5819	8466	S&W	19	4K89578	8490
S&W	5906	TZD5915	8467	S&W		4K88972	3151
S&W	5906	AIP0528	5165	S&W	19	2K41705	274
S&W	5906	VAV5502	13270	S&W	686	AFA0972	1704
S&W	5906	TZD5799	8468	S&W	19	2K43857	268
S&W	5906	VEC2091	13272	S&W	19	2K41161	8848
S&W	5906	TZD5882	8477	S&W	686	AFS9906	1699
S&W	TSW40-13	MSF8450	13267	S&W		4K91446	
S&W		VAE0888		S&W	686	AFA0680	1708
S&W	TSW40-13	MSF7976	13262	S&W	2 1/2"	1K39233	297
S&W	5906	TZD5823	8484	S&W	686	AZH7306	4926
S&W	TSW40-13	MSF7741	13258	S&W	4"	2K41908	273
S&W	5906	TZD5938	8464	S&W	686	AFS8295	8507
S&W	5906	VCS8596	13271	S&W		AK90505	
S&W	TSW40-13	MSF7997	13264	SIG SAUER	P226	U371374	8496
S&W	CS45	EKW7065	10989	STAR	9MM	1368759	
S&W	5906	AIP0371	5166	S&W	686	AJM4353	3084
S&W	5906	TZC7758	8483	BERETTA	92F	C89853Z	8492
S&W	TSW40-13	MSF7787	13280	S&W	6906	TZU9685	3085
S&W	5906	TZD5892	8462	S&W	CS45	EKW7071	10990
S&W	5906	TVU9811	8470	S&W	5906	TZK0905	8480
S&W	5906	TZD5948	8474				
S&W	6906	TCU6247	5412	S&W	TSW40-13	MSF7711	13295
S&W	5906	TZS5386	8478	BERETTA	92F	C8953Z	8492
S&W	5906	TZD5887	8463	S&W	686	AJM4353	3084
S&W	TSW40-13	MSF7852	13261	S&W	686	AJM7787	
S&W	TSW40-13	MSF8452	13268	S&W	6906	TCF9334	5334
S&W	CS45	EKW7046	10988				

Attn: Major Brisolara

Added to List
1/15/03



MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **CONNIE M. ROCKCO** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **LARRY BENEFIELD** moved adoption of the following:

**ORDER APPROVING PURCHASE OF A GERMAN SHEPHERD FROM LOW QUOTE
 SUBMITTED BY US K-9 UNLIMITED IN THE AMOUNT OF \$13,000.00, PAYABLE
 FROM 030-266-922 AND APPROVING LINE ITEM TRANSFERS OF \$6,500.00
 FROM 030-266-917 AND \$6,500.00 FROM 030-266-919 TO 030-266-922**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY APPROVE purchase of a German Shepherd from low quote submitted by US K-9 Unlimited in the amount of \$13,000.00, payable from 030-266-922 and approving line item transfers of \$6,500.00 from 030-266-917 and \$6,500.00 from 030-266-919 to 030-266-922. The quotes received are as follows:

Invoice

US K9 UNLIMITED, INC.

10910 Odilon Rd.

Kaplan

Phone: 337 643 2473

Fax: 337 892 9970

Email: usk9unlimited@kaplantel.net

La 70548

Date: 1/19/2003

Invoice Number: 001

PO Number:

Due Date: 1/19/2003

Shipping Method:

Billing Address

Harrison County S.O.
 P.O. Box 1480

Gulfport Ms 39502

Shipping Address

Harrison County S.O.
 P.O. Box 1480

Gulfport Ms 39502

Item	Description	Qty/Hours	Price/Rate	Total
(1)	Imported German Shepherd trained in Bomb/Patrol	1	13,000	13,000.00

Customer Note:

030-266-922

Motor Vehicle Grant

SubTotal:

Tax:

Total:

13,000.00

0.00

13,000.00

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

1/28/2003 4:41 PM FROM: US K9 357 892 9270 US K9 Unlimited, Inc. TO: 1-228 865 7071 PAGE: 002 OF 002

METRO DADE K9 TRAINING CENTER

17940 S.W. 168th St.
Miami, FL 33187
Office: 305 971 7283
Fax: 305 278 1964

January 28, 2003

Mr. Sauro

Thank you for inquiring with Metro K9 center. The cost of a trained Dual purpose - Bomb detection / Patrol dog will be \$ 16,000.00 This will include a three week handler course. Lodging is available at \$ 65.00 per night. If you have any questions, feel free to contact us anytime.

Sincerely,

Tony Guzman
President/CEO

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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Supervisor **CONNIE M. ROCKCO** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

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**MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM**

Supervisor LARRY BENEFIELD moved adoption of the following:

**ORDER APPROVING PURCHASE OF TWO DESTROYIT MODEL 3102 PAPER
SHREDDERS FROM LOW QUOTE SUBMITTED BY C&C OFFICE SUPPLY CO. AT A
COST OF \$1,195.00 EACH, PAYABLE FROM 001-200-919, AND APPROVING
LINE ITEM TRANSFER THEREFOR**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY APPROVE purchase of two Destroyit Model 3102 paper shredders from low quote submitted by C&C Office Supply Co. at a cost of \$1,195.00 each, payable from 001-200-919, and approving line item transfer therefor. The quotes received are as follows:

WELCH

OFFICE MACHINES

SALES-SERVICE-RENTAL

228-864-2011 (FAX) 228-864-2082

1799 PASS RD. GULFPORT, MS. 39501

January 20, 2003

Harrison County Sheriff's Office
Gulfport, Ms 39503

Attn: Sandy.

Thank you for the opportunity to quote to you the prices of our shredders.

We have two shredders by Kobra. The 240SS5 retails for \$995.00, however, we can let you have this shredder for \$850.00.

The Kobra 260SS5 retails for \$1995.00 and we can let you have this shredder for \$1395.00.

These shredders are heavy-duty and can give you years of good service. See attached.

We have been in business on the Gulf Coast for over 29 years. If we can be of further service, please call.

Sincerely,

Jessie Welch

Jessie Welch

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

HHH. Janday

HARRISON COUNTY
SHERIFF'S DEPARTMENT
BID SHEET

PHONE # 228-898-0617
CONTACT: SANDY RICKETT

FAX # 228-898-0808

PLEASE BID AS DESCRIBED INCLUDING ITEM NUMBER, SIZE, SHIPPING COST, ETC.

[illegible]

VENDOR NAME

C+C Office Supply

CONTACT PERSON

high level

BID FIRM FOR

DAYS

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **WILLIAM W. MARTIN** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

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MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **WILLIAM W. MARTIN** moved adoption of the following:

ORDER APPROVING CLAIMS DOCKET, PER STATUTE

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the

Board does HEREBY APPROVE the following claims docket, per statute:

FUND	DESCRIPTION	BEGINNING CLAIM	ENDING CLAIM
001	GENERAL COUNTY FUND	6793	4013
002	SPECIAL LEVY REAPP (ESCROW)	114	117
003	EXCESS TAX BID	8	8
029	SHERIFFS FEDERAL FORFEITURE	8	8
030	FEDERAL GRANT	85	89
061	R S V P FEDERAL	175	327
096	REAPPRAISAL FUND	37	37
106	VOLUNTEER FIRE	186	191
114	SHERIFF'S FORFEITURE FUND	21	21
115	SHERIFF'S CANTEEN FUND	64	65
125	STATE TRIAD GRANT	36	37
127	H/C WASTEWATER FUND	12	12
150	ROAD FUND	1010	1055
156	ROAD PROTECTION FUND	205	213
160	BRIDGE & CULVERT FUND	87	89
210	GENERAL COUNTY B & I SKG FUND	41	42
301	CAPITAL PROJECT ROAD FUND	18	18
303	MS DEV BANK \$10M	63	64
681	PAYROLL CLEARING FUND	193	201

Supervisor **LARRY BENEFIELD** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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Supervisor **BOBBY ELEUTERIUS** moved adoption of the following:

ORDER APPROVING PAYMENT OF CLAIMS, AS LISTED

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY APPROVE payment of the following claims:

- a) \$1,552.63 to Brown & Mitchell, Invoice No. 12004, services from 11/1/02 to 1/16/03 on the HARCO Sand Beach Maintenance Project, payable from 156 355 581.
- b) \$5,000.00 to Knesal Engineering, Invoice #23-014, services on the Long Beach Pier Repair 12/16/02 through 1/22/03, payable from 156 355 555.
- c) \$10,634.96 to Harrison County Wastewater and Solid Waste Management Dist., Harrison County's share of annual household hazardous waste day, payable from 002 100 581.
- d) \$145.00 to John Fayard Moving & Warehousing, Inv. #T003070, monthly rental on R151, payable from 304 238 581.
- e) \$1,505.00 to Eddie M. Bigelow, services rendered to administer the Unmet Needs Project for January 2003, payable from 001 100 581.
- f) \$4,500.00 to Specialty Abatement Services, Inc. for demolition and clearance of improvements at 7288 Magnolia Drive, Pass Christian, payable from 045 651 701 (Unmet Needs Project).
- g) \$1200.00 to Appraisin, four separate appraisals at \$300.00 each, as follows: 16456 Lamey Lane, 5284 Tuxachanie Drive, 218 Walthall Dr., and 18256 Blackwell Farm Road, payable from 045 651 701 (Unmet Needs).

Supervisor **LARRY BENEFIELD** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **CONNIE M. ROCKCO** moved adoption of the following:

**ORDER APPROVING \$7,500.00 PAYMENT TO DON BLANCHARD AND
AUTHORIZING BOARD PRESIDENT TO EXECUTE REQUEST FOR PAYMENT NO.
5, UNMET NEEDS GRANT PROGRAM, TO BE PAID UPON RECEIPT OF FUNDS
FROM 045 651 701**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY APPROVE \$7,500.00 payment to Don Blanchard; and the Board does HEREBY AUTHORIZE the Board president to execute Request for Payment No. 5, Unmet Needs Grant Program, to be paid upon receipt of funds from 045 651 701.

Supervisor **BOBBY ELEUTERIUS** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

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MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **WILLIAM W. MARTIN** moved adoption of the following:

**ORDER AUTHORIZING PAYMENT OF TORT CLAIM FROM THE TORT ACCOUNT,
AS LISTED**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY AUTHORIZE the following payment of a tort claim from the tort account:

\$6,681.02 to Benedict Engineering Co., Inc., expert witness fee in matter of Estate of Robin Clark Irby v. Harrison County, et al., recommended for payment by attorney Karen J. Young.

Supervisor **LARRY BENEFIELD** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

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MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **CONNIE M. ROCKCO** moved adoption of the following:

ORDER AUTHORIZING REFUND FOR OVERPAYMENT OF TAXES, AS LISTED

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY AUTHORIZE refund for overpayment of taxes, \$277.98 to Lueville Bonita Cuffee, parcel #0810C-06-013.000, parcel erroneously assessed.

Supervisor **WILLIAM W. MARTIN** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **WILLIAM W. MARTIN** moved adoption of the following:

ORDER AUTHORIZING REDEMPTIONS FOR ERRONEOUS TAX SALES, AS LISTED

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY AUTHORIZE redemptions for erroneous tax sales, as follows:

FIRST JUDICIAL DISTRICT - JOHN McADAMS

- a) \$158.24, parcel 0908P-01-001.000, erroneous assessment.
- b) \$4,341.26, parcel 1110B-01-001.184, erroneously assessed with improvements.

Supervisor **BOBBY ELEUTERIUS** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

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MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **CONNIE M. ROCKCO** moved adoption of the following:

**ORDER ACKNOWLEDGING RECEIPT OF MINUTES AND EXPENDITURES OF THE
HARRISON COUNTY DEVELOPMENT COMMISSION, RECEIVED BY AND ON FILE
WITH THE CLERK OF THE BOARD/COUNTY AUDITOR PER SEC. 59-9-27(2),
MISS. CODE OF 1972, FOR THE FOLLOWING MEETINGS: OCTOBER 29, 2002;
NOVEMBER 26, 2002; AND DECEMBER 20, 2002**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY ACKNOWLEDGE receipt of Minutes and Expenditures of the Harrison County Development Commission, received by and on file with the Clerk of the Board/County Auditor per Sec. 59-9-27(2), Miss. Code of 1972, for the following meetings: October 29, 2002; November 26, 2002; and December 20, 2002.

Supervisor **WILLIAM W. MARTIN** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

Supervisor **LARRY BENEFIELD** moved adoption of the following:

ORDER REJECTING THE LOW BID OF SUMRALL CONSTRUCTION COMPANY, INC. FOR THE HARRISON COUNTY PEDESTRIAN PATHWAY, PHASE II, PROJECT NO. STP-0024-00(15) DUE TO NON-EXECUTION OF THE NON-COLLUSION AFFIDAVIT, AS RECOMMENDED BY BROWN & MITCHELL, INC., PROJECT ENGINEER

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY REJECT the low bid of Sumrall Construction Company, Inc. for the Harrison County Pedestrian Pathway, Phase II, Project No. STP-0024-00(15) due to the non-execution of the non-collusion affidavit, in accordance with the following recommendation made by Brown & Mitchell, Inc., Project Engineers:

Brown & Mitchell, Inc.

Engineers & Environmental Consultants

Gulfport, MS Biloxi, MS

January 28, 2003

Harrison County Board of Supervisors

P.O. Drawer CC

Gulfport, MS 39502

RE: Harrison County Pedestrian Pathway - Phase II
Project No. STP-0024-00(015)

Ladies and Gentlemen:

As you know, bids were received on January 21, 2003, at the Gulfport Courthouse for the above referenced project. Five (5) bids were received. We have prepared and enclosed a bid tabulation for your review.

One of the bidders, Sumrall's Construction Company, Inc., made an error on their bid proposal which we discovered during preparation of the bid tabulation (See attached copy of bid proposal page inclusive of pay item for electrical work). After we corrected this error, it was apparent that Sumrall's submitted the lowest Base Bid plus Additive Alternates "A" and "B". However, they did not complete the non-collusion affidavit which is a requirement of the Mississippi Department of Transportation to be completed in duplicate upon submission of a bid proposal (See copy of Section 102.7, Part (f) - Irregular Proposals - Mississippi Standard Specifications for Road and Bridge Construction, 1990 version). As a result of this error and as reflected by the bid tabulation, TCB Construction Company, Inc., is the next lowest bidder for the Base Bid plus Additive Alternates "A" and "B" in the amount of \$3,773,263.93.

It is our understanding that funds are available to construct the entire project - Base Bid plus Additive Alternates "A" and "B". However, we also understand that there may be some concerns relative to the construction of this project in front of the Beauvoir property (Additive Alternate "A"), and permit approval from the Department of Marine Resources (DMR) to construct the pier around the I-110 Loop in Biloxi (Additive Alternate "B") is pending.

Therefore, subject to your attorney's review, approval of the permit for the I-110 loop pier, resolution of the Beauvoir issues, and concurrence of the award of the project by the Mississippi Department of Transportation (MDOT), we hereby recommend the following:

- ☐ Rejection and disqualification of the bid submitted by Sumrall's Construction Company, Inc., due to non-execution of the non-collusion affidavit,
- ☐ Award of the contract (Base Bid plus Additive Alternates "A" and "B") to TCB Construction Company, Inc., in the amount of \$3,773,263.93

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HARCO Board of Supervisors
January 28, 2003
Page 2 of 2

In order to obtain concurrence in award by MDOT, the following documents are required:

- ☐ Copy of the minutes from the Board rejecting and disqualifying the bid submitted by Sumrall's Construction Company, Inc., as well as accepting the bid of TCB Construction Company, Inc., as the low bidder, and
- ☐ A resolution awarding the contract to TCB Construction Company, Inc., in the amount of \$3,773,263.93 specifically stating the award is subject to concurrence by MDOT.

Please provide this information to us as soon as possible for further distribution to MDOT.

If you should have any questions or comments relative to this matter, please do not hesitate to contact us at (228) 864-7612.

Sincerely,



Bill Mitchell, P.E.
President

Enclosures

cc: Mr. Bobby Weaver, Director - HARCO Sand Beach Department
Mr. Joe Meadows, Attorney - HARCO Board of Supervisors

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Section 102

(reference is made to Alternate Designs, Alternate Items, and Optional Items as defined in 101.02).

Where the bid schedule lists alternate designs or alternate items, the one alternate bid shall be designated by drawing a line or lines through other listed alternate(s) as provided, and thereafter no further choice will be permitted.

When the bid schedule lists optional items, the Contractor may but is not required to make his selection at the time of bidding, or prior to or at the time of execution of the contract. For optional items not pre-selected, the Contractor shall make his selection in writing to the Construction Engineer with copies to the Project Engineer, Testing Engineer and Office Engineer Division. It shall be the Contractor's responsibility to provide notice of selection prior to requesting a mix design and at least 48 hours in advance of performing work on any optional item.

Each proposal issued will contain duplicate Certification regarding debarment, suspension, and other responsibility matters to be completed by the bidder. The Certification is under penalty of perjury and bidders are cautioned to read and understand its contents in entirety before execution.

The Contractor shall provide immediate written notice to the Office Engineer Division at any time, prior to or after award, that it is known a certification was erroneous when executed or has become erroneous by reason of changed circumstances.

Failure on the part of the bidder to execute the Certification will result in the proposal being rejected.

The bidder's proposal must be signed with ink by the individual, by one or more members of the partnership, by one or more members or officers of each firm representing a joint venture, or by one or more officers of a corporation; or by an agent of the Contractor legally qualified and acceptable to the State. If the proposal is made by an individual, his name and address must be shown; by a partnership, the name and address of each partnership member must be shown; as a joint venture, the name and address of each member or officer of the firms represented by the joint venture must be shown; by a corporation, the name of the corporation and the business address of its corporate official's must be shown.

The address stated on the proposal shall be the bidder's permanent address until changed by written notice to the Director. All notices provided for in the contract shall be considered as delivered to the Contractor when mailed or delivered to such address.

102.07--Irregular Proposals. Proposals will be considered irregular and may be rejected for any of the following reasons:

Section 102

Section 102

Section 102

(a) If the proposal is on a form other than that furnished by the Department, or if the form is altered or any part thereof is detached.

(b) If there are unauthorized additions, conditional or alternate bids, or irregularities of any kind which may tend to make the proposal incomplete, indefinite, or ambiguous as to its meaning.

(c) If the bidder adds any provision: reserving the right to accept or reject an award, or to enter into a contract pursuant to an award.

(d) If the proposal does not contain a unit price and extension for each pay item. (Except in the case of alternate pay items and when the unit of measurement is lump sum.)

(e) If the proposal, Section 905, does not contain acknowledgment of receipt and addition to the proposal and contract documents of all addenda issued prior to opening of bids.

(f) Failure to execute required affidavits, certificates, etc., and furnish proposal guaranty.

102.08--Proposal Guaranty. No proposal will be considered unless accompanied by certified check, cashier's check or bid bond, made payable to the State of Mississippi, in an amount of not less than five percent of the total amount of the proposal offered. The guaranty shall be evidence of good faith that, if awarded the contract, the bidder will execute the contract and give contract bond as stipulated in 103.05 and as required by law.

If a bid bond is offered as guaranty, the bond must be on a form approved by the Director, made by a Surety acceptable to the Director and signed or countersigned by a qualified Mississippi resident agent and the bidder.

102.09--Delivery of Proposals. Unless otherwise specified, each proposal shall be submitted sealed in a special envelope furnished by the Department. The blank spaces on the envelope shall be filled in correctly to clearly indicate its contents. When an envelope other than the special one furnished by the Department is used, it shall be of the same general size and shape and be similarly marked to clearly indicate its contents. Proposal Forms are non-transferrable and no name or names of interested parties may be shown other than those to whom the proposal was issued. When sent by mail, the sealed proposals shall be mailed to the Department at the address and in care of the official in whose office the bids are to be received. All proposals shall be filed prior to the time and place specified in the Notice to Contractors. Proposals received after the time for opening of bids will be returned to the bidder unopened.

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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Supervisor **BOBBY ELEUTERIUS** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor WILLIAM W. MARTIN moved the adoption of the following Order:

A RESOLUTION OF THE HARRISON COUNTY BOARD OF SUPERVISORS ACCEPTING THE BID OF TCB CONSTRUCTION, INC., AS THE BEST BID FOR THE CONSTRUCTION OF THE HARRISON COUNTY PEDESTRIAN PATHWAY, PHASE II - PROJECT STP-0024-00(015) IN THE AMOUNT OF \$3,773,263.93, AND AWARDING THE CONTRACT, SUBJECT TO CONCURRENCE BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, AND FOR RELATED PURPOSES.

WHEREAS, on December 9, 2002, the Harrison County Board of Supervisors advertised requests for bids for the construction of the Harrison County Pedestrian Pathway, Phase II - Project STP-0024-00(015); and

WHEREAS, the advertisement for the request for bids was published in the Sun Herald Newspaper, a newspaper of general circulation in Harrison County, on December 19 and 26, 2002, with proof of publication being attached as Exhibit "A"; and

WHEREAS, pursuant to the referenced notice to bidders, bids were received on January 21, 2003, subject to tabulation. The bids received are attached collectively as Exhibit "B" ; and

WHEREAS, the Board's designated engineer for the project, Brown and Mitchell, Inc., reviewed the five (5) bids received and submitted the bid tabulation to the Board for review. A copy of same is attached as Exhibit "C"; and

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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WHEREAS, Brown and Mitchell, Inc., having reviewed the bids and made its tabulation, recommended the following: (1) rejection and disqualification of the bid submitted by Sumrall's Construction Company, Inc., due to non-execution of the non-collusion affidavit; and (2) award of the contract (Base Bid plus Additive Alternates "A" and "B") to TCB Construction Company, Inc., in the amount of \$3,773,263.93; and

WHEREAS, the Board having considered the tabulation of the bids presented by Brown and Mitchell, Inc., concurred in the recommendation to reject and disqualify the bid submitted by Sumrall Construction Company, Inc., due to non-execution of the non-collusion affidavit; and

WHEREAS, the Board further accepted the recommendation of Brown and Mitchell, Inc., to award the contract (Base Bid plus Additive Alternates "A" and "B") to TCB Construction Company, INC., in the amount of \$3,773,263.93; and

WHEREAS, the award of the referenced bid for this project to TCB Construction Company, Inc., shall be subject to the concurrence of the Mississippi Department of Transportation.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, AS FOLLOWS:

SECTION 1. The preamble of this Resolution is hereby made a part of the findings of the Harrison County Board of Supervisors.

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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SECTION II. The Harrison County Board of Supervisors, based upon its investigation, and the recommendation of the project engineers, Brown and Mitchell, Inc., does hereby reject and disqualify the bid submitted by Sumrall's Construction Company, Inc., due to non-execution of the non-collusion affidavit.

SECTION III. Further, based upon the Board's investigation, and the recommendation of the project engineers Brown and Mitchell, Inc., the Board does hereby award the contract for the construction of the Harrison County Pedestrian Pathway, Phase II - Project NO. STP-0024-00(015) to TCB Construction Company, Inc., for the bid amount of \$3,773,263.93 (Base Bid plus Additive Alternates "A" and "B").

SECTION IV. The award of this bid is subject to the concurrence of the Mississippi Department of Transportation.

SECTION V. The President of the Harrison County Board of Supervisors is hereby authorized to execute any and all documents necessary to finalize the award of the bid and the execution of the contract with TCB Construction Company, Inc.

SECTION VI. That a certified copy of this Resolution shall be forwarded to the Mississippi Department of Transportation for its review and concurrence.

SECTION VII. Upon receipt of the written concurrence of the Mississippi Department of Transportation, the final award of the bid and execution of the contract with TCB Construction Company, Inc., will be completed.

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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Supervisor LARRY BENEFIELD seconded the Motion to adopt the above and foregoing Order whereupon the President put the question to a vote with the following results:

Supervisor BOBBY ELEUTERIUS	voted, <u>AYE</u> ,
Supervisor MARLIN LADNER	voted, <u>AYE</u> ,
Supervisor LARRY BENEFIELD	voted, <u>AYE</u> ,
Supervisor CONNIE ROCKCO	voted, <u>AYE</u> ,
Supervisor WILLIAM MARTIN	voted, <u>AYE</u> ,

The majority of the members present having voted in the affirmative, the President then declared the Motion carried and the Order adopted on this the 3rd day of February, 2003.

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

PROOF OF PUBLICATION

SECTION 901
NOTICE OF ADVERTISE-
MENT
REQUEST FOR BIDS:
The HARRISON COUNTY
BOARD OF SUPERVISORS
(hereinafter the "Owner") in-
vites bids on the form included
herein. All blanks must be ap-
proximately filled in. Bids will
be received by the Owner at
the Harrison County Court-
house, Office of the Chancery
Clerk, 1801 23rd Avenue,
Gulfport, Mississippi 39502
until 10:00 a.m. Local Time
January 21, 2003 and then
soon after publicly opened
and read aloud. All envel-
opes containing the bids must
be sealed and addressed to:
Harrison County Board of
Supervisors
Office of the Chancery Clerk
1801 23rd Avenue
Post Office Drawer CC
Gulfport, Mississippi 39502
and marked as "BID" for
U.S. HIGHWAY 90
BEACHFRONT
ESTRIAN PATHWAY IMP-
ROVEMENTS - PHASE 2
In addition, each envelope
shall clearly show the name of
the person or firm submitting
the bid and address of bidder.
The Owner may consider in-
formal any bid not prepared
and submitted in accordance
with the provisions hereof and
may waive any informalities or
reject any and all bids. Any bid
may be withdrawn prior to the
above scheduled time for the
opening of the bids or sub-
mitted postponement thereof.
Any bid received after the time
and date specified shall not be
considered. No bidder may
withdraw a bid within 60 days
after the actual date of the
opening thereof.
Bidder must agree to com-
mence work on a date speci-
fied in a written "Notice to Pro-
ceed" by Owner and to fully
complete the project within
Three Hundred (300) work
days thereafter.
A certified check or bank draft
payable to the order of the
Harrison County Board of
Supervisors or a satisfactory
Bid Bond executed by the bi-
der and an acceptable surety,
in an amount equal to five
percent (5%) of the total of the
bid for the U.S. Highway 90
Beachfront Estrian Path-
way Improvements - Phase 2,
shall be submitted with each
bid.
Bidder must comply with the
President's Executive Order
Nos. 11546 and 11375, which
prohibit discrimination in em-

ployment regarding age,
 creed, color, sex, or national
 origin.
 Bidder must comply with Title
 VIII of the Civil Rights Act of
 1968, as amended, the Davis-
 Bacon Act, the Anti-Kickback
 Act, and the Contract Work
 Hours Standard Act.
 Bidder must agree to comply
 with the minimum hourly wage
 rates as determined by Wage
 Determination Decision No.
 MS020027 Supplement, dat-
 ed March 1, 2002.
 Copies of the Plans and
 Specifications may be ob-
 tained at the office of Brown &
 Mitchell, Inc., 621 34th Street,
 Gulfport, Mississippi 39507,
 upon payment of a \$250.00
 non-refundable deposit. The
 Contractor shall be responsi-
 ble for obtaining, at his own
 cost, a current edition (1995)
 of the Mississippi Standard
 Specifications for Road and
 Bridge Construction.
 Bids may be held by the Harri-
 son County Board of Super-
 visors for a period not to ex-
 ceed sixty (60) calendar days
 from the date of the opening of
 the bids for the purpose of re-
 viewing the bids and
 investigating the qualifi-
 cations of bidders prior to
 awarding the Contract.
 By order of the Board of
 Supervisors of Harrison
 County, Mississippi, this 9th
 day of December, 2002.
 HARRISON COUNTY
 BOARD OF SUPERVISORS
 By: /s/ John McAdams
 John McAdams, Chancery
 Clerk
 RCsedy19.2mu 612761

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Before me, the undersigned Notary Public of Harrison County, Mississippi, personally appeared Sharon Kearney who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city of Gulfport, in Harrison County, Mississippi, and that publication of the notice, a copy of which is hereto attached, has been made in said paper 2 times in the following numbers and on the following dates of such paper, viz:

Vol 119 No. 74 dated 19 day of Dec., 20 02
Vol 119 No. 81 dated 26 day of Dec., 20 02
Vol _____ No. _____ dated _____ day of _____, 20 ____
Vol _____ No. _____ dated _____ day of _____, 20 ____
Vol _____ No. _____ dated _____ day of _____, 20 ____
Vol _____ No. _____ dated _____ day of _____, 20 ____
Vol _____ No. _____ dated _____ day of _____, 20 ____
Vol _____ No. _____ dated _____ day of _____, 20 ____

Affiant further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

JAN 03 2003

Sworn to and subscribed before me this 31st day of December, A.D., 20 02

Sharon Kearney
Clerk

Lina Elaine Muller
Notary Public

My Commission Expires April 30, 2005

Printer's Fee \$ 114.84
Furnishing proof of publication \$ 3.00
TOTAL \$ 117.84

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

SECTION 905 - PROPOSAL

Date Jan 21st, 2003

HARRISON COUNTY BOARD OF SUPERVISORS
P.O. DRAWER CC
GULFPORT, MISSISSIPPI 39502

Sirs: The following proposal is made on behalf of KAREN DILLONARD & GRIFFIN CONTRACTING, INC.
of Gulfport, MS

for constructing the following designated project(s) within the time(s) hereinafter specified.

The plans are composed of drawings and blue prints on the file in the offices of the Mississippi Department of Transportation, Jackson, Mississippi.

The specifications are the current 1990 edition Standard Specifications and Supplemental Specifications of the Mississippi Department of Transportation approved by the Federal Highway Administration, except where superseded or amended by the plans, Special Provisions and Notice(s) to Bidders attached hereto and made a part thereof.

I (We) certify that I (we) possess a copy of said Standard and Supplemental Specifications.

Evidence of my (our) authority to submit the Proposal is hereby furnished. The proposal is made without collusion on the part of any person, firm or corporation. I (We) certify that I (we) have carefully examined the Plans, the Specifications, including the Special Provisions and Notice(s) to Bidders, herein, and have personally examined the site of the work. On the basis of the Specifications, Special Provisions, Notice(s) to Bidders, and Plans, I (we) propose to furnish all necessary machinery, tools, apparatus and other means of construction and do all the work and furnish all the materials in the manner specified. I (We) understand that the quantities mentioned herein are approximate only and are subject to either increase or decrease, and hereby propose to perform any increased or decreased quantities of work at the unit prices bid, in accordance with the above.

Attached hereto is a certified check, cashier's check or Proposal Guaranty Bond in the amount as required in the Advertisement (or, by law).

INSTRUCTION TO BIDDERS: Alternate and Optional Items on Bid Schedule.

1. Two or more items entered opposite a single unit quantity WITHOUT DEFINITE DESIGNATION AS "ALTERNATE ITEMS" are considered as "OPTIONAL ITEMS". Bidders may or may not indicate on bids the Optional Item proposed to be furnished or performed WITHOUT PREJUDICE IN REGARD TO IRREGULARITY OF BIDS.
2. Items classified on the bid schedule as "ALTERNATE ITEMS" and/or "ALTERNATE TYPES OF CONSTRUCTION" must be preselected and indicated on bids. However, "Alternate Types of Construction" may include Optional Items to be treated as set out in Paragraph 1, above.
3. Optional items not preselected and indicated on the bid schedule MUST be designated in accordance with Subsection 907-102.06 prior to or at the time of execution of the contract.
4. Optional and Alternate items designated must be used throughout the project.

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I (We) further propose to perform all "force account or extra work" that may be required of me (us) on the basis provided in the Specifications and to give such work my (our) personal attention in order to see that it is economically performed.

I (We) enclose a certified check, cashier's check or bid bond for \$701,000 (\$ 701,000) Dollars and hereby agree that in case of my (our) failure to execute the contract and furnish bond with Ten (10) days after notice of award, the amount of this check (bid bond) will be forfeited to the State of Mississippi as liquidated damages arising out of my (our) failure to execute the contract as proposed. It is understood that in case I am (we are) not awarded the work, the check will be returned as provided in the Specifications.

ADDENDUM NO. 1 DATED Jan 6, 2003 ADDENDUM NO. _____ DATED _____
ADDENDUM NO. 2 DATED Jan 12, 2003 ADDENDUM NO. _____ DATED _____
ADDENDUM NO. _____ DATED _____ ADDENDUM NO. _____ DATED _____

Respectfully submitted, Kapoor Development & Ground Contracting, Inc.
Contractor

TITLE Sec 172 CP

Date JUN 21, 2003

Our corporation is chartered under the Laws of the State of Ms and the names, titles and business addresses of the executives are as follows:

Don Parker ✓ ✓
Treasurer Address

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

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BID SCHEDULE

Bidder agrees to perform all of the Work described in the Specifications and shown on the Construction Plans for the following unit prices:

(NOTE: BID shall include sales tax and all other applicable taxes and fees.)

BASE BID - U.S. HIGHWAY 90 BEACHFRONT PEDESTRIAN PATHWAY IMPROVEMENTS - PHASE 2

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION
=====					
DIRECT PAY ITEMS					
=====					
202-B	Removal of Existing Asphalt Pavement	65	SY	\$ <u>10⁰⁰</u>	\$ <u>650⁰⁰</u>
	\$ <u>Ten Dollars No Cents</u> (Unit Price in Words)				
202-C	Removal of Existing Concrete Pavement	300	SY	\$ <u>15⁰⁰</u>	\$ <u>4500⁰⁰</u>
	\$ <u>Fifteen Dollars No Cents</u> (Unit Price in Words)				
202-D	Removal of Existing Curb	170	LF	\$ <u>10⁰⁰</u>	\$ <u>1700⁰⁰</u>
	\$ <u>Ten Dollars No Cents</u> (Unit Price in Words)				
601-A	Class B Structural Concrete	340	CY	\$ <u>550⁰⁰</u>	\$ <u>187.00⁰⁰</u>
	\$ <u>Five Hundred Fifty Dollars No Cents</u> (Unit Price in Words)				
601-B	Class B Structural Concrete (Minor Structures)	10	CY	\$ <u>900⁰⁰</u>	\$ <u>9000⁰⁰</u>
	\$ <u>Nine Hundred Dollars No Cents</u> (Unit Price in Words)				
608-B	Concrete Sidewalk With Reinforcement	20,000	SY	\$ <u>2.625</u>	\$ <u>535.000⁰⁰</u>
	\$ <u>Twenty-Six Dollars & Seventy-Five Cents</u> (Unit Price in Words)				

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ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION
613-E	Manhole Adjustment Less than 10"	25	EA	\$ 300 ⁰⁰	\$ 7500 ⁰⁰
	\$ Three Hundred Dollars No Cents (Unit Price in Words)				
613-E	Manhole Adjustment 10" and Greater	22	EA	\$ 400 ⁰⁰	\$ 8800 ⁰⁰
	\$ Four Hundred Dollars No Cents (Unit Price in Words)				
614-B	Concrete Driveway With Reinforcement	2,500	SY	\$ 35 ⁰⁰	\$ 87500 ⁰⁰
	\$ Thirty-Five Dollars No Cents (Unit Price in Words)				
625-C	4" Continuous White Striping	28,000	LF	\$.50	\$ 14000 ⁰⁰
	\$ Fifty Cents (Unit Price in Words)				
625-E	4" Detail (White)	100	LF	\$ 1 ⁰⁰	\$ 100 ⁰⁰
	\$ One Dollar No Cents (Unit Price in Words)				
625-F	Handicap Legend	650	SF	\$ 4 ⁰⁰	\$ 2600 ⁰⁰
	\$ Four Dollars No Cents (Unit Price in Words)				
625-J	4" Detail (Blue)	2,400	LF	\$.75	\$ 1800 ⁰⁰
	\$ Seventy-Five Cents (Unit Price in Words)				
625-K	Pedestrian Walkway Legend	2,576	SF	\$ 5 ⁰⁰	\$ 12880 ⁰⁰
	\$ Five Dollars No Cents (Unit Price in Words)				
907-630-L	Handicap Signs	26	EA	\$ 250 ⁰⁰	\$ 6500 ⁰⁰
	\$ Two Hundred Fifty Dollars No Cents (Unit Price in Words)				

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ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION
907-803-D	Treated Timber Piling (7" Butt with 6" Tip)	465	LF	\$ 16 ⁰⁰	\$ 7440 ⁰⁰
	<u>\$ Sixteen Dollars No Cents</u>				(Unit Price in Words)
810-A	Structural Steel	585,943.13	LB	\$ 1 ¹⁵	\$ 673 834. ⁶⁰
	<u>\$ One Dollar & Fifteen Cents</u>				(Unit Price in Words)
907-820-A	Treated Timber	795.1619	MBF	\$ 1425 ⁰⁰	\$ 1,133,105.71
	<u>\$ One Thousand Four Hundred Twenty-Five Dollars</u>				(Unit Price in Words) No Cents
=====					
INDIRECT PAY ITEMS					
=====					
620-A	Mobilization	1	LS	\$ 163600 ⁰⁰	\$ 163600 ⁰⁰
	<u>\$ One Hundred Sixty-Three Thousand Six Hundred Dollars No cents</u>				(Unit Price in Words)
618-A	Maintenance of Traffic	1	LS	\$ 75000 ⁰⁰	\$ 75000 ⁰⁰
	<u>\$ Seventy-Five Thousand Dollars</u>				(Unit Price in Words) No Cents
TOTAL BASE BID				\$ 2,932,510.31	
<u>\$ Two Million-Nine Hundred Thirty-Two Thousand Five Hundred Ten Dollars</u> (Total Bid Price in Words) and Thirty-one Cents					

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ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION

ADDITIVE ALTERNATE "A"

DIRECT PAY ITEMS

810-A	Structural Steel	83,199.10	LB	\$ <u>1¹⁵</u>	\$ <u>9,5678.²²</u> <u>\$ One, Dollar & Fifteen Cents</u> (Unit Price in Words)
907-820-A	Treated Timber	117.08482	MBF	\$ <u>1425.⁰⁰</u>	\$ <u>166,845.87</u> <u>\$ One Thousand Four Hundred Twenty-Five</u> (Unit Price in Words) <u>Dollars & No Cents</u>

INDIRECT PAY ITEMS

620-A	Mobilization	1	LS	\$ <u>16,000.⁰⁰</u>	\$ <u>16,000.⁰⁰</u> <u>\$ Sixteen Thousand Dollars No Cents</u> (Unit Price in Words)
618-A	Maintenance of Traffic	1	LS	\$ <u>5,000.⁰⁰</u>	\$ <u>5,000.⁰⁰</u> <u>\$ Five Thousand Dollars No Cents</u> (Unit Price in Words)

TOTAL ADDITIVE ALTERNATE "A" BID

\$ 283,524.84
\$ Two Hundred Eighty-Three Thousand Five Hundred Twenty Four Dollars
 (Total Additive Alternate "A" Bid in Words) and Eighty-Four Cents

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ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION

ADDITIVE ALTERNATE "B"

DIRECT PAY ITEMS

601-A	Class B Structural Concrete	18	CY	\$ 550 ⁰⁰	\$ 9900 ⁰⁰
	\$ Five Hundred Fifty Dollars NO cents (Unit Price in Words)				
614-B	Concrete Driveway With Reinforcement	209	SY	\$ 35 ⁰⁰	\$ 7315 ⁰⁰
	\$ Thirty-Five Dollars NO cents (Unit Price in Words)				
907-803-A	Test Piling	2	EA	\$ 2000 ⁰⁰	\$ 4000 ⁰⁰
	\$ Two Thousand Dollars NO cents (Unit Price in Words)				
907-803-E	14" x 14" Prestressed Concrete Piling	3,885	LF	\$ 38 ⁰⁰	\$ 147630 ⁰⁰
	\$ Thirty-Eight Dollars NO cents (Unit Price in Words)				
907-803-F	14" x 14" Prestressed Concrete Piling Modified For Electrical Installation	3,825	LF	\$ 40 ⁰⁰	\$ 153000 ⁰⁰
	\$ Forty Dollars NO cents (Unit Price in Words)				
813-E	2" Diameter Galvanized Hand Railing	62	LF	\$ 70 ⁰⁰	\$ 4340 ⁰⁰
	\$ Seventy Dollars NO cents (Unit Price in Words)				
907-820-A	Treated Timber	118.1800	MBF	\$ 1425 ⁰⁰	\$ 168,406.50
	\$ One Thousand Four Hundred Twenty-Five Dollars NO cents (Unit Price in Words)				

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907-908- Electrical Lighting 1 LS \$ 69000⁰⁰ \$ 69000⁰⁰
 679-F

\$ Sixty-Nine Thousand Dollars No Cents (Unit Price in Words)

=====

INDIRECT PAY ITEMS

=====

620-A Mobilization 1 LS \$ 30000⁰⁰ \$ 30000⁰⁰

\$ Thirty Thousand Dollars No Cents (Unit Price in Words)

618-A Maintenance of Traffic 1 LS \$ 7500⁰⁰ \$ 7500⁰⁰

\$ Seven Thousand Five Hundred Dollars (Unit Price in Words)
No Cents

TOTAL ADDITIVE ALTERNATE "B" BID \$ 601,091.50

\$ Six Hundred and one Thousand Ninety-One Dollars and Fifty Cents
 (Total Additive Alternate "B" Bid in Words)

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TOTAL BASE BID

\$ 2,932,510.31

\$ Two Million Nine Hundred Thirty-Two Thousand Five Hundred Ten Dollars
 (Total Bid Price in Words) and Thirty-one Cents

TOTAL ADDITIVE ALTERNATE "A" BID

\$ 283,524.84

\$ Two Hundred Eighty-Three Thousand Five Hundred Twenty-Four Dollars
 (Total Additive Alternate "A" Bid in Words) and Eighty-four Cents

TOTAL ADDITIVE ALTERNATE "B" BID

\$ 601,091.50

\$ Six Hundred and One Thousand Ninety-one Dollars and
 (Total Additive Alternate "B" Bid in Words) fifty Cents

TOTAL BID INCLUDING ADDITIVE ALTERNATE "A" BID

\$ 3,216,035.15

\$ Three Million Two Hundred Sixteen Thousand Thirty-Five Dollars and
 (Total Bid Including Additive Alternate "A" Bid in Words) fifteen cents

TOTAL BID INCLUDING ADDITIVE ALTERNATE "B" BID

\$ 3,533,601.81

\$ Three Million Five Hundred Thirty-Three Thousand Six Hundred and one
 (Total Bid Including Additive Alternate "B" Bid in Words) Dollar and Eighty-one Cents

TOTAL BID INCLUDING ADDITIVE ALTERNATE "A" & "B"

\$ 3,817,126.15

\$ Three Million Eight Hundred Seventeen Thousand One Hundred Twenty-Six
 (Total Bid Including Additive Alternate "A" & "B" in Words) Dollars and Sixty-five Cents

(Amounts are to be shown in both words and figures. In case of a discrepancy, the amount shown in words will govern.)

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The above unit prices shall include all labor, materials, equipment, overhead, profit, insurance, and all other incidental items necessary to fully complete the construction project.

Complete Item Nos. 1, 2, and/or 3 as appropriate. See Notice to Bidders No. 4671 and Supplement.

5. I / We agree that no less than 2 % shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals (DBE and WBE).
6. Classification of Bidder: Small Business (DBE) Yes Small Business (WBE) No
7. A joint venture with a Small Business (DBE / WBE): Yes (S.B. - CONCRETE)

URBAN PROJECT

DISADVANTAGED BUSINESS ENTERPRISE LIST

CITY:

COUNTY:

STP-0024-00 (015)

For Correction to Book, Gulfport, B. Co.

Harriet

A	B	C
REFERENCE NUMBER OF ITEMS	PER CENT WORK SUBCONTRACTED, (SEE NOTE 4 & 5 BELOW)	VALUE OF ITEM (SUBCONTRACTED, MANUFACTURED OR SUPPLIED)
SUA, 64-B, 64-B, 64-B (Cant 9 (100))	2.70	\$59,000.00
TOTAL	2.70	\$59,000.00
PER CENT OF TOTAL BID	2.70	

I ACKNOWLEDGE AND COMMIT TO THE ITEMS AND PRICES STATED ABOVE.

SIGNATURE OF DBE

SIGNATURE OF PRIME

DATE RECEIVED: *Jan 21 2003*

Cooper Development & General Contracting, Inc.
PRIME CONTRACTOR

DATE _____

APPROVED:

SUBMITTED BY

APPROVED BY :

TITLE

I AGREE TO SUBCONTRACT OR PURCHASE MATERIAL FROM THE DBE FIRM LISTED ABOVE AND I MAKE THIS COMMITMENT WITH THE UNDERSTANDING THAT IF I FAIL FOR GOOD REASON TO FULFILL THIS COMMITMENT I HAVE LISTED I WILL FULFILL THE TERMS OF MY CONTRACT AS LONG AS I REACH OR EXCEED THE CONTRACT GOAL OF _____%.

INSTRUCTIONS :

1. SUBMIT THIS FORM TO "CONSULTANT/CITY ENGINEER" NO LATER THAN THE TENTH (10) CALENDAR DAY AFTER THE OPENING OF THE BIDS.
2. 60 % CREDIT IS ALLOWED TOWARD THE DBE GOAL FOR SUPPLIERS.
3. THE ACTUAL SUBCONTRACT AGREEMENT MUST EQUAL OR EXCEED THE DOLLAR AMOUNT SHOWN IN COLUMN "C".
4. IF THE DBE FIRM PERFORMS "ALL OF THE WORK" PERTAINING TO A SUBCONTRACTED ITEM ENTER 100 % IN COLUMN "B".
5. IF THE DBE FIRM PERFORMS "A PORTION OF THE WORK" PERTAINING TO A SUBCONTRACTED ITEM THE PERCENTAGE IS CALCULATED BASED ON THE TOTAL VALUE OF THE ITEM AND ENTERED IN COLUMN "B". A BREAKDOWN OF THE COST MUST ACCOMPANY THIS SITUATION.

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Certification with regard to the Performance of Previous Contracts
or Subcontracts subject to the Equal Opportunity Clause
and the filing of Required Reports

The Bidder ✓, proposed Subcontractor , hereby certifies that he has ✓, has not , participated in a previous contract or subcontract subject to the Equal Opportunity Clause, as required by Executive Orders 10925, 11114, or 11246, and that he has ✓, has not , filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity all reports due under the applicable filing requirements.

Kegan Development & General Contracting, Inc.
(COMPANY)

By: Don Packer, Sec./TRCA
(TITLE)

Date: Feb 21, 2003

NOTE: The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b)(1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the Equal Employment Opportunity Clause. Contracts and subcontracts which are exempt from the Equal Employment Opportunity Clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000 or under are exempt.)

Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.

Proposed prime Contractors or Subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41 CFR 60-1.7(b)(1) prevents the award of contracts and subcontracts unless such Contractors submit a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

MISSISSIPPI DEPARTMENT OF TRANSPORTATION
CERTIFICATION
(Execute in Duplicate)

State of Mississippi

County of Harrison

I, Dw. Parker
(Name of Person Signing Certification)

individually, and in my capacity as Sec. 1722
(Title)

of Kappa Development & General Contracting, Inc. do hereby certify
(Name of Firm, Partnership, or Corporation)

under penalty of perjury under the laws of the United States and the State of Mississippi
that Kappa Development & General Contracting, Inc.
(Name of Firm, Partnership, or Corporation)

Bidder on Project No. STP-0024-00(015) in Harrison County, Mississippi has not either directly or indirectly entered into any agreement; participated in any collusion; or otherwise taken any action in restraint of free competitive bidding in connection with this contract; nor have any of its corporate officers or principal owners.

Except as noted hereafter, it is further certified that said legal entity and its corporate officers, principal owners, managers, auditors, and others in a position of administering federal funds:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or Local) with commission of any of the offenses enumerated in (b) above; and
- (d) Have not within a three-year period preceding this application / proposal had one or more public transactions (Federal, State, or Local) terminated for cause or default.

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Initial here "_____" if exceptions are attached and made a part hereof. Any exception shall address to whom it applies, initiating agency, and dates of such action.

NOTE: Exceptions will not necessarily result in denial of award but will be considered in determining bidder responsibility. Providing false information may result in criminal prosecution or administrative sanctions.

The bidder further certifies that the certification requirements contained in Section XI of Form FHWA 1273 will be or have been included in all subcontracts, material supply agreements, purchase orders, etc., except those procurement contracts for goods or services that are expected to be less than the Federal government small purchase threshold fixed at 10 U.S.C. 2304(g) and 41 U.S.C. 253(g) (currently \$25,000) which are excluded from the certification requirements.

The bidder further certifies, to the best of his knowledge and belief, that:

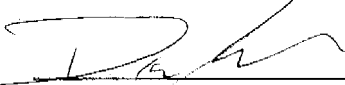
(1) No Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress, in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this contract, Standard Form LLL, "Disclosure Form to Report Lobbying" in accordance with its instructions will be completed and submitted.

The certification contained in (1) and (2) above is a material representation of fact upon which reliance is placed and a prerequisite imposed by Section 1352, Title 31, U.S. Code, prior to entering into this contract. Failure to comply shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000. The bidder shall include the language of the certification in all subcontracts exceeding \$100,000 and all subcontractors shall certify and disclose accordingly.

All of the foregoing and attachments (when indicated) is true and correct.

Executed on JAN 21, 2003


Signature

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we

KAPPA DEVELOPMENT & GENERAL CONTRACTING, INC.

10480 REICHOLO ROAD GULFPORT, MS 39505

(Here insert full name and address or legal title of Contractor)

as Principal, hereinafter called the Principal, and

CENTENNIAL INSURANCE COMPANY

TEN PIEDMONT CTR. 3495 PIEDMONT RD SUITE 600 ATLANTA, GA 30305-1737

a corporation duly organized under the laws of the State of NEW YORK as Surety, hereinafter called the Surety, are held and firmly bound unto **HARRISON COUNTY BOARD OF SUPERVISORS**

P. O. DRAWER CC GULFPORT, MS 39502

(Here insert full name and address or legal title of Owner)

as Obligor, hereinafter called the Obligor, in the sum of Five Percent (5%) of Amount Bid -----Dollars (\$ 5%), for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for

U.S. Highway 90 Beachfront Pedestrian Pathway Improvement- Phase 2

(Here insert full name, address and description of project)

NOW, THEREFORE, if the Obligor shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligor in accordance with the terms of such bid and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligor the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligor may in good faith contract with another party to perform the Work covered by said bid then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 21st day of January, 2003.

KAPPA DEVELOPMENT & GENERAL CONTRACTING, INC.

(Principal)

(Seal)

(Witness)

(Title)

CENTENNIAL INSURANCE COMPANY

(Surety)

(Seal)

(Witness) Counter signed by:

Christopher C. Gardner

Christopher C. Gardner

(Title) Mark W. Edwards, II, Attorney-In-Fact

AIA DOCUMENT A310 BID BOND AIA® FEBRUARY 1970 ED. THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 N.Y. AVE., N.W. WASHINGTON, D.C. 20006

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MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI



Atlantic Mutual Insurance Company
Centennial Insurance Company

FEBRUARY 2003 TERM Power of Attorney

KNOW ALL MEN BY THESE PRESENTS, that the Atlantic Mutual Insurance Company and Centennial Insurance Company, corporations duly organized under the laws of the State of New York hereinafter called Companies, do hereby appoint **Mark W. Edwards II, Jeffrey M. Wilson, Ronald B. Gladrosich, Christopher M. Muscolino, W. Milton Smith of Birmingham, Alabama**

their true and lawful Attorneys-in-Fact to make, execute, seal and deliver on their behalf as surety

any and all bonds and undertakings of suretyship and other documents that the ordinary course of surety business may require. Such bonds and undertakings when duly executed by the aforesaid Attorney(s)-in-Fact shall be binding upon the Companies as fully and to the same extent as if such bonds and undertakings were signed by the President and Secretary and sealed with its corporate seal.

This Power of Attorney is issued pursuant to and by authority of the following resolution of the Board of Trustees of Atlantic Mutual Insurance Company and the Board of Directors of Centennial Insurance Company adopted effective December 1, 1999 and now in full force and effect;

RESOLVED that the Chairman, President or Senior Vice President-Surety may appoint other officers of the Company or agents of the Company to act as its lawful Attorney-in Fact in any State, Territory or Federal District to represent this Company and to act on its behalf within the scope of the authority granted to them in writing, which authority may include the power to make, execute, seal and deliver on behalf of this Company as surety, and as its act and deed, any and all bonds and undertakings of suretyship and such other documents as are required in the ordinary course of surety business; and that the Secretary, Assistant Secretary or any Officer of the Corporation be, and that each or any of them is, authorized to verify any affidavit or other statement relating to the foregoing and to any resolutions adopted by its Board of Trustees (or Board of Directors, as applicable); and that any such Attorney-in-Fact may be removed and the authority so granted may be revoked by the Chairman, President, Senior Vice President-Surety or by the Board of Trustees (or Board of Directors, as applicable).

IN WITNESS WHEREOF, each of the Companies has caused this Power of Attorney to be signed and its corporate seal to be affixed by its authorized Officer this Fourth day of January, 2000

Atlantic Mutual Insurance Company
Centennial Insurance Company

By Thomas P. Gorke
Thomas P. Gorke, Senior Vice President

Attest Michael B. Keegan
Michael B. Keegan, Vice President



State of New Jersey
County of Passaic } SS

On this Fourth day of January, 2000, before me, a Notary Public of the State and County aforesaid residing therein, duly commissioned and sworn, personally came the above named officer of the Company who being by me first duly sworn according to law, did depose and say that he is the officer of the Company described in and which executed the foregoing instrument; that he knows the seal of the Company; that the seal affixed to such instrument is the corporate seal of the Company; and that the corporate seal and his signature as such officer were affixed and subscribed to the said instrument by order of the Board of Trustees (or Board of Directors, as applicable).



Maria Impallomeni
Notary Public (Seal)

My commission expires February 18, 2007

I, the undersigned Michael B. Keegan, Vice President of Atlantic Mutual Insurance Company and Centennial Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this Certificate and I do further certify that the Senior Vice President who executed said Power of Attorney was one of the Officers authorized by the Board of Trustees and Board of Directors to appoint an attorney-in-fact pursuant to the Board resolution stated above dated December 1, 1999. This Certificate may be signed and sealed by facsimile under and by authority of the following resolution of the Board of Trustees of Atlantic Mutual Insurance Company and the Board of Directors of Centennial Insurance Company, adopted at a meeting duly called and held on the 1st day of December, 1999.

RESOLVED, that the use of a printed facsimile of the corporate seal of the Company and of the signature of an Officer of the Company on any certification of the correctness of a copy of an instrument executed by the Chairman, President or Senior Vice President-Surety pursuant to the Board resolution, dated December 1, 1999, appointing and authorizing an attorney-in-fact to execute in the name of and on behalf of the Company, surety bonds, undertakings and other instruments, shall have the same effect as if such seal and such signature had been manually affixed and made, is hereby authorized and approved.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of each of the Companies to these presents this 21st day of January 2003

Michael B. Keegan
Michael B. Keegan, Vice President

To verify the authenticity of this Power of Attorney, call 1-800-444-6565 and ask for the Power of Attorney Clerk.

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

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SECTION 905 - PROPOSAL

Date January 21, 2003

HARRISON COUNTY BOARD OF SUPERVISORS
P.O. DRAWER CC
GULFPORT, MISSISSIPPI 39502

Sirs: The following proposal is made on behalf of Malouf Construction Corporation
of 324 Distribution Dr - Madison, Ms. 39110

for constructing the following designated project(s) within the time(s) hereinafter specified.

The plans are composed of drawings and blue prints on the file in the offices of the Mississippi Department of Transportation, Jackson, Mississippi.

The specifications are the current 1990 edition Standard Specifications and Supplemental Specifications of the Mississippi Department of Transportation approved by the Federal Highway Administration, except where superseded or amended by the plans, Special Provisions and Notice(s) to Bidders attached hereto and made a part thereof.

I (We) certify that I (we) possess a copy of said Standard and Supplemental Specifications.

Evidence of my (our) authority to submit the Proposal is hereby furnished. The proposal is made without collusion on the part of any person, firm or corporation. I (We) certify that I (we) have carefully examined the Plans, the Specifications, including the Special Provisions and Notice(s) to Bidders, herein, and have personally examined the site of the work. On the basis of the Specifications, Special Provisions, Notice(s) to Bidders, and Plans, I (we) propose to furnish all necessary machinery, tools, apparatus and other means of construction and do all the work and furnish all the materials in the manner specified. I (We) understand that the quantities mentioned herein are approximate only and are subject to either increase or decrease, and hereby propose to perform any increased or decreased quantities of work at the unit prices bid, in accordance with the above.

Attached hereto is a certified check, cashier's check or Proposal Guaranty Bond in the amount as required in the Advertisement (or, by law).

INSTRUCTION TO BIDDERS: Alternate and Optional Items on Bid Schedule.

1. Two or more items entered opposite a single unit quantity WITHOUT DEFINITE DESIGNATION AS "ALTERNATE ITEMS" are considered as "OPTIONAL ITEMS". Bidders may or may not indicate on bids the Optional Item proposed to be furnished or performed WITHOUT PREJUDICE IN REGARD TO IRREGULARITY OF BIDS.
2. Items classified on the bid schedule as "ALTERNATE ITEMS" and/or "ALTERNATE TYPES OF CONSTRUCTION" must be preselected and indicated on bids. However, "Alternate Types of Construction" may include Optional Items to be treated as set out in Paragraph 1, above.
3. Optional items not preselected and indicated on the bid schedule MUST be designated in accordance with Subsection 907-102.06 prior to or at the time of execution of the contract.
4. Optional and Alternate items designated must be used throughout the project.

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SECTION 905 - PROPOSAL (CONTINUED)

I (We) further propose to perform all "force account or extra work" that may be required of me (us) on the basis provided in the Specifications and to give such work my (our) personal attention in order to see that it is economically performed.

I (We) further propose to execute the attached contract agreement (Section 902) as soon as the work is awarded to me (us), and to begin and complete the work within the time limit(s) provided for in the Specifications and Advertisement. I (We) also propose to execute the attached contract bond (Section 903) in an amount not less than one hundred (100) percent of the total of my (our) part, but also to guarantee the excellence of both workmanship and materials until the work is finally accepted.

I (We) enclose a certified check, cashier's check or bid bond for 5% amount of bid (\$ 5% amount of bid) Dollars and hereby agree that in case of my (our) failure to execute the contract and furnish bond with Ten (10) days after notice of award, the amount of this check (bid bond) will be forfeited to the State of Mississippi as liquidated damages arising out of my (our) failure to execute the contract as proposed. It is understood that in case I am (we are) not awarded the work, the check will be returned as provided in the Specifications.

Bidder acknowledges receipt of and has added to and made a part of the proposal and contract documents the following addendum (addenda):

ADDENDUM NO. <u>1</u>	DATED <u>1-6-03</u>	ADDENDUM NO. _____	DATED _____
ADDENDUM NO. <u>2</u>	DATED <u>1-17-03</u>	ADDENDUM NO. _____	DATED _____
ADDENDUM NO. _____	DATED _____	ADDENDUM NO. _____	DATED _____

TOTAL ADDENDA: _____

(Must agree with total addenda issued prior to opening of bids.)

Respectfully submitted, _____

Contractor

BY George Malouf

TITLE President

ADDRESS 324 Distribution Drive
Madison, Mississippi 39110

Date January 21, 2003

(To be filled in if a corporation)

Our corporation is chartered under the Laws of the State of MS and the names, titles and business addresses of the executives are as follows:

George Malouf 324 Distribution Dr. - Madison, Ms. 39110
President Address

Kathy Malouf 324 Distribution Dr. - Madison, Ms. 39110
Secretary Address

George Malouf 324 Distribution Dr. - Madison, Ms. 39110
Treasurer Address

The following is my (our) itemized proposal.

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BID SCHEDULE

Bidder agrees to perform all of the Work described in the Specifications and shown on the Construction Plans for the following unit prices:

(NOTE: BID shall include sales tax and all other applicable taxes and fees.)

BASE BID - U.S. HIGHWAY 90 BEACHFRONT PEDESTRIAN PATHWAY IMPROVEMENTS - PHASE 2

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION

DIRECT PAY ITEMS

202-B	Removal of Existing Asphalt Pavement	65	SY	\$ <u>24.00</u>	\$ <u>1560.00</u>

\$ fifteen hundred sixty dollars (Unit Price in Words)

202-C	Removal of Existing Concrete Pavement	300	SY	\$ <u>30.00</u>	\$ <u>9,000.00</u>

\$ nine thousand dollars (Unit Price in Words)

202-D	Removal of Existing Curb	170	LF	\$ <u>14.75</u>	\$ <u>2507.50</u>

\$ twenty five hundred seven & 50/100 (Unit Price in Words)

601-A	Class B Structural Concrete	340	CY	\$ <u>525.00</u>	\$ <u>178,500.00</u>

\$ One hundred seventy eight thousand five hundred dollars (Unit Price in Words)

601-B	Class B Structural Concrete (Minor Structures)	10	CY	\$ <u>825.00</u>	\$ <u>8250.00</u>

\$ Eight thousand two hundred fifty & 00/100 (Unit Price in Words)

608-B	Concrete Sidewalk With Reinforcement	20,000	SY	\$ <u>27.50</u>	\$ <u>550,000.00</u>

\$ five hundred fifty thousand dollars (Unit Price in Words)

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ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION
613-E	Manhole Adjustment Less than 10"	25	EA	\$ <u>630.00</u>	\$ <u>15,750.00</u>
	\$ <u>Fifteen thousand seven hundred fifty dollars</u> (Unit Price in Words)				
613-E	Manhole Adjustment 10" and Greater	22	EA	\$ <u>695.00</u>	\$ <u>15,290.00</u>
	\$ <u>Fifteen thousand two hundred ninety dollars</u> (Unit Price in Words)				
614-B	Concrete Driveway With Reinforcement	2,500	SY	\$ <u>30.00</u>	\$ <u>75,000.00</u>
	\$ <u>Twenty five thousand dollars</u> (Unit Price in Words)				
625-C	4" Continuous White Striping	28,000	LF	\$ <u>.45</u>	\$ <u>12,600.00</u>
	\$ <u>Twelve thousand six hundred dollars</u> (Unit Price in Words)				
625-E	4" Detail (White)	100	LF	\$ <u>.60</u>	\$ <u>60.00</u>
	\$ <u>Sixty dollars</u> (Unit Price in Words)				
625-F	Handicap Legend	650	SF	\$ <u>3.50</u>	\$ <u>2,275.00</u>
	\$ <u>Two thousand two hundred seventy five dollars</u> (Unit Price in Words)				
625-J	4" Detail (Blue)	2,400	LF	\$ <u>.60</u>	\$ <u>1,440.00</u>
	\$ <u>Fourteen hundred & forty dollars</u> (Unit Price in Words)				
625-K	Pedestrian Walkway Legend	2,576	SF	\$ <u>4.65</u>	\$ <u>11,978.40</u>
	\$ <u>Eleven thousand nine hundred seventy eight dollars & 40/100</u> (Unit Price in Words)				
907-630-L	Handicap Signs	26	EA	\$ <u>175.00</u>	\$ <u>4,550.00</u>
	\$ <u>Forty five hundred & fifty dollars</u> (Unit Price in Words)				

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ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION
907-803-D	Treated Timber Piling (7" Butt with 6" Tip)	465	LF	\$ 19.50	\$ 9067.50
					\$ 50/100 -
	\$ <u>Nine thousand Sixty seven dollars</u> (Unit Price in Words)				
810-A	Structural Steel	585,943.13	LB	\$ 1.35	\$ 791,023.23
					\$ <u>Seven hundred Ninety One thousand twenty three dollars + 23/100</u>
	(Unit Price in Words)				
907-820-A	Treated Timber	795,1619	MBF	\$ 1625.00	\$ 1,292,138.09
					\$ <u>One million two hundred Ninety two - 09/100</u>
					\$ <u>One hundred thirty Eight dollars +</u> (Unit Price in Words)

=====

INDIRECT PAY ITEMS

=====

620-A	Mobilization	1	LS	\$ 411,250. ⁰⁰	\$ 411,250.00
					\$ <u>Four hundred Eleven thousand two hundred fifty dollars</u>
					(Unit Price in Words)
618-A	Maintenance of Traffic	1	LS	\$ 76,500.00	\$ 76,500.00
					\$ <u>Seventy six thousand five hundred dollars</u>
					(Unit Price in Words)

TOTAL BASE BID \$ 3,468,739.71

\$ Three million four hundred Sixty Eight thousand Seven hundred
 (Total Bid Price in Words) thirty Nine dollars + 71/100 -

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ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION

ADDITIVE ALTERNATE "A"

DIRECT PAY ITEMS

810-A	Structural Steel	83,199.10	LB	\$ <u>1.35</u>	\$ <u>112,318.79</u> <i>Eighteen dollars + 79/100</i> (Unit Price in Words)
907-820-A	Treated Timber	117.08482	MBF	\$ <u>1526.00</u>	\$ <u>178,671.44</u> <i>GM</i> <i>Seventy one dollars + 44/100</i> (Unit Price in Words) <i>GM</i>

INDIRECT PAY ITEMS

620-A	Mobilization	1	LS	\$ <u>30,000.00</u>	\$ <u>30,000.00</u> <i>Thirty thousand dollars</i> (Unit Price in Words)
618-A	Maintenance of Traffic	1	LS	\$ <u>12,500.00</u>	\$ <u>12,500.00</u> <i>Twelve thousand five hundred dollars</i> (Unit Price in Words)

TOTAL ADDITIVE ALTERNATE "A" BID \$ 333,490.22

\$ Three hundred thirty three thousand four hundred Ninety dollars + 22/100
(Total Additive Alternate "A" Bid in Words)

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ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION

ADDITIVE ALTERNATE "B"

DIRECT PAY ITEMS

601-A	Class B Structural Concrete	18	CY	\$ <u>540.00</u>	\$ <u>9,720.00</u> \$ <u>nine thousand seven hundred and twenty dollars</u> and no cents (Unit Price in Words)
614-B	Concrete Driveway With Reinforcement	209	SY	\$ <u>38.00</u>	\$ <u>7,942.00</u> \$ <u>seven thousand nine hundred forty two dollars</u> and no cents (Unit Price in Words)
907-803-A	Test Piling	2	EA	\$ <u>6,000.00</u>	\$ <u>12,000.00</u> \$ <u>twelve thousand dollars</u> and no cents (Unit Price in Words)
907-803-E	14" x 14" Prestressed Concrete Piling	3,885	LF	\$ <u>54.70</u>	\$ <u>212,509.50</u> \$ <u>two hundred twelve thousand five hundred nine dollars</u> and fifty cents (Unit Price in Words)
907-803-F	14" x 14" Prestressed Concrete Piling Modified For Electrical Installation	3,825	LF	\$ <u>53.70</u>	\$ <u>205,402.50</u> \$ <u>two hundred five thousand four hundred two dollars</u> and fifty cents (Unit Price in Words)
813-E	2" Diameter Galvanized Hand Railing	62	LF	\$ <u>75.00</u>	\$ <u>4,650.00</u> \$ <u>four thousand six hundred fifty dollars</u> and no cents (Unit Price in Words)
907-820-A	Treated Timber	118.1800	MBF	\$ <u>1,780.00</u>	\$ <u>210,360.40</u> \$ <u>two hundred ten thousand three hundred and sixty dollars</u> and forty cents (Unit Price in Words)

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907-908- Electrical Lighting 1 LS \$ 84,000.00 \$ 84,000.00
 679-F

\$ eighty four thousand dollars and no cents (Unit Price in Words)

=====

INDIRECT PAY ITEMS

=====

620-A Mobilization 1 LS \$ 65,000.00 \$ 65,000.00

\$ sixty five thousand dollars and no cents (Unit Price in Words)

618-A Maintenance of Traffic 1 LS \$ 16,000 \$ 16,000

\$ sixteen thousand dollars and no cents (Unit Price in Words)

TOTAL ADDITIVE ALTERNATE "B" BID

\$ 827,584.40

\$ eight hundred twenty seven ^{thousand} five hundred eighty four dollars and forty cents
 (Total Additive Alternate "B" Bid in Words)

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TOTAL BASE BID

\$ 3,468,739.71

\$ three million four hundred sixty eight thousand seven hundred thirty nine dollars and
 (Total Bid Price in Words) seventy one cents

TOTAL ADDITIVE ALTERNATE "A" BID

\$ 333,490.22

\$ three hundred thirty three thousand four hundred ninety dollars and twenty two cents
 (Total Additive Alternate "A" Bid in Words)

TOTAL ADDITIVE ALTERNATE "B" BID

\$ 827,584.40

\$ eight hundred twenty seven thousand five hundred eighty four dollars and forty cents
 (Total Additive Alternate "B" Bid in Words)

TOTAL BID INCLUDING ADDITIVE ALTERNATE "A" BID

\$ 3,802,229.93

\$ three million eight hundred two thousand two hundred twenty nine dollars and
 (Total Bid Including Additive Alternate "A" Bid in Words) ninety three cents

TOTAL BID INCLUDING ADDITIVE ALTERNATE "B" BID

\$ 4,296,324.11

\$ four million two hundred ninety six thousand three hundred twenty four dollars and
 (Total Bid Including Additive Alternate "B" Bid in Words) eleven cents

TOTAL BID INCLUDING ADDITIVE ALTERNATE "A" & "B"

\$ 4,629,814.33

\$ four million six hundred twenty nine thousand eight hundred fourteen dollars and
 (Total Bid Including Additive Alternate "A" & "B" in Words) thirty three cents

(Amounts are to be shown in both words and figures. In case of a discrepancy, the amount shown in words will govern.)

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The above unit prices shall include all labor, materials, equipment, overhead, profit, insurance, and all other incidental items necessary to fully complete the construction project.

Complete Item Nos. 1, 2, and/or 3 as appropriate. See Notice to Bidders No. 4671 and Supplement.

5. I / We agree that no less than 2% % shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals (DBE and WBE).
6. Classification of Bidder: Small Business (DBE) _____ Small Business (WBE) _____
7. A joint venture with a Small Business (DBE / WBE): Yes _____

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Certification with regard to the Performance of Previous Contracts
or Subcontracts subject to the Equal Opportunity Clause
and the filing of Required Reports

The Bidder X , proposed Subcontractor , hereby certifies that he has X , has not , participated in a previous contract or subcontract subject to the Equal Opportunity Clause, as required by Executive Orders 10925, 11114, or 11246, and that he has X , has not , filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity all reports due under the applicable filing requirements.

Malouf Construction Corporation
(COMPANY)

George Malouf, President

By:
(TITLE)

Date: January 21, 2003

NOTE: The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b)(1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the Equal Employment Opportunity Clause. Contracts and subcontracts which are exempt from the Equal Employment Opportunity Clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000 or under are exempt.)

Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.

Proposed prime Contractors or Subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41 CFR 60-1.7(b)(1) prevents the award of contracts and subcontracts unless such Contractors submit a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

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MISSISSIPPI DEPARTMENT OF TRANSPORTATION
CERTIFICATION
(Execute in Duplicate)

State of Mississippi
County of Madison

I, George Malouf
(Name of Person Signing Certification)

individually, and in my capacity as President
(Title)

of Malouf Construction Corporation do hereby certify
(Name of Firm, Partnership, or Corporation)

under penalty of perjury under the laws of the United States and the State of Mississippi

that Malouf Construction Corporation
(Name of Firm, Partnership, or Corporation)

Bidder on Project No. STP-0024-00(015) in Harrison County, Mississippi has not either directly or indirectly entered into any agreement; participated in any collusion; or otherwise taken any action in restraint of free competitive bidding in connection with this contract; nor have any of its corporate officers or principal owners

Except as noted hereafter, it is further certified that said legal entity and its corporate officers, principal owners, managers, auditors, and others in a position of administering federal funds:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or Local) with commission of any of the offenses enumerated in (b) above; and

(d) Have not within a three-year period preceding this application / proposal had one or more public transactions (Federal, State, or Local) terminated for cause or default.

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Initial here "_____" if exceptions are attached and made a part hereof. Any exception shall address to whom it applies, initiating agency, and dates of such action.

NOTE: Exceptions will not necessarily result in denial of award but will be considered in determining bidder responsibility. Providing false information may result in criminal prosecution or administrative sanctions.

The bidder further certifies that the certification requirements contained in Section XI of Form FHWA 1273 will be or have been included in all subcontracts, material supply agreements, purchase orders, etc., except those procurement contracts for goods or services that are expected to be less than the Federal government small purchase threshold fixed at 10 U.S.C. 2304(g) and 41 U.S.C. 253(g) (currently \$25,000) which are excluded from the certification requirements.

The bidder further certifies, to the best of his knowledge and belief, that:

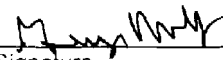
(1) No Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress, in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this contract, Standard Form LLL, "Disclosure Form to Report Lobbying" in accordance with its instructions will be completed and submitted.

The certification contained in (1) and (2) above is a material representation of fact upon which reliance is placed and a prerequisite imposed by Section 1352, Title 31, U.S. Code, prior to entering into this contract. Failure to comply shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000. The bidder shall include the language of the certification in all subcontracts exceeding \$100,000 and all subcontractors shall certify and disclose accordingly.

All of the foregoing and attachments (when indicated) is true and correct.

Executed on 1-20-03


Signature

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THE BOTTRELL AGENCY

BID BOND

ST. PAUL FIRE AND MARINE INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS, That we, **MALOUF CONSTRUCTION CORP.**
Madison, Mississippi

as Principal, hereinafter called the Principal, and **ST. PAUL FIRE AND MARINE INSURANCE COMPANY**
St. Paul, Minnesota

a corporation duly organized under the laws of the State of **Minnesota**

as Surety, hereinafter called the Surety, are held and firmly bound unto **HARRISON COUNTY BOARD OF SUPERVISORS**
Gulfport, Mississippi

as Oblige, hereinafter called the Oblige, in the sum of **Five Percent of the Amount of the Bid**

Dollars (\$ **5%** of Bid)

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

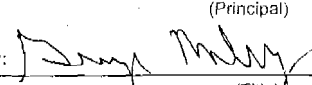
WHEREAS, the Principal has submitted a bid for
the construction of U. S. Highway 90, Beachfront Pedestrian Pathway Improvements - Phase 2.

NOW THEREFORE, the condition of this obligation is such that if the aforesaid Principal shall be awarded the contract the said Principal will, within the time required, enter into a formal contract and give a good and sufficient bond to secure the performance of the terms and conditions of the contract, then this obligation to be void, otherwise the Principal and Surety will pay unto the Oblige the difference in money between the amount of the bid of the said Principal and the amount for which the Oblige legally contracts with another party to perform the work if the latter amount be in excess of the former, but in no event shall liability hereunder exceed the penal sum hereof.

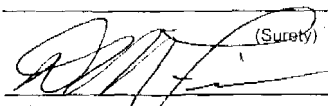
Signed and sealed this 21st day of January, A.D. 2003

MALOUF CONSTRUCTION CORP.


 (Witness)

By: 
 (Principal) (Seal)
 (Title)


 Trina Cobb (Witness)

ST. PAUL FIRE AND MARINE INSURANCE COMPANY

 (Surety) (Seal)
 D. M. Ferris (Attorney-in-Fact)
THE BOTTRELL AGENCY
 Resident Mississippi Agent

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

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The St Paul**POWER OF ATTORNEY**

Seaboard Surety Company
 St. Paul Fire and Marine Insurance Company
 St. Paul Guardian Insurance Company
 St. Paul Mercury Insurance Company

United States Fidelity and Guaranty Company
 Fidelity and Guaranty Insurance Company
 Fidelity and Guaranty Insurance Underwriters, Inc.

Power of Attorney No. 20609

Certificate No. 1473962

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, and that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, and that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, and that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (*herein collectively called the "Companies"*) and that the Companies do hereby make, constitute and appoint

J. Carlton Smith, S. Lyle Bates, Jr., W. E. French, Gene Horner, C. Ray Dixon, Jr., Robert L. Elliott, Jim A. Armstrong, Jerry G. Veazey, Jr., Guy M. Parker, Jr., Eric Donahoe, D. M. Ferris, Jason J. Young, T. L. Joyner, III, John G. Raines and Thomas Y. Elfert

of the City of Jackson, State of Mississippi, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as society to, and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and sealed this 30th day of August, 2002

Seaboard Surety Company
 St. Paul Fire and Marine Insurance Company
 St. Paul Guardian Insurance Company
 St. Paul Mercury Insurance Company

United States Fidelity and Guaranty Company
 Fidelity and Guaranty Insurance Company
 Fidelity and Guaranty Insurance Underwriters, Inc.



PETER W. CARMAN, Vice President

THOMAS E. HUIBREGTSE, Assistant Secretary

State of Maryland
 City of Baltimore

On this 30th day of August, 2002, before me, the undersigned officer, personally appeared Peter W. Carman and Thomas E. Huibregtse, who acknowledged themselves to be the Vice President and Assistant Secretary, respectively, of Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, United States Fidelity and Guaranty Company, Fidelity and Guaranty Insurance Company, and Fidelity and Guaranty Insurance Underwriters, Inc.; and that the seals affixed to the foregoing instrument are the corporate seals of said Companies; and that they, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the names of the corporations by themselves as duly authorized officers.

In Witness Whereof, I hereunto set my hand and official seal

My Commission expires the 1st day of July, 2006



REBECCA EASLEY-ONOKAI A., Notary Public

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

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This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, United States Fidelity and Guaranty Company, Fidelity and Guaranty Insurance Company, and Fidelity and Guaranty Insurance Underwriters, Inc. on September 2, 1998, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by persons or entities appointed as Attorney(s)-in-Fact pursuant to a Power of Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President, or any Vice President, or an Assistant Vice President, jointly with the Secretary or an Assistant Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company, and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached, and

RESOLVED FURTHER, that Attorney(s)-in-Fact shall have the power and authority, and, in any case, subject to the terms and limitations of the Power of Attorney issued them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, Thomas E. Hurbregse, Assistant Secretary of Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, United States Fidelity and Guaranty Company, Fidelity and Guaranty Insurance Company, and Fidelity and Guaranty Insurance Underwriters, Inc. do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

JAN 21 2003

IN TESTIMONY WHEREOF, I hereunto set my hand this _____

day of _____



Thomas E. Hurbregse
Thomas E. Hurbregse, Assistant Secretary

To verify the authenticity of this Power of Attorney, call 1-800-421-3880 and ask for the Power of Attorney clerk. Please refer to the Power of Attorney number, the above-named individuals and the details of the bond to which the power is attached.

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

SECTION 905 - PROPOSAL

Date 01/21/03

HARRISON COUNTY BOARD OF SUPERVISORS
P.O. DRAWER CC
GULFPORT, MISSISSIPPI 39502

Sirs: The following proposal is made on behalf of STARKS CONTRACTING COMPANY, INC.

of _____

for constructing the following designated project(s) within the time(s) hereinafter specified.

The plans are composed of drawings and blue prints on the file in the offices of the Mississippi Department of Transportation, Jackson, Mississippi.

The specifications are the current 1990 edition Standard Specifications and Supplemental Specifications of the Mississippi Department of Transportation approved by the Federal Highway Administration, except where superseded or amended by the plans, Special Provisions and Notice(s) to Bidders attached hereto and made a part thereof.

I (We) certify that I (we) possess a copy of said Standard and Supplemental Specifications.

Evidence of my (our) authority to submit the Proposal is hereby furnished. The proposal is made without collusion on the part of any person, firm or corporation. I (We) certify that I (we) have carefully examined the Plans, the Specifications, including the Special Provisions and Notice(s) to Bidders, herein, and have personally examined the site of the work. On the basis of the Specifications, Special Provisions, Notice(s) to Bidders, and Plans, I (we) propose to furnish all necessary machinery, tools, apparatus and other means of construction and do all the work and furnish all the materials in the manner specified. I (We) understand that the quantities mentioned herein are approximate only and are subject to either increase or decrease, and hereby propose to perform any increased or decreased quantities of work at the unit prices bid, in accordance with the above.

Attached hereto is a certified check, cashier's check or Proposal Guaranty Bond in the amount as required in the Advertisement (or, by law).

INSTRUCTION TO BIDDERS: Alternate and Optional Items on Bid Schedule.

1. Two or more items entered opposite a single unit quantity WITHOUT DEFINITE DESIGNATION AS "ALTERNATE ITEMS" are considered as "OPTIONAL ITEMS". Bidders may or may not indicate on bids the Optional Item proposed to be furnished or performed WITHOUT PREJUDICE IN REGARD TO IRREGULARITY OF BIDS.
2. Items classified on the bid schedule as "ALTERNATE ITEMS" and/or "ALTERNATE TYPES OF CONSTRUCTION" must be preselected and indicated on bids. However, "Alternate Types of Construction" may include Optional Items to be treated as set out in Paragraph 1, above.
3. Optional items not preselected and indicated on the bid schedule MUST be designated in accordance with Subsection 907-102.06 prior to or at the time of execution of the contract.
4. Optional and Alternate items designated must be used throughout the project.

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SECTION 905 - PROPOSAL (CONTINUED)

I (We) further propose to perform all "force account or extra work" that may be required of me (us) on the basis provided in the Specifications and to give such work my (our) personal attention in order to see that it is economically performed.

I (We) further propose to execute the attached contract agreement (Section 902) as soon as the work is awarded to me (us), and to begin and complete the work within the time limit(s) provided for in the Specifications and Advertisement. I (We) also propose to execute the attached contract bond (Section 903) in an amount not less than one hundred (100) percent of the total of my (our) part, but also to guarantee the excellence of both workmanship and materials until the work is finally accepted.

I (We) enclose a certified check, cashier's check or bid bond for FIVE PERCENT OF BID (\$ 5% OF BID) Dollars and hereby agree that in case of my (our) failure to execute the contract and furnish bond with Ten (10) days after notice of award, the amount of this check (bid bond) will be forfeited to the State of Mississippi as liquidated damages arising out of my (our) failure to execute the contract as proposed. It is understood that in case I am (we are) not awarded the work, the check will be returned as provided in the Specifications.

Bidder acknowledges receipt of and has added to and made a part of the proposal and contract documents the following addendum (addenda):

ADDENDUM NO. <u>1</u>	DATED <u>01/06/03</u>	ADDENDUM NO. _____	DATED _____
ADDENDUM NO. <u>2</u>	DATED <u>01/07/03</u>	ADDENDUM NO. _____	DATED _____
ADDENDUM NO. _____	DATED _____	ADDENDUM NO. _____	DATED _____

TOTAL ADDENDA: 2
(Must agree with total addenda issued prior to opening of bids.)

Respectfully submitted, STARKS CONTRACTING CO., INC.

Contractor

BY

WELDON P. STARKS

TITLE PRESIDENT

ADDRESS P O BOX 6756, BILOXI, MS 39540-6756

Date JANUARY 21, 2003

(To be filled in if a corporation)

Our corporation is chartered under the Laws of the State of MISSISSIPPI and the names, titles and business addresses of the executives are as follows:

<u>WELDON P. STARKS</u>	<u>P O BOX 6756, BILOXI, MS 39540-6756</u>
President	Address

<u>JOHN A. STARKS, JR.</u>	<u>P O BOX 6756, BILOXI, MS 39540-6756</u>
Secretary	Address

<u>JOHN A. STARKS, JR.</u>	<u>P O BOX 6756, BILOXI, MS 39540-6756</u>
Treasurer	Address

The following is my (our) itemized proposal.

BP - 2

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BID SCHEDULE

Bidder agrees to perform all of the Work described in the Specifications and shown on the Construction Plans for the following unit prices:

(NOTE: BID shall include sales tax and all other applicable taxes and fees.)

BASE BID - U.S. HIGHWAY 90 BEACHFRONT PEDESTRIAN PATHWAY IMPROVEMENTS - PHASE 2

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION
=====					
DIRECT PAY ITEMS					
=====					

202-B	Removal of Existing Asphalt Pavement	65	SY	\$ 47.92	\$ 3,115.00
	\$ FORTY-SEVEN & 92/100-----DOLLARS (Unit Price in Words)				
202-C	Removal of Existing Concrete Pavement	300	SY	\$ 52.50	\$ 15,750.00
	\$ FIFTY-TWO & 50/100-----DOLLARS (Unit Price in Words)				
202-D	Removal of Existing Curb	170	LF	\$ 16.77	\$ 2,850.00
	\$ SIXTEEN & 77/100-----DOLLARS (Unit Price in Words)				
601-A	Class B Structural Concrete	340	CY	\$ 308.83	\$ 105,000.00
	\$ THREE HUNDRED EIGHT & 83/100-----DOLLARS (Unit Price in Words)				
601-B	Class B Structural Concrete (Minor Structures)	10	CY	\$ 365.00	\$ 3,650.00
	\$ THREE HUNDRED SIXTY-FIVE & NO/100-----DOLLARS (Unit Price in Words)				
608-B	Concrete Sidewalk With Reinforcement	20,000	SY	\$ 34.33	\$ 686,500.00
	\$ THIRTY-FOUR & 33/100-----DOLLARS (Unit Price in Words)				

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ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION
613-E	Manhole Adjustment Less than 10"	25	EA	\$ 680.00	\$ 17,000.00
	\$ SIX HUNDRED EIGHTY & NO/100-----DOLLARS (Unit Price in Words)				
613-E	Manhole Adjustment 10" and Greater	22	EA	\$ 931.82	\$ 20,500.00
	\$ NINE HUNDRED THIRTY-ONE & 82/100-----DOLLARS (Unit Price in Words)				
614-B	Concrete Driveway With Reinforcement	2,500	SY	\$ 63.68	\$ 159,200.00
	\$ SIXTY-THREE & 68/100-----DOLLARS (Unit Price in Words)				
625-C	4" Continuous White Striping	28,000	LF	\$ 0.61	\$ 17,000.00
	\$ ZERO & 61/100-----DOLLARS (Unit Price in Words)				
625-E	4" Detail (White)	100	LF	\$ 0.60	\$ 60.00
	\$ ZERO & 60/100-----DOLLARS (Unit Price in Words)				
625-F	Handicap Legend	650	SF	\$ 1.77	\$ 1,150.00
	\$ ONE & 77/100-----DOLLARS (Unit Price in Words)				
625-J	4" Detail (Blue)	2,400	LF	\$ 0.61	\$ 1,475.00
	\$ ZERO & 61/100-----DOLLARS (Unit Price in Words)				
625-K	Pedestrian Walkway Legend	2,576	SF	\$ 2.80	\$ 7,200.00
	\$ TWO & 80/100-----DOLLARS (Unit Price in Words)				
907-630-L	Handicap Signs	26	EA	\$ 211.54	\$ 5,500.00
	\$ TWO HUNDRED ELEVEN & 54/100-----DOLLARS (Unit Price in Words)				

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ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION
907-803-D	Treated Timber Piling (7" Butt with 6" Tip)	465	LF	\$ 24.63	\$ 11,450.00
	\$ TWENTY-FOUR & 63/100-----DOLLARS (Unit Price in Words)				
810-A	Structural Steel	585,943.13	LB	\$ 1.98	\$ 1,158,600.00
	\$ ONE & 98/100-----DOLLARS (Unit Price in Words)				
907-820-A	Treated Timber	795.1619	MBF	\$ 5.441.66	\$ 4,327,000.00
	\$ FIVE THOUSAND, FOUR HUNDRED FORTY ^{ONE} ~~FOUR~~ & 66/100 (Unit Price in Words)				
	DOLLARS				

W.P.L.

INDIRECT PAY ITEMS

620-A	Mobilization	1	LS	\$25,000.00	\$ 25,000.00
	\$ TWENTY-FIVE THOUSAND & NO/100-----DOLLARS (Unit Price in Words)				
618-A	Maintenance of Traffic	1	LS	\$50,000.00	\$ 50,000.00
	\$ FIFTY & NO/100-----DOLLARS (Unit Price in Words)				

TOTAL BASE BID

\$ 6,618,550.00

\$ SIX MILLION, SIX HUNDRED EIGHTEEN THOUSAND, FIVE HUNDRED FIFTY & NO/100---DOLLARS
(Total Bid Price in Words)

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ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION

ADDITIVE ALTERNATE "A"

DIRECT PAY ITEMS

810-A	Structural Steel	83,199.10	LB	\$ 1.95	\$ 162,000.00
	\$ ONE & 95/100-----DOLLARS (Unit Price in Words)				
907-820-A	Treated Timber	117.08482	MBF	\$ 5,431.96	\$ 636,000.00
	\$ FIVE THOUSAND, FOUR HUNDRED THIRTY-ONE & 96/100 (Unit Price in Words)				

INDIRECT PAY ITEMS

620-A	Mobilization	1	LS	\$ 3,000.00	\$ 3,000.00
	\$ THREE THOUSAND, & NO/100-----DOLLARS (Unit Price in Words)				
618-A	Maintenance of Traffic	1	LS	\$ 6,000.00	\$ 6,000.00
	\$ SIX THOUSAND, & NO/100-----DOLLARS (Unit Price in Words)				

TOTAL ADDITIVE ALTERNATE "A" BID **\$ 807,000.00**

\$ EIGHT HUNDRED SEVEN THOUSAND, & NO/100-----DOLLARS
(Total Additive Alternate "A" Bid in Words)

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ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION

ADDITIVE ALTERNATE "B"

DIRECT PAY ITEMS

601-A	Class B Structural Concrete	18	CY	\$ 308.89	\$ 5,560.00
	\$ THREE HUNDRED EIGHT & 89/100-----DOLLARS (Unit Price in Words)				
614-B	Concrete Driveway With Reinforcement	209	SY	\$ 63.64	\$ 13,300.00
	\$ SIXTY-THREE & 64/100-----DOLLARS (Unit Price in Words)				
907-803-A	Test Piling	2	EA	\$ 12,020.00	\$ 24,040.00
	\$ TWELVE THOUSAND, TWENTY & NO/100-----DOLLARS (Unit Price in Words)				
907-803-E	14" x 14" Prestressed Concrete Piling	3,885	LF	\$ 73.69	\$ 286,300.00
	\$ SEVENTY-THREE & 69/100-----DOLLARS (Unit Price in Words)				
907-803-F	14" x 14" Prestressed Concrete Piling Modified For Electrical Installation	3,825	LF	\$ 85.88	\$ 328,500.00
	\$ EIGHTY-FIVE & 88/100-----DOLLARS (Unit Price in Words)				
813-E	2" Diameter Galvanized Hand Railing	62	LF	\$ 72.58	\$ 4,500.00
	\$ SEVENTY-TWO & 58/100-----DOLLARS (Unit Price in Words)				
907-820-A	Treated Timber	118.1800	MBF	\$ 6,031.48	\$ 712,800.00
	\$ SIX THOUSAND, THIRTY-ONE & 48/100-----DOLLARS (Unit Price in Words)				

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907-908- Electrical Lighting 1 LS \$ 87,000.00 \$ 87,000.00
679-F

\$ EIGHTY-SEVEN THOUSAND, & NO/100-----DOLLARS (Unit Price in Words)

=====

INDIRECT PAY ITEMS

=====

620-A Mobilization 1 LS \$ 4,000.00 \$ 4,000.00

\$ FOUR THOUSAND, & NO/100-----DOLLARS (Unit Price in Words)

618-A Maintenance of Traffic 1 LS \$ 5,000.00 \$ 5,000.00

\$ FIVE THOUSAND, & NO/100-----DOLLARS (Unit Price in Words)

TOTAL ADDITIVE ALTERNATE "B" BID \$ 1,471,000.00

\$ ONE MILLION, FOUR HUNDRED SEVENTY-ONE THOUSAND, & NO/100-----DOLLARS
(Total Additive Alternate "B" Bid in Words)

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TOTAL BASE BID \$ 6,618,000.00

\$ SIX MILLION, SIX HUNDRED EIGHTEEN THOUSAND, & NO/100-----DOLLARS
(Total Bid Price in Words)

TOTAL ADDITIVE ALTERNATE "A" BID \$ 807,000.00

\$ EIGHT HUNDRED SEVEN THOUSAND, & NO/100-----DOLLARS
(Total Additive Alternate "A" Bid in Words)

TOTAL ADDITIVE ALTERNATE "B" BID \$ 1,471,000.00

\$ ONE MILLION, FOUR HUNDRED SEVENTY-ONE THOUSAND, & NO/100-----DOLLARS
(Total Additive Alternate "B" Bid in Words)

TOTAL BID INCLUDING ADDITIVE ALTERNATE "A" BID \$ 7,425,000.00

\$ SEVEN MILLION, FOUR HUNDRED TWENTY-FIVE THOUSAND, & NO/100-----DOLLARS
(Total Bid Including Additive Alternate "A" Bid in Words)

TOTAL BID INCLUDING ADDITIVE ALTERNATE "B" BID \$ 8,089,000.00

\$ EIGHT MILLION, EIGHTY-NINE THOUSAND, & NO/100-----DOLLARS
(Total Bid Including Additive Alternate "B" Bid in Words)

TOTAL BID INCLUDING ADDITIVE ALTERNATE "A" & "B" \$ 8,896,000.00

\$ EIGHT MILLION, EIGHT HUNDRED NINETY-SIX THOUSAND, & NO/100-----DOLLARS
(Total Bid Including Additive Alternate "A" & "B" in Words)

(Amounts are to be shown in both words and figures. In case of a discrepancy, the amount shown in words will govern.)

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The above unit prices shall include all labor, materials, equipment, overhead, profit, insurance, and all other incidental items necessary to fully complete the construction project.

Complete Item Nos. 1, 2, and/or 3 as appropriate. See Notice to Bidders No. 4671 and Supplement.

5. I / We agree that no less than two % shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals (DBE and WBE).
6. Classification of Bidder: Small Business (DBE) _____ Small Business (WBE) _____
7. A joint venture with a Small Business (DBE / WBE): Yes _____

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Certification with regard to the Performance of Previous Contracts
or Subcontracts subject to the Equal Opportunity Clause
and the filing of Required Reports

The Bidder ✓, proposed Subcontractor , hereby certifies that he has ✓, has not , participated in a previous contract or subcontract subject to the Equal Opportunity Clause, as required by Executive Orders 10925, 11114, or 11246, and that he has ✓, has not , filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity all reports due under the applicable filing requirements.

STARKS CONTRACTING COMPANY, INC
(COMPANY)

By: Weldon P. Starks
(TITLE)
WELDON P. STARKS, PRESIDENT

Date: 1/21/2003

NOTE: The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b)(1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the Equal Employment Opportunity Clause. Contracts and subcontracts which are exempt from the Equal Employment Opportunity Clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000 or under are exempt.)

Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.

Proposed prime Contractors or Subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41 CFR 60-1.7(b)(1) prevents the award of contracts and subcontracts unless such Contractors submit a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

MISSISSIPPI DEPARTMENT OF TRANSPORTATION
CERTIFICATION
(Execute in Duplicate)

State of Mississippi
County of HARRISON

I, WELDON P. STARKS
(Name of Person Signing Certification)

individually, and in my capacity as PRESIDENT
(Title)

of STARKS CONTRACTING COMPANY, INC. do hereby certify
(Name of Firm, Partnership, or Corporation)

under penalty of perjury under the laws of the United States and the State of Mississippi

that STARKS CONTRACTING COMPANY, INC.
(Name of Firm, Partnership, or Corporation)

Bidder on Project No. STP-0024-00(015) in Harrison County, Mississippi has not either directly or indirectly entered into any agreement; participated in any collusion; or otherwise taken any action in restraint of free competitive bidding in connection with this contract; nor have any of its corporate officers or principal owners.

Except as noted hereafter, it is further certified that said legal entity and its corporate officers, principal owners, managers, auditors, and others in a position of administering federal funds:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or Local) with commission of any of the offenses enumerated in (b) above; and
- (d) Have not within a three-year period preceding this application / proposal had one or more public transactions (Federal, State, or Local) terminated for cause or default

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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Initial here "_____" if exceptions are attached and made a part hereof. Any exception shall address to whom it applies, initiating agency, and dates of such action.

NOTE: Exceptions will not necessarily result in denial of award but will be considered in determining bidder responsibility. Providing false information may result in criminal prosecution or administrative sanctions.

The bidder further certifies that the certification requirements contained in Section XI of Form FHWA 1273 will be or have been included in all subcontracts, material supply agreements, purchase orders, etc., except those procurement contracts for goods or services that are expected to be less than the Federal government small purchase threshold fixed at 10 U.S.C. 2304(g) and 41 U.S.C. 253(g) (currently \$25,000) which are excluded from the certification requirements.

The bidder further certifies, to the best of his knowledge and belief, that:

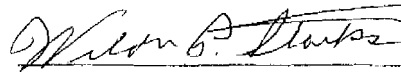
(1) No Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress, in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this contract, Standard Form LLL, "Disclosure Form to Report Lobbying" in accordance with its instructions will be completed and submitted.

The certification contained in (1) and (2) above is a material representation of fact upon which reliance is placed and a prerequisite imposed by Section 1352, Title 31, U.S. Code, prior to entering into this contract. Failure to comply shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000. The bidder shall include the language of the certification in all subcontracts exceeding \$100,000 and all subcontractors shall certify and disclose accordingly.

All of the foregoing and attachments (when indicated) is true and correct.

Executed on 1/27/2003


Signature

WELDON P. STARKS, PRESIDENT

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

St Paul

**ST. PAUL FIRE AND MAR
INSURANCE COMPA**
St. Paul, Minn
A Capital Stock Com

BID BOND

Approved by The American Institute of Architects,
A. I. A. Document A 310 Feb. 1970 Edition

KNOW ALL MEN BY THESE PRESENTS, that we STARKS CONTRACTING COMPANY, INC.

P.O. BOX 6756, BILOXI, MS 39532

as Principal, hereinafter called the Principal
and the ST. PAUL FIRE AND MARINE INSURANCE COMPANY, a corporation duly organized under the laws of

State of Minnesota as Surety, hereinafter called the Surety, are held and firmly bound unto

HARRISON COUNTY BOARD OF SUPERVISORS, 1801 23RD AVE., GULFPORT, MS 39502

as Obligor, hereinafter called the Obligor

in the sum of FIVE PERCENT (5%) OF THE AMOUNT BID Dollars

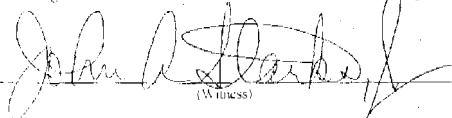
(S— —), for the payment of which sum well and truly to be made, the said Principal and the said Surety
bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents

WHEREAS, the Principal has submitted a bid for

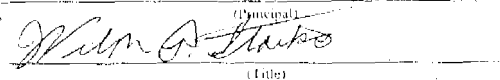
U.S. HIGHWAY 90 BEACHFRONT PEDESTRIAN PATHWAY IMPROVEMENTS - PHASE 2

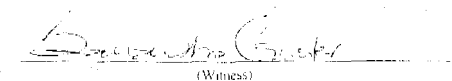
NOW, THEREFORE, if the Obligor shall accept the bid of the Principal and the Principal shall enter into
contract with the Obligor in accordance with the terms of such bid, and give such bond or bonds as may be specified
the bidding or contract documents with good and sufficient surety for the faithful performance of such contract and
the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the
Principal to enter such contract and give such bond or bonds, if the Principal shall pay to the Obligor the difference in
to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligor in
in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and
void, otherwise to remain in full force and effect.

Signed and sealed this 21ST day of JANUARY, A. D. 2003

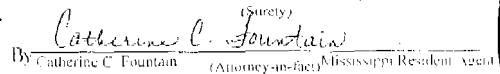

(Witness)

STARKS CONTRACTING COMPANY, INC. (Se


(Principal)
(Title)


(Witness)

St. Paul Fire and Marine Insurance Company (Se


(Surety)
By Catherine C. Fountain (Attorney-in-fact) Mississippi Resident Agent

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

The St Paul
POWER OF ATTORNEY

 Seaboard Surety Company
 St. Paul Fire and Marine Insurance Company
 St. Paul Guardian Insurance Company
 St. Paul Mercury Insurance Company

 United States Fidelity and Guaranty Company
 Fidelity and Guaranty Insurance Company
 Fidelity and Guaranty Insurance Underwriters, Inc.

Power of Attorney No. 23531

Certificate No. 1496843

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, and St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized and the laws of the State of Minnesota, and that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, and that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin, *therein collectively called the "Companies"*, and that the Companies do hereby make, constitute and appoint:

Jim Eley Brashier, Troy P. Wagener, Belinda Tubbs, Catherine C. Fountain and John B. Sneed

of the City of Biloxi, State of Mississippi, then true and lawful Attorneys-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, undertakings, covenants and other written instruments in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted on any account or proceedings allowed by law.

IN WITNESS WHEREOF the Companies have caused this instrument to be signed and sealed this 23rd day of September, 2002.

 Seaboard Surety Company
 St. Paul Fire and Marine Insurance Company
 St. Paul Guardian Insurance Company
 St. Paul Mercury Insurance Company

 United States Fidelity and Guaranty Company
 Fidelity and Guaranty Insurance Company
 Fidelity and Guaranty Insurance Underwriters, Inc.

 State of Maryland
 City of Baltimore

PETER W. CARMAN, Vice President

THOMAS E. HUBBARD, Assistant Secretary

On this 23rd day of September, 2002, before me, the undersigned officer, personally appeared Peter W. Carman and Thomas E. Hubbard, who acknowledged themselves to be the Vice President and Assistant Secretary, respectively, of Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, United States Fidelity and Guaranty Company, Fidelity and Guaranty Insurance Company and Fidelity and Guaranty Insurance Underwriters, Inc., and that the seals affixed to the foregoing instrument are the corporate seals of said Companies, and that they, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the names of the corporations by themselves as duly authorized officers.

In Witness Whereof, I hereunto set my hand and official seal.

My Commission expires the 1st day of July, 2006.



Rebecca Eastley, Notary Public

REBECCA EASTLEY, Notary Public, State of Mississippi

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, United States Fidelity and Guaranty Company, Fidelity and Guaranty Insurance Company, and Fidelity and Guaranty Insurance Underwriters, Inc. on September 2, 1998, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that in connection with the fidelity and surety insurance business of the Company, all bonds, undertakings, contracts and other instruments relating to said business may be signed, executed, and acknowledged by persons or entities appointed as Attorney(s)-in-Fact pursuant to a Power of Attorney issued in accordance with these resolutions. Said Power(s) of Attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman, or the President or any Vice President, or an Assistant Vice President, jointly with the Secretary or an Assistant Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the foregoing officers and the seal of the Company may be attested by facsimile to any Power of Attorney or to any certificate relating thereto appointing Attorney(s)-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and subject to any limitations set forth therein, any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company, and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is validly attached, and

RESOLVED FURTHER, that Attorney(s)-in-Fact shall have the power and authority, and, in any case, subject to the terms and limitations of the Power of Attorney issued them, to execute and deliver on behalf of the Company and to attach the seal of the Company to any and all bonds and undertakings, and other writings obligatory in the nature thereof, and any such instrument executed by such Attorney(s)-in-Fact shall be as binding upon the Company as if signed by an Executive Officer and sealed and attested to by the Secretary of the Company.

I, Thomas E. Huibregtse, Assistant Secretary of Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, United States Fidelity and Guaranty Company, Fidelity and Guaranty Insurance Company, and Fidelity and Guaranty Insurance Underwriters, Inc., do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I hereunto set my hand this 21ST day of JANUARY, 2003



Thomas E. Huibregtse
Thomas E. Huibregtse, Assistant Secretary

To verify the authenticity of this Power of Attorney, call 1-800-421-3889 and ask for the Power of Attorney clerk. Please refer to the Power of Attorney number, the above-named individuals and the details of the bond to which the power is attached.

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

SECTION 905 - PROPOSAL

Date 1/21/03

HARRISON COUNTY BOARD OF SUPERVISORS
P.O. DRAWER CC
GULFPORT, MISSISSIPPI 39502

Sirs: The following proposal is made on behalf of Sumrall's Construction
Company of Gulfport, MS

for constructing the following designated project(s) within the time(s) hereinafter specified.

The plans are composed of drawings and blue prints on the file in the offices of the Mississippi Department of Transportation, Jackson, Mississippi.

The specifications are the current 1990 edition Standard Specifications and Supplemental Specifications of the Mississippi Department of Transportation approved by the Federal Highway Administration, except where superseded or amended by the plans, Special Provisions and Notice(s) to Bidders attached hereto and made a part thereof.

I (We) certify that I (we) possess a copy of said Standard and Supplemental Specifications.

Evidence of my (our) authority to submit the Proposal is hereby furnished. The proposal is made without collusion on the part of any person, firm or corporation. I (We) certify that I (we) have carefully examined the Plans, the Specifications, including the Special Provisions and Notice(s) to Bidders, herein, and have personally examined the site of the work. On the basis of the Specifications, Special Provisions, Notice(s) to Bidders, and Plans, I (we) propose to furnish all necessary machinery, tools, apparatus and other means of construction and do all the work and furnish all the materials in the manner specified. I (We) understand that the quantities mentioned herein are approximate only and are subject to either increase or decrease, and hereby propose to perform any increased or decreased quantities of work at the unit prices bid, in accordance with the above.

Attached hereto is a certified check, cashier's check or Proposal Guaranty Bond in the amount as required in the Advertisement (or, by law).

INSTRUCTION TO BIDDERS: Alternate and Optional Items on Bid Schedule.

1. Two or more items entered opposite a single unit quantity WITHOUT DEFINITE DESIGNATION AS "ALTERNATE ITEMS" are considered as "OPTIONAL ITEMS". Bidders may or may not indicate on bids the Optional Item proposed to be furnished or performed WITHOUT PREJUDICE IN REGARD TO IRREGULARITY OF BIDS.
2. Items classified on the bid schedule as "ALTERNATE ITEMS" and/or "ALTERNATE TYPES OF CONSTRUCTION" must be preselected and indicated on bids. However, "Alternate Types of Construction" may include Optional Items to be treated as set out in Paragraph 1, above.
3. Optional items not preselected and indicated on the bid schedule MUST be designated in accordance with Subsection 907-102.06 prior to or at the time of execution of the contract.
4. Optional and Alternate items designated must be used throughout the project.

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

SECTION 905 - PROPOSAL (CONTINUED)

I (We) further propose to perform all "force account or extra work" that may be required of me (us) on the basis provided in the Specifications and to give such work my (our) personal attention in order to see that it is economically performed.

I (We) further propose to execute the attached contract agreement (Section 902) as soon as the work is awarded to me (us), and to begin and complete the work within the time limit(s) provided for in the Specifications and Advertisement. I (We) also propose to execute the attached contract bond (Section 903) in an amount not less than one hundred (100) percent of the total of my (our) part, but also to guarantee the excellence of both workmanship and materials until the work is finally accepted.

I (We) enclose a certified check, cashier's check or bid bond for 5% of bid price (\$ _____) Dollars and hereby agree that in case of my (our) failure to execute the contract and furnish bond with Ten (10) days after notice of award, the amount of this check (bid bond) will be forfeited to the State of Mississippi as liquidated damages arising out of my (our) failure to execute the contract as proposed. It is understood that in case I am (we are) not awarded the work, the check will be returned as provided in the Specifications.

Bidder acknowledges receipt of and has added to and made a part of the proposal and contract documents the following addendum (addenda):

ADDENDUM NO. <u>1</u>	DATED <u>1-16-03</u>	ADDENDUM NO. _____	DATED _____
ADDENDUM NO. <u>2</u>	DATED <u>1-17-03</u>	ADDENDUM NO. _____	DATED _____
ADDENDUM NO. _____	DATED _____	ADDENDUM NO. _____	DATED _____

TOTAL ADDENDA: _____

(Must agree with total addenda issued prior to opening of bids.)

Respectfully submitted, Sumrall's Const. Co.
Contractor

BY Artice Sumrall

TITLE President

ADDRESS P.O. Box 3898, Gulfport, MS 39505

Date 1/21 2003

(To be filled in if a corporation)

Our corporation is chartered under the Laws of the State of Mississippi and the names, titles and business addresses of the executives are as follows:

Artice Sumrall P.O. Box 3898 Gulfport, MS 39505
President Address

Betty Sumrall P.O. Box 3898 Gulfport, MS 39505
Secretary Address

Betty Sumrall P.O. Box 3898 Gulfport, MS 39505
Treasurer Address

The following is my (our) itemized proposal:

BP - 2

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

BID SCHEDULE

Bidder agrees to perform all of the Work described in the Specifications and shown on the Construction Plans for the following unit prices:

(NOTE: BID shall include sales tax and all other applicable taxes and fees.)

BASE BID - U.S. HIGHWAY 90 BEACHFRONT PEDESTRIAN PATHWAY IMPROVEMENTS - PHASE 2

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION
=====					
DIRECT PAY ITEMS					
=====					
202-B	Removal of Existing Asphalt Pavement	65	SY	\$ <u>3.25</u>	\$ <u>211.25</u>
	\$ <u>Three Dollars and Twenty-Five Cents</u> (Unit Price in Words)				
202-C	Removal of Existing Concrete Pavement	300	SY	\$ <u>15.00</u>	\$ <u>4,500.00</u>
	\$ <u>Fifteen Dollars and No Cents</u> (Unit Price in Words)				
202-D	Removal of Existing Curb	170	LF	\$ <u>5.00</u>	\$ <u>850.00</u>
	\$ <u>Five Dollars and No cents</u> (Unit Price in Words)				
601-A	Class B Structural Concrete	340	CY	\$ <u>350.00</u>	\$ <u>119,000.00</u>
	\$ <u>Three Hundred Fifty Dollars and No Cents</u> (Unit Price in Words)				
601-B	Class B Structural Concrete (Minor Structures)	10	CY	\$ <u>700.00</u>	\$ <u>7,000.00</u>
	\$ <u>Seven Hundred Dollars and No Cents</u> (Unit Price in Words)				
608-B	Concrete Sidewalk With Reinforcement	20,000	SY	\$ <u>18.50</u>	\$ <u>370,000.00</u>
	\$ <u>Eighteen Dollars and Fifty Cents</u> (Unit Price in Words)				

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION
613-E	Manhole Adjustment Less than 10"	25	EA	\$ 250.00	\$6,250.00
	\$ Two Hundred Fifty Dollars and No Cents (Unit Price in Words)				
613-E	Manhole Adjustment 10" and Greater	22	EA	\$200.00	\$4,400.00
	\$ Two Hundred Dollars and No Cents (Unit Price in Words)				
614-B	Concrete Driveway / With Reinforcement	2,500	SY	\$ 27.50	\$68,750.00
	\$ Twenty-Seven Dollars and Fifty Cents (Unit Price in Words)				
625-C	4" Continuous White Striping	28,000	LF	\$.45	\$12,600.00
	\$ Forty-Five Cents (Unit Price in Words)				
625-E	4" Detail (White)	100	LF	\$.55	\$ 55.00
	\$ Fifty-Five Cents (Unit Price in Words)				
625-F	Handicap Legend	650	SF	\$ 3.30	\$2,145.00
	\$ Three Dollars and Thirty Cents (Unit Price in Words)				
625-J	4" Detail (Blue)	2,400	LF	\$.55	\$1,320.00
	\$ Fifty-Five Cents (Unit Price in Words)				
625-K	Pedestrian Walkway Legend	2,576	SF	\$ 4.40	\$11,334.40
	\$ Four Dollars and Forty Cents (Unit Price in Words)				
907-630-L	Handicap Signs	26	EA	\$165.00	\$4,290.00
	\$ One Hundred Sixty-Five Dollars (Unit Price in Words) and No Cents				

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

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ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION
907-803-D	Treated Timber Piling (7" Butt with 6" Tip)	465	LF	\$ 11.00	\$ 5,115.00
	\$ Eleven Dollars and No Cents (Unit Price in Words)				
810-A	Structural Steel	585,943.13	LB	\$.95	\$ 556,645.97
	\$ Ninety-Five Cents (Unit Price in Words)				
907-820-A	Treated Timber	795.1619	MBF	\$ 1495.00	\$ 1,188,767.04
	\$ One Thousand Four Hundred Ninety-Five (Unit Price in Words) Dollars and No Cents				

INDIRECT PAY ITEMS

620-A	Mobilization	1	LS	\$ 120,000.00	\$ 120,000.00
	\$ One Hundred Twenty Thousand Dollars and No Cents (Unit Price in Words)				
618-A	Maintenance of Traffic	1	LS	\$ 45,000.00	\$ 45,000.00
	\$ Forty-Five Thousand Dollars and No Cents (Unit Price in Words)				

TOTAL BASE BID

\$ 2,515,634.11

\$ Two Million Five Hundred Fifteen Thousand Six Hundred Thirty-Four Dollars and Eleven Cents.
(Total Bid Price in Words)

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION

ADDITIVE ALTERNATE "A"

DIRECT PAY ITEMS

810-A	Structural Steel	83,199.10	LB	\$.95	\$ 79,039.15
	\$ <u>Ninety-Five Cents</u> (Unit Price in Words)				
907-820-A	Treated Timber	117.08482	MBF	\$ 1,495.00	\$ 175,041.81
	\$ <u>One Thousand Four Hundred Ninety-Five Dollars and No Cents</u> (Unit Price in Words)				

INDIRECT PAY ITEMS

620-A	Mobilization	1	LS	\$ 12,000.00	\$ 12,000.00
	\$ <u>Twelve Thousand Dollars and No Cents</u> (Unit Price in Words)				
618-A	Maintenance of Traffic	1	LS	\$ 4,500.00	\$ 4,500.00
	\$ <u>Four Thousand Dollars and No Cents</u> (Unit Price in Words)				

TOTAL ADDITIVE ALTERNATE "A" BID

\$ 270,580.95
\$ Two Hundred Seventy Thousand Five Hundred Eighty Dollar
 (Total Additive Alternate "A" Bid in Words) and Ninety-Five Cents

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

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ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION

ADDITIVE ALTERNATE "B"

DIRECT PAY ITEMS

601-A	Class B Structural Concrete	18	CY	\$350.00	\$6,300.00
	\$ Three Hundred Fifty Dollars and No Cents (Unit Price in Words)				
614-B	Concrete Driveway With Reinforcement	209	SY	\$27.50	\$5,747.50
	\$ Twenty Seven Dollars and Fifty Cents (Unit Price in Words)				
907-803-A	Test Piling	2	EA	\$1,500.00	\$3,000.00
	\$ One Thousand Five Hundred Dollars and No Cents (Unit Price in Words)				
907-803-E	14" x 14" Prestressed Concrete Piling	3,885	LF	\$51.70	\$200,854.50
	\$ Fifty-One Dollars and Seventy Cents (Unit Price in Words)				
907-803-F	14" x 14" Prestressed Concrete Piling Modified For Electrical Installation	3,825	LF	\$51.70	\$197,752.50
	\$ Fifty-One Dollars and Seventy Cents (Unit Price in Words)				
813-E	2" Diameter Galvanized Hand Railing	62	LF	\$75.00	\$4,650.00
	\$ Seventy Five Dollars and No Cents (Unit Price in Words)				
907-820-A	Treated Timber	118.1800	MBF	\$1,800.00	\$212,724.00
	\$ One Thousand Eight Hundred Dollars and No Cents (Unit Price in Words)				

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

907-908- Electrical Lighting 1 LS ~~\$31,000.00~~ ~~\$682,000.00~~
 679-F

\$ Thirty-One Thousand Dollars and (Unit Price in Words)
100 Cents

=====

INDIRECT PAY ITEMS

=====

620-A Mobilization 1 LS ~~\$60,000.00~~ ~~\$60,000.00~~

\$ Sixty Thousand Dollars and 00 Cents (Unit Price in Words)

618-A Maintenance of Traffic 1 LS ~~\$2,500.00~~ ~~\$2,500.00~~

\$ Two Thousand Five Hundred (Unit Price in Words)
Dollars and 00 Cents

TOTAL ADDITIVE ALTERNATE "B" BID \$ 1,375,528.50

\$ One Million Three Hundred Seventy-Five Thousand Five
 (Total Additive Alternate "B" Bid in Words) Hundred Twenty-Eight Dollar
and Fifty Cents

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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TOTAL BASE BID \$2,515,634.11
\$ Two Million Five Hundred Fifteen Thousand Six Hundred Thirty-
 (Total Bid Price in Words) Four Dollars and Eleven Cents

TOTAL ADDITIVE ALTERNATE "A" BID \$270,580.95
\$ Two Hundred Seventy Thousand Five Hundred Eighty Dollars
 (Total Additive Alternate "A" Bid in Words) and Ninety-Five Cents

TOTAL ADDITIVE ALTERNATE "B" BID \$1,375,528.50
\$ One Million Three Hundred Seventy-Five Thousand Five Hundred
 (Total Additive Alternate "B" Bid in Words) Twenty-Eight Dollars and Fifty
Cents

TOTAL BID INCLUDING ADDITIVE ALTERNATE "A" BID \$2,786,215.06
\$ Two Million Seven Hundred Eighty-Six Thousand Two Hundred
 (Total Bid Including Additive Alternate "A" Bid in Words) Fifteen Dollars and Six Cents

TOTAL BID INCLUDING ADDITIVE ALTERNATE "B" BID \$3,891,162.61
\$ Three Million Eight Hundred Ninety-One Thousand One Hundred Sixty-
 (Total Bid Including Additive Alternate "B" Bid in Words) Two Dollars and Sixty-one
Cents

TOTAL BID INCLUDING ADDITIVE ALTERNATE "A" & "B" \$4,161,743.56
\$ Four Million One Hundred Sixty-One Thousand Seven Hundred Forty-Three
 (Total Bid Including Additive Alternate "A" & "B" in Words) Dollars and Fifty-Six Cents

(Amounts are to be shown in both words and figures. In case of a discrepancy, the amount shown in words will govern.)

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The above unit prices shall include all labor, materials, equipment, overhead, profit, insurance, and all other incidental items necessary to fully complete the construction project.

Complete Item Nos. 1, 2, and/or 3 as appropriate. See Notice to Bidders No. 4671 and Supplement.

5. I/We agree that no less than 2 % shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals (DBE and WBE).

6. Classification of Bidder: Small Business (DBE) X Small Business (WBE) _____

7. A joint venture with a Small Business (DBE / WBE): Yes _____

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THE BOTTRELL AGENCY

BID BOND

ST. PAUL MERCURY INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS, That we, **SUMRALL'S CONSTRUCTION CO.**
 Gulfport, Mississippi

as Principal, hereinafter called the Principal, and **ST. PAUL MERCURY INSURANCE COMPANY**
 St. Paul, Minnesota

a corporation duly organized under the laws of the State of **Minnesota**

as Surety, hereinafter called the Surety, are held and firmly bound unto **HARRISON COUNTY BOARD OF SUPERVISORS**

as Obligor, hereinafter called the Obligor, in the sum of **Five Percent of the Amount of the Bid**

Dollars (\$ **5%** of Bid)

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for
U. S. Highway 90
Beachfront Pedestrian Pathway Improvements - Phase 2

NOW THEREFORE, the condition of this obligation is such that if the aforesaid Principal shall be awarded the contract the said Principal will, within the time required, enter into a formal contract and give a good and sufficient bond to secure the performance of the terms and conditions of the contract, then this obligation to be void; otherwise the Principal and Surety will pay unto the Obligor the difference in money between the amount of the bid of the said Principal and the amount for which the Obligor legally contracts with another party to perform the work if the latter amount be in excess of the former, but in no event shall liability hereunder exceed the penal sum hereof.

Signed and sealed this 21st day of January A.D. 2003

SUMRALL'S CONSTRUCTION CO.

(Principal)

(Seal)

By: *Patrice Sumrall*
 (Title)

(Witness)

ST. PAUL MERCURY INSURANCE COMPANY

(Surety)

(Seal)

D. M. Ferris
D. M. Ferris
THE BOTTRELL AGENCY
 Resident Mississippi Agent

(Attorney-in-Fact)

Amanda Charfauros
Amanda Charfauros
 (Witness)

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The St Paul
POWER OF ATTORNEY

 Seaboard Surety Company
 St. Paul Fire and Marine Insurance Company
 St. Paul Guardian Insurance Company
 St. Paul Mercury Insurance Company

 United States Fidelity and Guaranty Company
 Fidelity and Guaranty Insurance Company
 Fidelity and Guaranty Insurance Underwriters, Inc.

Power of Attorney No. 20609

Certificate No. 1473933

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, and that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, and that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, and that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin, *therein collectively called the "Companies"*, and that the Companies do hereby make, execute, and appoint:

J. Carlton Smith, S. Lyle Bates, Jr., W. E. French, Gene Horner, C. Ray Dixon, Jr., Robert L. Elliott, Jim A. Armstrong, Jerry G. Veazey, Jr., Guy M. Parker, Jr., Eric Donahoe, D. M. Ferris, Jason J. Young, T. L. Joyner, III, John G. Raines and Thomas Y. Elfert

of the City of Jackson, State of Mississippi, their true and lawful Attorneys-in-Fact, each in their separate capacity. Future than one is named above, to sign its name as surety to, and to execute, seal and acknowledge any and all bonds, underlings, contracts and other written instruments in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and sealed this 30th day of August, 2002

 Seaboard Surety Company
 St. Paul Fire and Marine Insurance Company
 St. Paul Guardian Insurance Company
 St. Paul Mercury Insurance Company

 United States Fidelity and Guaranty Company
 Fidelity and Guaranty Insurance Company
 Fidelity and Guaranty Insurance Underwriters, Inc.


[Signature]
 PETER W. CARMAN, Vice President
[Signature]
 THOMAS F. HUBBARD, Assistant Secretary

 State of Mississippi
 City of Baltimore

On this 30th day of August, 2002, before me, the undersigned officer, personally appeared Peter W. Carman and Thomas F. Hubbard, who acknowledged themselves to be the Vice President and Assistant Secretary, respectively, of Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, United States Fidelity and Guaranty Company, Fidelity and Guaranty Insurance Company, and Fidelity and Guaranty Insurance Underwriters, Inc., and that the seals affixed to the foregoing instrument are the corporate seals of said Companies, and that they, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the names of the corporations by themselves as duly authorized officers.

In Witness Whereof, I hereunto set my hand and official seal
 My Commission expires the 1st day of July, 2006



[Signature]
 REBECCA BASLEY-ORSKOV, Notary Public

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

SECTION 905 - PROPOSAL

Date 1/20/2003

HARRISON COUNTY BOARD OF SUPERVISORS
 P.O. DRAWER CC
 GULFPORT, MISSISSIPPI 39502

Sirs: The following proposal is made on behalf of TCB Construction Co Inc
of 5913 Hwy 53, Poplarville
Ms 39470

for constructing the following designated project(s) within the time(s) hereinafter specified.

The plans are composed of drawings and blue prints on the file in the offices of the Mississippi Department of Transportation, Jackson, Mississippi.

The specifications are the current 1990 edition Standard Specifications and Supplemental Specifications of the Mississippi Department of Transportation approved by the Federal Highway Administration, except where superseded or amended by the plans, Special Provisions and Notice(s) to Bidders attached hereto and made a part thereof.

I (We) certify that I (we) possess a copy of said Standard and Supplemental Specifications.

Evidence of my (our) authority to submit the Proposal is hereby furnished. The proposal is made without collusion on the part of any person, firm or corporation. I (We) certify that I (we) have carefully examined the Plans, the Specifications, including the Special Provisions and Notice(s) to Bidders, herein, and have personally examined the site of the work. On the basis of the Specifications, Special Provisions, Notice(s) to Bidders, and Plans, I (we) propose to furnish all necessary machinery, tools, apparatus and other means of construction and do all the work and furnish all the materials in the manner specified. I (We) understand that the quantities mentioned herein are approximate only and are subject to either increase or decrease, and hereby propose to perform any increased or decreased quantities of work at the unit prices bid, in accordance with the above.

Attached hereto is a certified check, cashier's check or Proposal Guaranty Bond in the amount as required in the Advertisement (or, by law).

INSTRUCTION TO BIDDERS: Alternate and Optional Items on Bid Schedule.

1. Two or more items entered opposite a single unit quantity WITHOUT DEFINITE DESIGNATION AS "ALTERNATE ITEMS" are considered as "OPTIONAL ITEMS". Bidders may or may not indicate on bids the Optional Item proposed to be furnished or performed WITHOUT PREJUDICE IN REGARD TO IRREGULARITY OF BIDS.
2. Items classified on the bid schedule as "ALTERNATE ITEMS" and/or "ALTERNATE TYPES OF CONSTRUCTION" must be preselected and indicated on bids. However, "Alternate Types of Construction" may include Optional Items to be treated as set out in Paragraph 1, above.
3. Optional items not preselected and indicated on the bid schedule MUST be designated in accordance with Subsection 907-102.06 prior to or at the time of execution of the contract.
4. Optional and Alternate items designated must be used throughout the project.

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SECTION 905 - PROPOSAL (CONTINUED)

I (We) further propose to perform all "force account or extra work" that may be required of me (us) on the basis provided in the Specifications and to give such work my (our) personal attention in order to see that it is economically performed.

I (We) further propose to execute the attached contract agreement (Section 902) as soon as the work is awarded to me (us), and to begin and complete the work within the time limit(s) provided for in the Specifications and Advertisement. I (We) also propose to execute the attached contract bond (Section 903) in an amount not less than one hundred (100) percent of the total of my (our) part, but also to guarantee the excellence of both workmanship and materials until the work is finally accepted.

I (We) enclose a certified check, cashier's check or bid bond for 5% of Amount Bid (\$ _____) Dollars and hereby agree that in case of my (our) failure to execute the contract and furnish bond with Ten (10) days after notice of award, the amount of this check (bid bond) will be forfeited to the State of Mississippi as liquidated damages arising out of my (our) failure to execute the contract as proposed. It is understood that in case I am (we are) not awarded the work, the check will be returned as provided in the Specifications.

Bidder acknowledges receipt of and has added to and made a part of the proposal and contract documents the following addendum (addenda):

ADDENDUM NO. <u>1</u>	DATED <u>1/6/2003</u>	ADDENDUM NO. _____	DATED _____
ADDENDUM NO. <u>2</u>	DATED <u>1/17/2003</u>	ADDENDUM NO. _____	DATED _____
ADDENDUM NO. _____	DATED _____	ADDENDUM NO. _____	DATED _____

TOTAL ADDENDA: _____

(Must agree with total addenda issued prior to opening of bids.)

Respectfully submitted, TCB Construction Co. Inc.
Contractor

BY Jennifer L. Fagan Jennifer L. Fagan
TITLE President

ADDRESS 5913 Hwy 53 Poplarville Ms 39470

Date January 20th, 2003

(To be filled in if a corporation)

Our corporation is chartered under the Laws of the State of Mississippi and the names, titles and business addresses of the executives are as follows:

Jennifer L. Fagan 32283 Road 323, Poplarville Ms 39470
President Address

Dickie Joe Ladner 5913 Hwy 53 Poplarville Ms 39470
Secretary Address

Dickie Joe Ladner 5913 Hwy 53 Poplarville Ms 39470
Treasurer Address

The following is my (our) itemized proposal.

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BID SCHEDULE

Bidder agrees to perform all of the Work described in the Specifications and shown on the Construction Plans for the following unit prices:

(NOTE: BID shall include sales tax and all other applicable taxes and fees.)

**BASE BID - U.S. HIGHWAY 90 BEACHFRONT PEDESTRIAN PATHWAY
IMPROVEMENTS - PHASE 2**

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION

DIRECT PAY ITEMS

202-B	Removal of Existing Asphalt Pavement	65	SY	\$ 15 ⁰⁰	\$ 975 ⁰⁰
	\$ Fifteen dollars and zero cents (Unit Price in Words)				
202-C	Removal of Existing Concrete Pavement	300	SY	\$ 18 ⁰⁰	\$ 5400 ⁰⁰
	\$ Eighteen dollars and zero cents (Unit Price in Words)				
202-D	Removal of Existing Curb	170	LF	\$ 6 ⁰⁰	\$ 1,020 ⁰⁰
	\$ Six dollars and zero cents (Unit Price in Words)				
601-A	Class B Structural Concrete	340	CY	\$ 580 ⁰⁰	\$ 197,200 ⁰⁰
	\$ Five hundred Eighty dollars and zero cents (Unit Price in Words)				
601-B	Class B Structural Concrete (Minor Structures)	10	CY	\$ 750 ⁰⁰	\$ 7500 ⁰⁰
	\$ Seven hundred fifty dollars and zero cents (Unit Price in Words)				
608-B	Concrete Sidewalk With Reinforcement	20,000	SY	\$ 24 ⁰⁰	\$ 480,000 ⁰⁰
	\$ Twenty Four dollars and zero cents (Unit Price in Words)				

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ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION
613-E	Manhole Adjustment Less than 10"	25	EA	\$ <u>300⁰⁰</u>	\$ <u>7,500⁰⁰</u>
	\$ <u>Three hundred dollars and zero cents</u> (Unit Price in Words)				
613-E	Manhole Adjustment 10" and Greater	22	EA	\$ <u>400⁰⁰</u>	\$ <u>8,800⁰⁰</u>
	\$ <u>Four hundred dollars and zero cents</u> (Unit Price in Words)				
614-B	Concrete Driveway With Reinforcement	2,500	SY	\$ <u>38⁰⁰</u>	\$ <u>95,000⁰⁰</u>
	\$ <u>Thirty eight dollars and zero cents</u> (Unit Price in Words)				
625-C	4" Continuous White Striping	28,000	LF	\$ <u>.30</u>	\$ <u>8,400⁰⁰</u>
	\$ <u>Thirty cents</u> (Unit Price in Words)				
625-E	4" Detail (White)	100	LF	\$ <u>.30</u>	\$ <u>30⁰⁰</u>
	\$ <u>Thirty cents</u> (Unit Price in Words)				
625-F	Handicap Legend	650	SF	\$ <u>3⁰⁰</u>	\$ <u>1,950⁰⁰</u>
	\$ <u>Three dollars and zero cents</u> (Unit Price in Words)				
625-J	4" Detail (Blue)	2,400	LF	\$ <u>.30</u>	\$ <u>720⁰⁰</u>
	\$ <u>Thirty cents</u> (Unit Price in Words)				
625-K	Pedestrian Walkway Legend	2,576	SF	\$ <u>3⁰⁰</u>	\$ <u>7,728⁰⁰</u>
	\$ <u>Three dollars and zero cents</u> (Unit Price in Words)				
907-630-L	Handicap Signs	26	EA	\$ <u>300⁰⁰</u>	\$ <u>7,800⁰⁰</u>
	\$ <u>Three hundred dollars and zero cents</u> (Unit Price in Words)				

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ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION
907-803-D	Treated Timber Piling (7" Butt with 6" Tip)	465	LF	\$ 16 ⁰⁰	\$ 7,440 ⁰⁰
	\$ Sixteen dollars and zero cents (Unit Price in Words)				
810-A	Structural Steel	585,943.13	LB	\$ 1 ⁰⁰	\$ 585,943 ¹³
	\$ One dollar and zero cents (Unit Price in Words)				
907-820-A	Treated Timber	795.1619	MBF	\$ 1450 ⁰⁰	\$ 1,152,984.76
	\$ One thousand Four hundred fifty dollars and zero cents (Unit Price in Words)				

=====

INDIRECT PAY ITEMS

=====

620-A *	Mobilization	1	LS	\$ 150,000 ⁰⁰	\$ 150,000 ⁰⁰
	\$ One hundred Fifty Thousand and zero cents (Unit Price in Words)				
618-A	Maintenance of Traffic	1	LS	\$ 60,000 ⁰⁰	\$ 60,000 ⁰⁰
	\$ Sixty Thousand dollars and zero cents (Unit Price in Words)				

TOTAL BASE BID \$ 2,786,390.89

\$ Two Million Seven hundred Eighty-Six thousand three hundred
 (Total Bid Price in Words) Ninty Dollars and Eighty-nine cents

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ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION

ADDITIVE ALTERNATE "A"

DIRECT PAY ITEMS

810-A	Structural Steel	83,199.10	LB	\$ <u>1.05</u>	\$ <u>87,359.06</u> \$ One dollar and five cents (Unit Price in Words)
907-820-A	Treated Timber	117.08482	MBF	\$ <u>1450.00</u>	\$ <u>16,977.29</u> \$ One thousand four hundred fifty dollars and Zero cents (Unit Price in Words)

INDIRECT PAY ITEMS

620-A	Mobilization	1	LS	\$ <u>5,000.00</u>	\$ <u>5,000.00</u> \$ Five Thousand ¹ ~~and~~ Zero cents (Unit Price in Words)
618-A	Maintenance of Traffic	1	LS	\$ <u>10,000.00</u>	\$ <u>10,000.00</u> \$ Ten Thousand dollars and Zero cents (Unit Price in Words)

TOTAL ADDITIVE ALTERNATE "A" BID \$272,132.05
 \$ Two hundred seventy-two thousand one
 (Total Additive Alternate "A" Bid in Words)
 hundred thirty-two dollars and five cents

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ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION

ADDITIVE ALTERNATE "B"

DIRECT PAY ITEMS

601-A	Class B Structural Concrete	18	CY	\$ <u>600⁰⁰</u>	\$ <u>10,800⁰⁰</u>
	\$ <u>Six hundred dollars and 2⁰⁰ cents</u> (Unit Price in Words)				
614-B	Concrete Driveway With Reinforcement	209	SY	\$ <u>33⁰⁰</u>	\$ <u>6,897⁰⁰</u>
	\$ <u>Thirty three dollars and 2⁰⁰ cents</u> (Unit Price in Words)				
907-803-A	Test Piling	2	EA	\$ <u>2,000⁰⁰</u>	\$ <u>4,000⁰⁰</u>
	\$ <u>Two Thousand Dollars and zero cents</u> (Unit Price in Words)				
907-803-E	14" x 14" Prestressed Concrete Piling	3,885	LF	\$ <u>51⁰⁰</u>	\$ <u>198,135⁰⁰</u>
	\$ <u>Fifty-one dollars and zero cents</u> (Unit Price in Words)				
907-803-F	14" x 14" Prestressed Concrete Piling Modified For Electrical Installation	3,825	LF	\$ <u>51⁰⁰</u>	\$ <u>195,075⁰⁰</u>
	\$ <u>Fifty One dollars and zero cents</u> (Unit Price in Words)				
813-E	2" Diameter Galvanized Hand Railing	62	LF	\$ <u>100⁰⁰</u>	\$ <u>6,200⁰⁰</u>
	\$ <u>One hundred dollars and 2⁰⁰ cents</u> (Unit Price in Words)				
907-820-A	Treated Timber	118.1800	MBF	\$ <u>1,300⁰⁰</u>	\$ <u>153,634⁰⁰</u>
	\$ <u>One Thousand Three Hundred dollars and 2⁰⁰ cents</u> (Unit Price in Words)				

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907-908- Electrical Lighting 1 LS \$ 105,000⁰⁰ \$ 105,000⁰⁰
 679-F

\$ One Hundred Five Thousand dollars and ^{zero} cents (Unit Price in Words)

=====

INDIRECT PAY ITEMS

=====

620-A Mobilization 1 LS \$ 25,000⁰⁰ \$ 25,000⁰⁰

\$ Twenty Five Thousand dollars and ^{zero} cents (Unit Price in Words)

618-A Maintenance of Traffic 1 LS \$ 10,000⁰⁰ \$ 10,000⁰⁰

\$ Ten Thousand dollars and ^{zero} cents (Unit Price in Words)

TOTAL ADDITIVE ALTERNATE "B" BID \$ 714,741.00

\$ Seven Hundred Fourteen Thousand Seven Hundred Forty One dollars and ^{zero} cents
 (Total Additive Alternate "B" Bid in Words)

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TOTAL BASE BID \$ 2,786,390.89
\$ Two Million Seven Hundred Eighty Six Thousand Three Hundred Ninety dollars
 (Total Bid Price in Words) and Eighty Nine cents

TOTAL ADDITIVE ALTERNATE "A" BID \$ 272,132.05
\$ Two hundred Seventy two thousand one hundred thirty two dollars and
 (Total Additive Alternate "A" Bid in Words) five cents

TOTAL ADDITIVE ALTERNATE "B" BID \$ 714,741.00
\$ Seven Hundred Fourteen thousand Seven Hundred Forty One dollars
 (Total Additive Alternate "B" Bid in Words) and zero cents

TOTAL BID INCLUDING ADDITIVE ALTERNATE "A" BID \$ 3,058,522.94
\$ Three Million Fifty eight Thousand Five Hundred Twenty Two dollars
 (Total Bid Including Additive Alternate "A" Bid in Words) and Ninety Four cents

TOTAL BID INCLUDING ADDITIVE ALTERNATE "B" BID \$ 3,501,131.89
\$ Three Million Five Hundred one Thousand One Hundred Thirty One dollars and
 (Total Bid Including Additive Alternate "B" Bid in Words) Eighty nine cents

TOTAL BID INCLUDING ADDITIVE ALTERNATE "A" & "B" \$ 3,773,263.94
\$ Three Million Seven Hundred Seventy Three Thousand Two Hundred Sixty Three
 (Total Bid Including Additive Alternate "A" & "B" in Words) and ninety four cents

(Amounts are to be shown in both words and figures. In case of a discrepancy, the amount shown in words will govern.)

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The above unit prices shall include all labor, materials, equipment, overhead, profit, insurance, and all other incidental items necessary to fully complete the construction project.

Complete Item Nos. 1, 2, and/or 3 as appropriate. See Notice to Bidders No. 4671 and Supplement.

5. I / We agree that no less than 2 % shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals (DBE and WBE).

6. Classification of Bidder: Small Business (DBE) _____ Small Business (WBE) ✓

7. A joint venture with a Small Business (DBE / WBE): Yes _____

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Certification with regard to the Performance of Previous Contracts
or Subcontracts subject to the Equal Opportunity Clause
and the filing of Required Reports

The Bidder ✓, proposed Subcontractor _____, hereby certifies that he has ✓, has not _____, participated in a previous contract or subcontract subject to the Equal Opportunity Clause, as required by Executive Orders 10925, 11114, or 11246, and that he has ✓, has not _____, filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity all reports due under the applicable filing requirements.

TCB Construction Co Inc.
(COMPANY)

By: Jennifer L. Egan
(TITLE)
Jennifer L. Egan, President

Date: 1/20/2003

NOTE: The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b)(1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the Equal Employment Opportunity Clause. Contracts and subcontracts which are exempt from the Equal Employment Opportunity Clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000 or under are exempt.)

Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.

Proposed prime Contractors or Subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41 CFR 60-1.7(b)(1) prevents the award of contracts and subcontracts unless such Contractors submit a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

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MISSISSIPPI DEPARTMENT OF TRANSPORTATION
CERTIFICATION
(Execute in Duplicate)

State of Mississippi
County of Hancock

I, Jennifer L. Fagan
(Name of Person Signing Certification)

individually, and in my capacity as President
(Title)

of TCB Construction Co Inc do hereby certify
(Name of Firm, Partnership, or Corporation)

under penalty of perjury under the laws of the United States and the State of Mississippi

that TCB Construction Co Inc.
(Name of Firm, Partnership, or Corporation)

Bidder on Project No. STP-0024-00(015) in Harrison County, Mississippi has not either directly or indirectly entered into any agreement; participated in any collusion; or otherwise taken any action in restraint of free competitive bidding in connection with this contract; nor have any of its corporate officers or principal owners.

Except as noted hereafter, it is further certified that said legal entity and its corporate officers, principal owners, managers, auditors, and others in a position of administering federal funds:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or Local) with commission of any of the offenses enumerated in (b) above; and

(d) Have not within a three-year period preceding this application / proposal had one or more public transactions (Federal, State, or Local) terminated for cause or default.

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Initial here "_____" if exceptions are attached and made a part hereof. Any exception shall address to whom it applies, initiating agency, and dates of such action.

NOTE: Exceptions will not necessarily result in denial of award but will be considered in determining bidder responsibility. Providing false information may result in criminal prosecution or administrative sanctions.

The bidder further certifies that the certification requirements contained in Section XI of Form FHWA 1273 will be or have been included in all subcontracts, material supply agreements, purchase orders, etc., except those procurement contracts for goods or services that are expected to be less than the Federal government small purchase threshold fixed at 10 U.S.C. 2304(g) and 41 U.S.C. 253(g) (currently \$25,000) which are excluded from the certification requirements.

The bidder further certifies, to the best of his knowledge and belief, that:

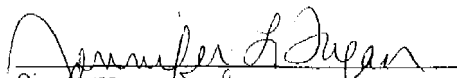
(1) No Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress, in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this contract, Standard Form LLL, "Disclosure Form to Report Lobbying" in accordance with its instructions will be completed and submitted.

The certification contained in (1) and (2) above is a material representation of fact upon which reliance is placed and a prerequisite imposed by Section 1352, Title 31, U.S. Code, prior to entering into this contract. Failure to comply shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000. The bidder shall include the language of the certification in all subcontracts exceeding \$100,000 and all subcontractors shall certify and disclose accordingly.

All of the foregoing and attachments (when indicated) is true and correct.

Executed on 1/20/2003


Signature Jennifer L. Fagan
President

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we _____
(Here insert full name and address or legal title of Contractor)

TCB Construction Company, Inc., 5913 Highway 53, Poplarville, MS 39470

as Principal, hereinafter called the Principal, and _____
(Here insert full name and address or legal title of Surety)

Atlantic Mutual Insurance Company, 140 Broadway, New York, NY 10005-1101

a corporation duly organized under the laws of the State of New York

as Surety, hereinafter called the Surety, are held and firmly bound unto _____
(Here insert full name and address or legal title of Owner)

Harrison County Board of Supervisors, 1801 23rd Avenue, Gulfport, MS 39502

as Obligor, hereinafter called the Obligor, in the sum of _____

Five Percent (5%) of the Amount Bid----- Dollars (\$ _____),
 for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind
 ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by
 these presents.

WHEREAS, the Principal has submitted a bid for _____
(Here insert full name, address and description of project)

U.S. Highway 90 Beachfront Pedestrian Pathway Improvements - Phase 2

NOW, THEREFORE, if the Obligor shall accept the bid of the Principal and the Principal shall enter into a Contract
 with the Obligor in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding
 or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt
 payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter
 such Contract and give such bond or bonds, if the Principal shall pay to the Obligor the difference not to exceed the penalty
 hereof between the amount specified in said bid and such larger amount for which the Obligor may in good faith contract
 with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain
 in full force and effect.

Signed and sealed this 21st

day of January 2003

(Witness)

(Witness)

TCB Construction Company, Inc., _____

(Principal)

(Seal)

Jennifer L. Bryan (Title) President

Atlantic Mutual Insurance Company _____

(Surety)

(Seal)

(Title)

Catherine Cecilia Fountain, Attorney-In-Fact
 Mississippi Resident Agent

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM



Atlantic Mutual Insurance Company
Centennial Insurance Company

Power of Attorney

KNOW ALL MEN BY THESE PRESENTS, that the Atlantic Mutual Insurance Company and Centennial Insurance Company, corporations duly organized under the laws of the State of New York hereinafter called Companies, do hereby appoint John B. Sneed, Ross Bell, Scott Naugle, Charles R. Frost, Jim E. Brashier, Troy Wagener, James Nichols Myers, Jr., Catherine Cecilia Fountain, Ann L. Leslie, Belinda Tubbs

their true and lawful Attorneys-in-Fact to make, execute, seal and deliver on their behalf as surety

any and all bonds and undertakings of suretyship and other documents that the ordinary course of surety business may require. Such bonds and undertakings when duly executed by the aforesaid Attorney(s)-in-Fact shall be binding upon the Companies as fully and to the same extent as if such bonds and undertakings were signed by the President and Secretary and sealed with its corporate seal

This Power of Attorney is issued pursuant to and by authority of the following resolution of the Board of Trustees of Atlantic Mutual Insurance Company and the Board of Directors of Centennial Insurance Company adopted effective December 1, 1999 and now in full force and effect,

RESOLVED that the Chairman, President or Senior Vice President-Surety may appoint other officers of the Company or agents of the Company to act as its lawful Attorney-in Fact in any State, Territory or Federal District to represent this Company and to act on its behalf within the scope of the authority granted to them in writing, which authority may include the power to make, execute, seal and deliver on behalf of this Company as surety, and as its act and deed, any and all bonds and undertakings of suretyship and such other documents as are required in the ordinary course of surety business; and that the Secretary, Assistant Secretary or any Officer of the Corporation be, and that each or any of them is, authorized to verify any affidavit or other statement relating to the foregoing and to any resolutions adopted by its Board of Trustees (or Board of Directors, as applicable); and that any such Attorney-in-Fact may be removed and the authority so granted may be revoked by the Chairman, President, Senior Vice President-Surety or by the Board of Trustees (or Board of Directors, as applicable).

IN WITNESS WHEREOF, each of the Companies has caused this Power of Attorney to be signed and its corporate seal to be affixed by its authorized Officer this Fourth day of January, 2000.

Atlantic Mutual Insurance Company
Centennial Insurance Company

By Thomas P. Gorke
Thomas P. Gorke, Senior Vice President

Attest Michael B. Keegan
Michael B. Keegan, Vice President



State of New Jersey } SS
County of Passaic

On this Fourth day of January, 2000, before me, a Notary Public of the State and County aforesaid residing therein, duly commissioned and sworn, personally came the above named officer of the Company who being by me first duly sworn according to law, did depose and say that he is the officer of the Company described in and which executed the foregoing instrument; that he knows the seal of the Company; that the seal affixed to such instrument is the corporate seal of the Company; and that the corporate seal and his signature as such officer were affixed and subscribed to the said instrument by order of the Board of Trustees (or Board of Directors, as applicable).



Maria Impallomeni
Notary Public (Seal)

My commission expires February 18, 2007

I, the undersigned Michael B. Keegan, Vice President of Atlantic Mutual Insurance Company and Centennial Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this Certificate and I do further certify that the Senior Vice President who executed said Power of Attorney was one of the Officers authorized by the Board of Trustees and Board of Directors to appoint an attorney-in-fact pursuant to the Board resolution stated above dated December 1, 1999. This Certificate may be signed and sealed by facsimile under and by authority of the following resolution of the Board of Trustees of Atlantic Mutual Insurance Company and the Board of Directors of Centennial Insurance Company, adopted at a meeting duly called and held on the 1st day of December, 1999.

RESOLVED, that the use of a printed facsimile of the corporate seal of the Company and of the signature of an Officer of the Company on any certification of the correctness of a copy of an instrument executed by the Chairman, President or Senior Vice President-Surety pursuant to the Board resolution, dated December 1, 1999, appointing and authorizing an attorney-in-fact to execute in the name of and on behalf of the Company, surety bonds, undertakings and other instruments, shall have the same effect as if such seal and such signature had been manually affixed and made, is hereby authorized and approved.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of each of the Companies to these presents this 21ST day of JANUARY, 20 03

Michael B. Keegan
Michael B. Keegan, Vice President

To verify the authenticity of this Power of Attorney, call 1-800-444-6565 and ask for the Power of Attorney Clerk.

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Brown & Mitchell, Inc.

Engineers & Environmental Consultants

Gulfport, MS — Biloxi, MS

January 28, 2003

Harrison County Board of Supervisors
P.O. Drawer CC
Gulfport, MS 39502

RE: Harrison County Pedestrian Pathway - Phase II
Project No. STP-0024-00(015)

Ladies and Gentlemen:

As you know, bids were received on January 21, 2003, at the Gulfport Courthouse for the above referenced project. Five (5) bids were received. We have prepared and enclosed a bid tabulation for your review.

One of the bidders, Sumrall's Construction Company, Inc., made an error on their bid proposal which we discovered during preparation of the bid tabulation (See attached copy of bid proposal page inclusive of pay item for electrical work). After we corrected this error, it was apparent that Sumrall's submitted the lowest Base Bid plus Additive Alternates "A" and "B". However, they did not complete the non-collusion affidavit which is a requirement of the Mississippi Department of Transportation to be completed in duplicate upon submission of a bid proposal (See copy of Section 102.7, Part (f) - Irregular Proposals - *Mississippi Standard Specifications for Road and Bridge Construction, 1990 version*). As a result of this error and as reflected by the bid tabulation, TCB Construction Company, Inc., is the next lowest bidder for the Base Bid plus Additive Alternates "A" and "B" in the amount of \$3,773,263.93.

It is our understanding that funds are available to construct the entire project - Base Bid plus Additive Alternates "A" and "B". However, we also understand that there may be some concerns relative to the construction of this project in front of the Beauvoir property (Additive Alternate "A"), and permit approval from the Department of Marine Resources (DMR) to construct the pier around the I-110 Loop in Biloxi (Additive Alternate "B") is pending.

Therefore, subject to your attorney's review, approval of the permit for the I-110 loop pier, resolution of the Beauvoir issues, and concurrence of the award of the project by the Mississippi Department of Transportation (MDOT), we hereby recommend the following:

- ☐ Rejection and disqualification of the bid submitted by Sumrall's Construction Company, Inc., due to non-execution of the non-collusion affidavit,
- ☐ Award of the contract (Base Bid plus Additive Alternates "A" and "B") to TCB Construction Company, Inc., in the amount of \$3,773,263.93

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

HARCO Board of Supervisors
January 28, 2003
Page 2 of 2

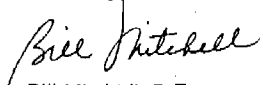
In order to obtain concurrence in award by MDOT, the following documents are required :

- ☐ Copy of the minutes from the Board rejecting and disqualifying the bid submitted by Sumrall's Construction Company, Inc., as well as accepting the bid of TCB Construction Company, Inc., as the low bidder, and
- ☐ A resolution awarding the contract to TCB Construction Company, Inc., in the amount of \$3,773,263.93 specifically stating the award is subject to concurrence by MDOT.

Please provide this information to us as soon as possible for further distribution to MDOT.

If you should have any questions or comments relative to this matter, please do not hesitate to contact us at (228) 864-7612.

Sincerely,



Bill Mitchell, P.E.
President

Enclosures

cc: Mr. Bobby Weaver, Director - HARCO Sand Beach Department
Mr. Joe Meadows, Attorney - HARCO Board of Supervisors

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

BID PROJECT NO. 982380

CONTRACTOR'S BID TABULATION
 RECEIVED: JANUARY 31, 2003 AT 10:45 A.M. CST
 BY THE HARRISON COUNTY TELECOMMUNICATIONS OFFICE OF THE CHIEF CLERK
 OFFICE OF THE CHIEF CLERK
 2000 W. 10TH AVE., SUITE 100
 JACKSON, MISSISSIPPI 39202

CONTRACTOR'S EXHIBIT "A" - ADDITIVE ALTERNATE "A" - DIRECT PAY ITEMS													
ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION		
N-04	STRUCTURAL STEEL	27.76 LB	LB	\$17.50	\$485.30	\$1.05	29.12 LB	\$1.15	\$33.49	\$5,678.87	\$1.15	\$33.49	
N-05	TREATED WEEP	117.3482	MBF	\$1,025.60	\$120,316.86	\$1,450.00	175.041 LB	\$1,452.30	\$253,145.87	\$1,525.00	\$178,871.44	\$1,525.00	\$270,300.96
ADDITIVE ALTERNATE "A" - INDIRECT PAY ITEMS:													
120A	LABORATION	1	LS	\$18,000.00	\$18,000.00	\$5,000.00	16,000.00	\$5,000.00	\$80,000.00	\$5,000.00	\$80,000.00	\$5,000.00	\$80,000.00
N-06	MAINTENANCE OF TRAFFIC	1	LS	\$7,482.00	\$7,482.00	\$10,000.00	5,000.00	\$10,000.00	\$50,000.00	\$10,000.00	\$50,000.00	\$10,000.00	\$50,000.00
TOTAL ADDITIVE ALTERNATE "A"													
				\$284,299.29	\$284,299.29	\$275,122.84		\$275,122.84	\$275,122.84	\$275,122.84		\$275,122.84	\$275,122.84
ADDITIVE ALTERNATE "B" - DIRECT PAY ITEMS:													
N-07	SCALE ELECTRICAL CONCRETE	14	CV	\$475.00	\$6,650.00	\$10,000.00	5,000.00	\$10,000.00	\$50,000.00	\$10,000.00	\$50,000.00	\$10,000.00	\$50,000.00
N-08	CONCRETE SURF ON EXISTING PAVEMENT	250	SY	\$27.50	\$6,875.00	\$25.00	18,867.50	\$25.00	\$471,687.50	\$25.00	\$471,687.50	\$25.00	\$471,687.50
N-09	TEST PILING	2	SA	\$2,000.00	\$4,000.00	\$2,000.00	1,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
N-10	1" X 4" PRESTRESS CONCRETE PILING	2,000	LF	\$22.50	\$45,000.00	\$25.00	1,000.00	\$25.00	\$25,000.00	\$25.00	\$25,000.00	\$25.00	\$25,000.00
N-11	1" X 4" PRESTRESS CONCRETE PILING	2,000	LF	\$22.50	\$45,000.00	\$25.00	1,000.00	\$25.00	\$25,000.00	\$25.00	\$25,000.00	\$25.00	\$25,000.00
N-12	FOR ELECTRICAL INSTALLATION	2,000	LF	\$22.50	\$45,000.00	\$25.00	1,000.00	\$25.00	\$25,000.00	\$25.00	\$25,000.00	\$25.00	\$25,000.00
N-13	2" DIA. METAL GALVANIZED RAILROAD MAINTENANCE	50	LF	\$25.00	\$1,250.00	\$25.00	1,000.00	\$25.00	\$25,000.00	\$25.00	\$25,000.00	\$25.00	\$25,000.00
N-14	TREATED WEEP	117.3482	MBF	\$1,025.60	\$120,316.86	\$1,450.00	175.041 LB	\$1,452.30	\$253,145.87	\$1,525.00	\$178,871.44	\$1,525.00	\$270,300.96
N-15	ELECTRICAL CHITING	1	LS	\$100,000.00	\$100,000.00	\$100,000.00	1,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00	\$100,000.00
ADDITIVE ALTERNATE "B" - INDIRECT PAY ITEMS:													
120A	LABORATION	1	LS	\$18,000.00	\$18,000.00	\$5,000.00	16,000.00	\$5,000.00	\$80,000.00	\$5,000.00	\$80,000.00	\$5,000.00	\$80,000.00
N-16	MAINTENANCE OF TRAFFIC	1	LS	\$7,482.00	\$7,482.00	\$10,000.00	5,000.00	\$10,000.00	\$50,000.00	\$10,000.00	\$50,000.00	\$10,000.00	\$50,000.00
TOTAL ADDITIVE ALTERNATE "B"													
				\$648,000.00	\$648,000.00	\$648,000.00		\$648,000.00	\$648,000.00	\$648,000.00		\$648,000.00	\$648,000.00

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

BID PROJECT NO. 00-2800

CONTRACTORS BID RESOLUTION
 BIDS RECEIVED JANUARY 21, 2003 AT 10:00 A.M. 03
 AT THE HARRISON COUNTY COURTHOUSE OFFICE OF THE CLERK
 CERTIFICATE OF RESPONSIBILITY NUMBER
 SECOND A REBID AND LOWEST BIDDING

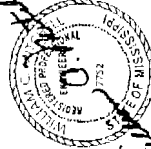
BIDDER'S ESTIMATE	C-3 Construction Co., Inc. 1315 Highway 112 Piquette, MS 39150	C-4 Construction Co. P.O. Box 304 Cullman, MS 39028	Harris Development & Construction 10400 Highway 90 Columbus, MS 39202	Mullins Construction Co. 1210 Highway 112 Piquette, MS 39150	Stacy Construction Co., Inc. 1330 Highway 112 Piquette, MS 39150
	MS	MS	MS	MS	MS
TOTAL BASE BID	\$1,386,125.22	\$1,784,380.35	\$2,528,223.94	\$2,923,510.31	\$1,464,719.71
TOTAL ADDITIVE ALTERNATE "A"	\$486,299.10	\$277,121.34	\$270,046.45	\$283,124.82	\$131,140.23
TOTAL ADDITIVE ALTERNATE "B"	\$486,065.55	\$1,421,410.00	\$724,529.50	\$448,081.50	\$227,564.49
TOTAL BASE BID WITH ADDITIVE ALTERNATE "A"	\$1,872,424.32	\$2,061,501.69	\$2,798,270.39	\$3,206,635.13	\$1,595,860.00
TOTAL BASE BID WITH ADDITIVE ALTERNATE "B"	\$1,872,424.32	\$3,482,911.69	\$3,522,800.89	\$3,654,616.63	\$1,823,424.49
TOTAL BASE BID WITH ADDITIVE ALTERNATE "A" & "B"	\$2,358,619.87	\$3,532,911.69	\$3,522,800.89	\$3,839,740.95	\$1,727,374.23

See Note No. 1 Below

*Mathematical errors have been identified and/or corrected.

THIS IS TO CERTIFY THAT THE SIGNATURE OF SEE & SIGN HEREIN
 IS AFFIXED TO THE BEST OF MY KNOWLEDGE AND BELIEF

William O. Mitchell, P.E.
 WILLIAM O. MITCHELL, P.E., PRESIDENT



Note No. 1: The bid of Sumrall's Construction Co. was the lowest bid submitted subsequent to the correction of mathematical errors; however, this bidder failed to execute the required Non-Collusion Affidavit as required by the project specifications, and therefore, Brown & Mitchell, Inc. is recommending the Harrison County Board of Supervisors disqualify and reject this bid proposal.

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **LARRY BENEFIELD** moved adoption of the following:

ORDER APPROVING SUPPLEMENTAL AGREEMENT NO. 2 FOR LOCAL SYSTEM BRIDGE REPLACEMENT PROJECT NO. LSBP-24(6) - SHAW ROAD BRIDGE CROSSING AT LITTLE BILOXI FOR USE OF GRANULAR MATERIAL AT A COST OF \$25.00 PER TON TO PROVIDE TEMPORARY ROAD SURFACE, AS RECOMMENDED BY A. GARNER RUSSELL, P.E., AND AUTHORIZING THE BOARD PRESIDENT TO EXECUTE SAME

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY APPROVE and does HEREBY AUTHORIZE the Board president to execute Supplemental Agreement No. 2 for Local System Bridge Replacement Project No. LSBP-24(6) - Shaw Road bridge crossing at Little Biloxi for use of granular material at a cost of \$25.00 per ton to provide temporary road surface, as recommended by A. Garner Russell, P.E., same being as follows:



A. GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS

520 33RD STREET, GULFPORT, MS 39507
P.O. BOX 1677, GULFPORT, MS 39502

TEL (228) 863-0667
FAX (228) 863-5232

A. Garner Russell, P.E., President
John Campton, P.E., Sec./Treas.
Douglas Rackley, P.E.
Scott Burge, P.E.

January 17, 2003

Harrison County Board of Supervisors
P. O. Drawer CC
Gulfport, MS 39502

Re: Local System Bridge Replacement Project No. LSBP-24(6)
Shaw Road Bridge Crossing Little Biloxi

Dear Board Members:

Enclosed herewith are three copies of Supplemental Agreement No. 2 for the above referenced project.

It was necessary, as a convenience to the public, to provide for a temporary roadway surface for this project. The original plans did not provide for this temporary surface so it was necessary to add a pay item for crushed limestone or crushed concrete to be used for a temporary road surface at \$25.00 per ton.

Please place this on the agenda for the January 27 meeting for Board action.

Yours very truly,

A. Garner Russell, P.E.

AGR/j/1392-VI

cc: The Honorable Larry Benefield, Supervisor District 2
Glynn W. Leonard, Inc.

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

State Aid Suppl. Agreement - Contract
(6-1-53)

SUPPLEMENTAL AGREEMENT No. 2

State Aid Project No. LSRP-24(6)
Harrison County

DIVISION OF STATE AID ROAD CONSTRUCTION
STATE HIGHWAY DEPARTMENT OF MISSISSIPPI

WHEREAS, (I), (We), Glynn W. Leonard, Inc.
Contractor, of 352 Leonard Road, ME Olive, MS 39119 and
the United States Fidelity and Guaranty Company of
St. Paul, Minnesota Surety, entered into a contract with the Board
of Supervisors of Harrison County on the 25th day of
February 2002 for the construction of the above designated project, and

WHEREAS, the Harrison County Board of Supervisors has entered into a contract with Glynn W. Leonard, Inc., for construction of bridge with approaches, and

WHEREAS, the original plans did not provide for temporary roadway surface, and

WHEREAS, it is necessary to open roadway to the public, and

WHEREAS, it is recommended that crushed limestone or crushed concrete be used as temporary road surface material.

NOW, THEREFORE, be it resolved that it is mutually agreed that crushed limestone or crushed concrete will be used as temporary roadway surface to be paid for at a rate of \$29.00 per ton, as follows:

PAY ITEM NO.	DESCRIPTION	UNIT
S-304-A	Granular Material (Crushed Limestone or Crushed Concrete)	per Ton

This agreement in no way modifies or changes the original contract of which it becomes a part, except as specifically stated herein.

NOW, THEREFORE, (I) (We) Glynn W. Leonard, Inc.
Contractor, and the United States Fidelity and Guaranty Company Surety hereby agree to said Supplemental Agreement consisting of the above mentioned items and prices and agree that his Supplemental Agreement is hereby made a part of the original contract to be performed under the specifications thereof, and that the original contract is in full force and effect except as it might be modified by this Supplemental Agreement.

Dated this the _____ day of _____,

United States Fidelity and Guaranty Co.
Surety

Glynn W. Leonard, Inc.
Contractor

BY: Gene Horner
The Bottrell Insurance Agency, Inc.
RECOMMENDED FOR APPROVAL:

BY: [Signature]
Title

[Signature]
County Engineer

APPROVED _____

Date

APPROVED:
BOARD OF SUPERVISORS

Harrison County
(By Order of the Board)
Dated _____

BY: _____
President

Division of State Aid Road Construction



MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

S. A. Form C-10

Page 1 of 1

CONSTRUCTION CHANGE REQUEST

No. 2

December 31, 2002

Project No. LSBP-24(6)

ATTN: STATE AID ENGINEER

Harrison COUNTY

The following changes on the above project, with stations, quantities and items involved, are recommended for the reasons stated in detail:

- A PROPOSED: Add 500 tons of Granular Material (Crushed Limestone or Crushed Concrete) for a temporary road surface.
 B REASON: To comply with Supplemental Agreement No. 2.

Original Quantities & Cost

S-304-A Granular Material 0.000 Ton @ \$25.00 \$0.00

Revised Quantities & Cost

S-304-A Granular Material 500.000 Ton @ \$25.00 \$12,500.00

INCREASE/DECREASE IN CONSTRUCTION COST, ETC..... \$12,500.00

Total Estimated Project Cost - Per Contract	
Revised Estimate Dated: <u>March 21, 2002</u>	\$746,800.00 (A)
Contingencies Per Estimate <u>March 21, 2002</u>	\$35,545.77 (B)
<u>Dated</u>	
TOTAL CONTRACT ITEMS (A -- B)	\$711,254.23 (C)
Previously Approved	
TOTAL Change Requests ☐ Plus ☒ Minus	(\$18,937.00) (D)
NEW TOTAL—CONTRACT ITEMS (C + -- D)	\$692,317.23 (E)
Estimated Amount—This Request ☒ Plus ☐ Minus	\$12,500.00 (F)
REVISED TOTAL—CONTRACT ITEMS (E + -- F)	\$704,817.23 (G)
INDICATED UNDERRUN (A -- G)	41,982.77
INDICATED OVERRUN (G -- A)	

APPROVAL
RECOMMENDED: 2002

County Engineer

APPROVED: 2002

State Aid Engineer

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **WILLIAM W. MARTIN** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **LARRY BENEFIELD** moved adoption of the following:

**ORDER APPROVING PURCHASE OF ONE OR MORE 2003 1-TON CHEVROLET
SILVERADO 3500 CAB & CHASSIS, V8 6.0L CC364403, FROM ROGERS USERY
CHEVROLET, STATE CONTRACT #070-12-3579-0 AT A COST OF \$18,202.31
EACH, PAYABLE FROM 002-100-915**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY APPROVE purchase of one or more 2003 1-ton Chevrolet Silverado 3500 cab & chassis, V8 6.0L CC364403, from Rogers Usery Chevrolet, State Contract #070-12-3579-0 at a cost of \$18,202.31 each, payable from 002-100-915.

Supervisor **WILLIAM W. MARTIN** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **LARRY BENEFIELD** moved adoption of the following:

**ORDER APPROVING SOLE SOURCE CAPITAL EXPENSE PURCHASE OF AN
ADVOCATE V COURTROOM RECORDER AND TRANSCRIBER WITH
ACCESSORIES FROM LANIER HEALTHCARE FOR USE AT THE COUNTY COURT,
SECOND JUDICIAL DISTRICT, AT A TOTAL COST OF \$5,129.99, PAYABLE
FROM 001-175-919 AND APPROVING BUDGET AMENDMENT THEREFOR**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY APPROVE sole source capital expense purchase of an Advocate V Courtroom recorder and transcriber with accessories from Lanier Healthcare for use at the County Court, Second Judicial District, at a total cost of \$5,129.99, payable from 001-175-919. The supporting documentation is as follows:

DENISE J. MOORE, CSR
P.O. BOX 1461
GULFPORT, MS 39502
228-865-4017

January 28, 2003

Hon. Gaston H. Hewes
Senior County Court Judge
P.O. Box 973
Gulfport, MS 39502

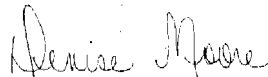
Hon. Robin Midcalf
County Court Judge
P.O. Box 1889
Gulfport, MS 39502

RE: Lanier Advocate V Recorder

Dear Judge Hewes and Judge Midcalf:

I would respectfully request the purchase of a Lanier Advocate V Recording System for County Court in Biloxi, Second Judicial District. The current system is very old and is no longer reliable for use in the courtroom. I have attached the appropriate quote from Lanier which is the same system as used in our Circuit and Chancery Courts.

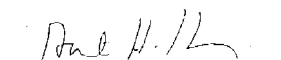
Sincerely,


Denise J. Moore, CSR
Enclosure

AN 2 8

cc: Ms. Pam Ulrich
County Administrator

APPROVED:


GASTON H. HEWES, JR.
COUNTY COURT JUDGE


ROBIN A. MIDCALF
COUNTY COURT JUDGE

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Lanier

#2 Chateau du Jardin
Kenner, Louisiana 70065
504-451-2106
FAX: 954-337-7794
mbolton@lanierhealthcare.com

January 29, 2003

Harrison County Purchasing Department
ATTN: Denise Moore
Biloxi, Mississippi

RE: ADVOCATE V COURTROOM RECORDER AND TRANSCRIBER

To Whom It May Concern:

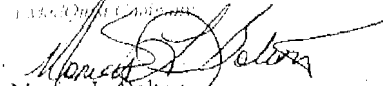
This is to confirm that the following products are manufactured and distributed solely by Lanier Healthcare, a MedQuist Company:

- *Lanier Product Number 164-1210, Product Description Advocate V Dual Cassette Recorder with Associated Peripherals*
- *Lanier Product Number 164-1342, Product Description Advocate V Transcriber with Headset and Foot Control*

Thank you for allowing me the opportunity of providing this information. Please let me know if you have any questions.

Yours truly,

LANIER HEALTHCARE,
A MedQuist Company


Monica L. Bolton
Account Manager

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Jan 24 03 08:56a

MONICA L. BOLTON - LHC

954-337-7794

p. 2



#2 Chateau du Jardin
 Kenner, Louisiana 70065
 504-451-2106
 FAX: 954-337-7794
 mbolton@lanierhealthcare.com

HARRISON COUNTY COURT
BILOXI, MISSISSIPPI

PROPOSAL FOR
LANIER ADVOCATE V CONTINUOUS RECORDING SOLUTION

January 24, 2003

QTY	PRODUCT#	COMPONENT DESCRIPTION	UNIT	EXTENDED	GMA UNIT	GMA
1	164-1210	Advocate V Dual Cassette Recorder	\$3,295.00	\$ 3,295.00	\$ 420.00	\$ 420.00
INVESTMENT SUBTOTAL				\$ 3,295.00		
LESS: TRADE ALLOWANCE				\$ (659.00)		
ADD: Freight				\$ 49.99		
ADD: Installation (Optional)				500.00		
DICTIONATION SYTEM TOTAL			\$	3,185.99		
ANNUAL MAINTENANCE					\$	420.00

Includes 90-day warranty

LEASING AVAILABLE THROUGH CITICORP

DOES NOT INCLUDE APPLICABLE SALES TAX

IF TAX EXEMPT - SALES TAX EXEMPTION CERTIFICATE REQUIRED WITH P.O.

PURCHASE ORDER SHOULD BE MADE OUT TO:

LANIER HEALTHCARE, LLC

REMIT TO:

Post Office Box 951282

Dallas, TX 75395-1282

AND

FAXED TO MONICA L. BOLTON, FAX NO.: 954-337-7794

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Jan 29 03 08:05a

MONICA L. BOLTON - LHC

954-337-7794

p. 3



#2 Chateau du Jardin
 Kenner, Louisiana 70065
 504-451-2106
 FAX: 954-337-7794
 mbolton@lanierhealthcare.com

HARRISON COUNTY COURT

Biloxi, Mississippi

PROPOSAL FOR
LANIER ADVOCATE V RECORDER ACCESSORIES

January 29, 2003

EACH	PRODUCT #	COMPONENT DESCRIPTION	UNIT	EXTENDED	GMA UNIT	GMA
1	164-2113	Uni-Directional Microphone	\$ 75.00	\$ 75.00		
1	164-2103	Omni-Directional Microphone	75.00	75.00		
1	164-2122	Microphone Stands	15.00	15.00		
1	164-9215	25 Foot Microphone Extension Cable	18.00	18.00		
1	164-1342	Advocate Transcriber	1,095.00	1,095.00	169.00	
1	193-3285	Underchin Bow Headset	25.00	25.00		
1	940-3015	Transcribe Foot Control	45.00	45.00		
1	191-0195	C-90 Standard Cassette	7.00	7.00		
<u>INVESTMENT SUBTOTAL</u>						
ADD: Freight				Variable		
ADD: Installation				20 Percent		
DICTATION SYTEM TOTAL			\$	-		
ANNUAL MAINTENANCE					\$	-
TOTAL INVESTMENT				\$		-

** May be Customer Installed. Installation is 20 percent of investment total.*

LEASING AVAILABLE THROUGH CITICORP

DOES NOT INCLUDE APPLICABLE SALES TAX

IF TAX EXEMPT - SALES TAX EXEMPTION CERTIFICATE REQUIRED WITH P.O.

PURCHASE ORDER SHOULD BE MADE OUT TO:

LANIER HEALTHCARE, LLC

REMIT TO:

Post Office Box 951282

Dallas, TX 75395-1282

AND

FAXED TO MONICA L. BOLTON, FAX NO.: 954-337-7794

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

IT IS FURTHER ORDERED that the Board does HEREBY APPROVE budget amendment for said purchase.

Supervisor **CONNIE M. ROCKCO** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

Supervisor **WILLIAM W. MARTIN** moved adoption of the following:

ORDER ACKNOWLEDGING RECEIPT OF THE LOCAL AREA 6'S REQUEST FOR CASH PROGRAM YEAR 2001 AND 2002, NUMBERS 22, 23, 03 AND 04 FOR \$252,100.00, \$307,972.00, \$88,300.00 AND \$107,900.00, RESPECTIVELY, AND AUTHORIZING RELEASE OF FUNDS TO THE AGENCY UPON RECEIPT

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY ACKNOWLEDGE receipt of the Local Area 6's request for cash program year 2001 and 2002, numbers 22, 23, 03 and 04 for \$252,100.00, \$307,972.00, \$88,300.00 and \$107,900.00, respectively, and authorizing release of funds to the agency upon receipt, the documents received being as follows:

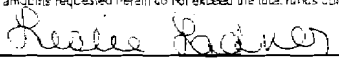
NAME AND ADDRESS: HARRISON COUNTY BOARD OF SUPERVISORS POST OFFICE DRAWER CC GULFPORT, MS 39502		REQUEST # 22	DATE OF CASH NEED 2/11/2003	CURRENT CASH ON HAND \$1,500.00			
TELEPHONE: (228) 866-4115 / (228) 897-1881		FOR MDA USE ONLY:					
VENDOR #: FUND AVAILABLE: PERIOD AND AMT. OF LAST COST: LAST REQ. #:		APPROVAL:					
(A) FUNDING STREAM		(B) AVAILABLE FUNDS		(C) CASH REQUESTED TO DATE	(D) THIS REQUEST	(E) TOTAL REQUESTED TO DATE (COL C+D)	(F) FUNDS REMAINING (COLUMN B-C+D)
ADMINISTRATION (Includes Dist. Worker VIN Admin.)	551,424.72	443,779.00	9,100.00	452,879.00	98,545.72		
ADULT	1,750,896.90	1,750,896.90		1,750,896.90	0.00		
YOUTH	1,358,505.00	1,358,505.00		1,358,505.00	0.00		
DISLOCATED WORKERS	1,737,854.10	1,464,311.10	68,100.00	1,532,411.10	205,443.00		
DISLOCATED WORKERS-WIN	435,126.28	101,330.00	173,300.00	274,600.00	160,526.28		
INCENTIVE				0.00	0.00		
WINNOVATION	474,329.00	196,700.00		196,700.00	277,629.00		
RAPID RESPONSE	100,000.00	9,100.00	1,600.00	10,700.00	89,300.00		
TOTAL FOR FY	6,408,136.00	5,324,592.00	252,100.00	5,576,692.00	831,444.00		

HEREBY CERTIFY THAT: (a) The services covered by this request have not been received from the Federal Government in connection with any other contract agreement or grant; (b) The amounts requested will be expended for allowable expenditures under the terms of the contract agreement or grant; (c) amounts requested herein do not exceed the total funds obligated by contract; and (d) funds are requested for only immediate disbursement needs.

Signature of Authorized Official LESLIE LADNER, VICE PRESIDENT OF FINANCE	Date Signed: 1/28/2003 Prepared By: L. LADNER Date Prepared: 1/28/2003 Telephone # of Preparer: (228) 897-1881

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

LOCAL AREA'S WIA REQUEST FOR CASH
PROGRAM YEAR 2002
LOCAL AREA # 6

NAME AND ADDRESS: HARRISON COUNTY BOARD OF SUPERVISORS POST OFFICE DRAWER CC GULFPORT, MS 39502 TELEPHONE: (228) 865-4116 / (228) 897-1881			REQUEST # 3	DATE OF CASH NEED 2/11/2003	CURRENT CASH ON HAND \$1,500.00
FOR MCA USE ONLY:					
VENDOR #: _____ FUNDS AVAILABLE: _____ PERIOD AND AMT. OF LAST COST: _____ LAST REQ. #: _____ APPROVAL: _____					
(A)	(B)	(C)	(D)	(E)	(F)
FUNDING STREAM	AVAILABLE FUNDS	CASH REQUESTED TO DATE	THIS REQUEST	TOTAL REQUESTED TO DATE (COL. C+D)	FUNDS REMAINING (COLUMN B-C+D)
ADMINISTRATION (includes Dist. Worker)	357,393.30	0.00		0.00	357,393.30
ADULT	1,191,683.40	19,279.00	68,400.00	87,679.00	1,104,004.40
YOUTH	1,080,186.10	179,600.00	19,900.00	199,500.00	880,686.10
DISLOCATED WORKERS	944,668.20	0.00		0.00	944,668.20
INCENTIVE		0.00		0.00	0.00
WINNOVATION		0.00		0.00	0.00
RAPID RESPONSE		0.00		0.00	0.00
TOTAL FOR FY	3,573,933.00	199,879.00	88,300.00	287,179.00	3,286,754.00
I HEREBY CERTIFY THAT: (a) The services covered by this request have not been received from the Federal Government or expended for such services under any other contract, agreement or grant; (b) the amount(s) requested will be expended for allowable costs/expenditures under the terms of the contract, agreement or grant; (c) amounts requested herein do not exceed the total funds obligated by contract; and (d) funds are requested for only immediate disbursement needs.					
 Signature of Authorized Official			1/28/2003 Date Signed	L. LADNER Prepared By	
LESLIE LADNER, VICE PRESIDENT OF FINANCE Typed Name and Title of Authorized Official			1/28/2003 Date Prepared	(228) 897-1881 Telephone # of Preparer	

P.03

228 897 1881

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LOCAL AREA'S WIA REQUEST FOR CASH
PROGRAM YEAR 2001
LOCAL AREA # 6

NAME AND ADDRESS: HARRISON COUNTY BOARD OF SUPERVISORS POST OFFICE DRAWER CC GULFPORT, MS 39502		REQUEST # 23	DATE OF CASH NEED 2/26/2003	CURRENT CASH ON HAND \$1,500.00	
TELEPHONE (228) 855-4116 / (228) 897 1881		FOR MDA USE ONLY:			
		VENDOR #:			
		FUNDS AVAILABLE:			
		PERIOD AND AMT. OF LAST COST:			
		LAST REQ. #:			
		APPROVAL:			
(A)	(B)	(C)	(D)	(E)	(F)
FUNDING STREAM	AVAILABLE FUNDS	CASH REQUESTED TO DATE	THIS REQUEST	TOTAL REQUESTED TO DATE (COL C+D)	FUNDS REMAINING (COLUMN B-C+D)
ADMINISTRATION (includes Dist Worker/WIN Admin)	551,424.72	452,879.00	11,000.00	463,879.00	87,545.72
ADULT	1,750,896.90	1,750,896.90		1,750,896.90	0.00
YOUTH	1,358,505.00	1,358,505.00		1,358,505.00	0.00
DISLOCATED WORKERS	1,737,854.10	1,532,411.10	83,200.00	1,615,611.10	122,243.00
DISLOCATED WORKERS-WIN	435,126.28	274,600.00	211,712.00	486,312.00	-51,185.72
INCENTIVE		0.00		0.00	0.00
WINNOVATION	474,329.00	196,700.00		196,700.00	277,629.00
RAPID RESPONSE	100,000.00	10,790.00	2,060.00	12,760.00	87,240.00
TOTAL FOR PY	6,438,135.00	5,576,692.00	307,972.00	5,884,664.00	523,472.00
I HEREBY CERTIFY THAT: (a) The services covered by this request have not been received from the Federal Government or expended for such services under any other contract agreement or grant; (b) the amount(s) requested will be expended for allowable costs/expenses under the terms of the contract agreement or grant; (c) amounts requested herein do not exceed the total funds obligated by contract; and (d) funds are requested for only immediate disbursement needs.					
 Signature of Authorized Official		1/28/2003 Date Signed		L. LADNER Prepared By	
LESLIE LADNER, VICE PRESIDENT OF FINANCE Typed Name and Title of Authorized Official		1/28/2003 Date Prepared		(228) 897-1881 Telephone # of Preparer	

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

LOCAL AREA'S WIA REQUEST FOR CASH
PROGRAM YEAR 2002
LOCAL AREA # 6

NAME AND ADDRESS HARRISON COUNTY BOARD OF SUPERVISORS POST OFFICE DRAWER CC GULFPORT, MS 39502 TELEPHONE: (228) 865-4116 / (228) 897-1881		REQUEST # 4	DATE OF CASH NEED 2/28/2003	CURRENT CASH ON HAND \$1,500.00
		FOR MDA USE ONLY:		
		VENDOR # _____		
		FUNDS AVAILABLE _____		
		PERIOD AND AMT. OF LAST COST _____		
		LAST REQ. # _____		
		APPROVAL: _____		

(A) FUNDING STREAM	(B) AVAILABLE FUNDS	(C) CASH REQUESTED TO DATE	(D) THIS REQUEST	(E) TOTAL REQUESTED TO DATE (COL. C+D)	(F) FUNDS REMAINING (COLUMN B-C-D)
ADMINISTRATION (includes Dist. Worker	357,393.30	0.00		0.00	357,393.30
ADULT	1,191,683.40	87,879.00	83,500.00	171,179.00	1,020,504.40
YOUTH	1,060,183.13	199,500.00	24,400.00	223,900.00	856,283.13
DISLOCATED WORKERS	944,668.20	0.00		0.00	944,668.20
INCENTIVE		0.00		0.00	0.00
WINNOVATION		0.00		0.00	0.00
RAPID RESPONSE		0.00		0.00	0.00
TOTAL FOR PY	3,573,933.03	287,179.00	107,900.00	395,079.00	3,178,854.03

I HEREBY CERTIFY THAT: (a) The services covered by this request have not been received from the Federal Government or expended for such services under any other contract agreement or grant; (b) the amount(s) requested will be expended for allowable cost expenditures under the terms of the contract agreement or grant; (c) amounts requested herein do not exceed the total funds obligated by contract; and (d) funds are requested for only immediate disbursement needs.

<u>Leslie Ladner</u> Signature of Authorized Official	1/28/2003 Date Signed	<u>L. LADNER</u> Prepared By
LESLIE LADNER VICE PRESIDENT OF FINANCE Typed Name and Title of Authorized Official	1/28/2003 Date Prepared	(228) 897-1881 Telephone # of Preparer

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MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

	Administration	Adult	Youth	D.W.	DW-WIN	WINnovation	RR	Total
	\$0.09	\$0.35	\$0.29	\$0.27				\$1.00
Expenditures to Date 01	\$468,952.20	\$1,750,896.90	\$1,358,505.00	\$1,737,854.10	\$138,219.35	\$147,117.24	\$12,756.50	\$5,614,301.29
Expenditures to Date 02		\$337,724.20	\$73,427.32	\$448,336.13				\$859,487.65
LESS: ACCRUALS		-\$313,025.12		-\$847,720.69				-\$1,160,745.81
TOTAL EXPENDITURES	\$468,952.20	\$1,775,595.98	\$1,431,932.32	\$1,338,469.54	\$138,219.35	\$147,117.24	\$12,756.50	\$5,313,043.13
Requests to Date 01	\$443,779.00	\$1,750,896.90	\$1,358,505.00	\$1,464,311.10	\$101,300.00	\$195,700.00	\$9,100.00	\$5,324,592.00
Requests to Date 02	\$0.00	\$19,279.00	\$179,600.00	\$0.00	\$0.00	\$0.00	\$0.00	\$198,879.00
TOTAL REQUESTS	\$443,779.00	\$1,770,175.90	\$1,538,105.00	\$1,464,311.10	\$101,300.00	\$195,700.00	\$9,100.00	\$5,523,471.00
Difference	\$25,173.20	\$5,420.08	-\$106,172.68	-\$125,841.56	\$36,919.35	-\$49,582.76	\$3,656.50	-\$210,427.87
Additional \$ Needed:								
A/P Distributed in October		\$45,370.85	\$44,695.19	\$46,479.70	\$250,503.00			\$397,449.74
Pooled Expenses	\$318.83	\$3,184.35	\$2,638.46	\$2,456.50		\$0.00		\$9,098.13
Invoices On Hand	\$4,680.00	\$18,200.00	\$15,080.00	\$139,040.00	\$0.00	\$0.00	\$0.00	\$177,000.00
P/R - January	\$4,500.00	\$17,500.00	\$14,500.00	\$13,500.00		\$0.00		\$50,000.00
About Face - WIN - Above Ex						\$31,795.00		\$31,795.00
BBW - Marketing		\$750.00		\$750.00				\$1,500.00
Burton Computer		\$0.00		\$0.00				\$0.00
Center for Workforce					\$25,000.00			\$25,000.00
ETI - Above Expenses			\$20,000.00					\$20,000.00
ERRISS		\$5,000.00		\$5,000.00				\$10,000.00
GCCAA			\$20,000.00					\$20,000.00
IAM Cares			\$15,000.00					\$15,000.00
Jobs For MS Grad			\$22,000.00					\$22,000.00
Vo Rehab			\$15,000.00					\$15,000.00
MESC Above Expenses		\$35,000.00		\$35,000.00				\$70,000.00
MGCCC - WIN						\$10,000.00		\$10,000.00
Moss Point			\$10,000.00					\$10,000.00
Stone			\$10,000.00					\$10,000.00
LEAVE	\$1,800.00	\$7,000.00	\$5,800.00	\$5,400.00	\$0.00	\$0.00	\$0.00	\$20,000.00
MS Hosp ITA								\$0.00
O/S CONSTRUCTION					\$70,000.00			\$70,000.00
SS Payments		\$5,000.00	\$10,000.00	\$5,000.00				\$20,000.00
ADD EXP. LEAVE	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00		\$0.00
ITA's / OJT January		\$75,000.00		\$75,000.00				\$150,000.00
Cash On Hand	\$16,839.00	-\$65,485.00	-\$54,259.00	-\$50,517.00	\$0.00	\$0.00	\$0.00	-\$187,160.00
Cash Needed	\$20,133.03	\$151,940.28	\$44,282.97	\$151,267.64	\$392,522.35	-\$7,787.76	\$3,656.50	\$756,315.00
2/11/2003	\$9,100.00	\$68,400.00	\$19,900.00	\$68,100.00	\$176,800.00	-\$3,500.00	\$1,600.00	\$340,400.00
2/26/2003	\$11,000.00	\$63,500.00	\$24,400.00	\$83,200.00	\$216,000.00	-\$4,287.76	\$2,056.50	\$415,868.74
	\$20,100.00	\$151,900.00	\$44,300.00	\$151,300.00	\$392,800.00	-\$7,787.76	\$3,656.50	\$756,268.74

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228 897 1881

Jan-2B-03 11:14A GCBSC

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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Supervisor **CONNIE M. ROCKCO** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **WILLIAM W. MARTIN** moved adoption of the following:

**ORDER ACKNOWLEDGING RECEIPT OF THE REQUEST FOR REVIEW OF
 APPLICATION FILED BY THE GULFPORT YACHT CLUB, DMR-0335, AND
 ADJUDICATING SIGNATURE OF THE ACKNOWLEDGMENT OF RECEIPT BY THE
 BOARD PRESIDENT**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY ACKNOWLEDGE receipt of the request for review of application filed by the Gulfport Yacht Club, DMR-0335.

IT IS FURTHER ORDERED that the Board does HEREBY ADJUDICATE the signature of the acknowledgment of receipt by the Board President, which is as follows:



MISSISSIPPI
DEPARTMENT OF MARINE RESOURCES

REQUEST FOR REVIEW OF APPLICATION

TO: Mayor, City of Gulfport
 District Attorney, Harrison County
 Harrison County Prosecuting Attorney
 ✓ Harrison County Board of Supervisors
 Gulf Regional Planning Commission
 Southern Mississippi Planning and Development District
 Mississippi Wildlife Federation
 Department of Wildlife, Fisheries and Parks
 Secretary of State

FROM: Department of Marine Resources

SUBJECT: Application by Gulfport Yacht Club,
 DMR-03352

DATE: January 15, 2003

In accordance with the provisions of the Coastal Wetlands Protection Law, we herewith enclose a copy of the application by the Gulfport Yacht Club, DMR-03352.

The proposed project will be brought before the Commission on Marine Resources in February; therefore, any comments you wish to provide should be in writing and submitted to our office by February 3, 2003.

If you do not wish to submit comments on this application, please acknowledge receipt by signing and returning this Request to the Department of Marine Resources.

ACKNOWLEDGMENT OF RECEIPT:

Mark J. Lohr
 Signature

1-29-03
 Date

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **CONNIE M. ROCKCO** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **CONNIE M. ROCKCO** moved adoption of the following:

**ORDER APPROVING THE EMPLOYMENT OF MEADOWS & RILEY TO REPRESENT
THE BOARD OF SUPERVISORS IN LITIGATIONS, AS LISTED**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY APPROVE the employment of Meadows & Riley to represent the Board of supervisors in the following litigations:

a) Case No. 1:02cv895Gr styled *Patricia Ann Powell Graves and Glen Graves et al. v. Harrison County*.

b) Cause No. A2401-02-565 styled *David C. Minchew, Jr. v. Memorial Hospital*.

Supervisor **MARLIN R. LADNER** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **CONNIE M. ROCKCO** moved adoption of the following:

**ORDER DESIGNATING THE PURCHASE CLERK, THE CHANCERY CLERK, AND
ANY DEPARTMENT HEAD, AS NEEDED, AS THE BOARD'S REPRESENTATIVES
TO RECEIVE BIDS/REQUEST FOR PROPOSALS, AS LISTED**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY DESIGNATE the Purchase Clerk, the Chancery Clerk and any Department Head, as needed, as the Board's representatives to receive bids/request for proposals, as listed

a) February 7, 2003 at 10:30 a.m. - Bid #025 - One or more new or used rubber tire backhoe.

b) February 13, 2003 - 10:30 a.m. - RFP for the leasing of six Harley-Davidson Model FLHTPI motorcycles (with fairing and windshield - Electra Glide) for the Sheriff's Department.

Supervisor **BOBBY ELEUTERIUS** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **WILLIAM W. MARTIN** moved adoption of the following:

ORDER APPROVING TRAVEL, AS LISTED

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY APPROVE travel for Danny Boudreaux and Ed Ott, Engineering Department, to attend the construction and contract law for engineers seminar March 6-8, 2003 in Tampa, Florida at a total estimated cost of \$3,460.00.

Supervisor **CONNIE M. ROCKCO** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **LARRY BENEFIELD** moved adoption of the following:

**ORDER APPROVING ADVERTISEMENT OF COUNTY RESOURCES, PAYABLE
FROM 001-675-522, AS LISTED**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY APPROVE advertisement of County Resources, payable from 001-675-522, as listed:

- a) \$250.00 to Pine Burr Area Council Boy Scouts of America for full page ad in the 2003 Scout Show souvenir yearbook.
- b) \$3,500.00 to the Bayou View Youth Sports Association, Inc. to advertise County Resources at the Southwest Regional nine year old Cal Ripkin/Babe Ruth Tournament held July 17-23, 2003 in Harrison County, Mississippi.
- c) \$150.00 to the Biloxi High School Baseball Diamond Club in support of the Biloxi High School Baseball Program.

Supervisor **WILLIAM W. MARTIN** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS the 3rd day of February 2003.

* * *

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **WILLIAM W. MARTIN** moved adoption of the following:

**ORDER APPROVING APPROPRIATION IN THE AMOUNT OF \$500.00 TO
THE PASS CHRISTIAN CHAMBER OF COMMERCE TO ADVERTISE COUNTY
RESOURCES, PAYABLE FROM 002-100-522**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY APPROVE appropriation in the amount of \$500.00 to the Pass Christian Chamber of Commerce to advertise County Resources, payable from 002-100-522 .

Supervisor **CONNIE M. ROCKCO** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS the 3rd day of February 2003.

* * *

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **WILLIAM W. MARTIN** moved adoption of the following:

**ORDER APPROVING A \$1,000.00 APPROPRIATION TO THE KREWE OF
KIDS FOR ADVERTISEMENT OF COUNTY RESOURCES, PAYABLE FROM
002-100-701**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY APPROVE a \$1,000.00 appropriation to the Krewe of Kids for advertisement of County Resources, payable from 002-100-701.

Supervisor **CONNIE M. ROCKCO** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS the 3rd day of February 2003.

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MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **CONNIE M. ROCKCO** moved adoption of the following:

**ORDER APPROVING APPROPRIATION IN THE AMOUNT OF \$1,000.00 TO
THE CITY OF LONG BEACH FOR A HISTORICAL MARKER, PAYABLE FROM
002-100-701, AS PER INTERLOCAL AGREEMENT**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY APPROVE appropriation in the amount of \$1,000.00 to the City of Long Beach for a historical marker, payable from 002-100-701, as per Interlocal Agreement.

Supervisor **WILLIAM W. MARTIN** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS the 3rd day of February 2003.

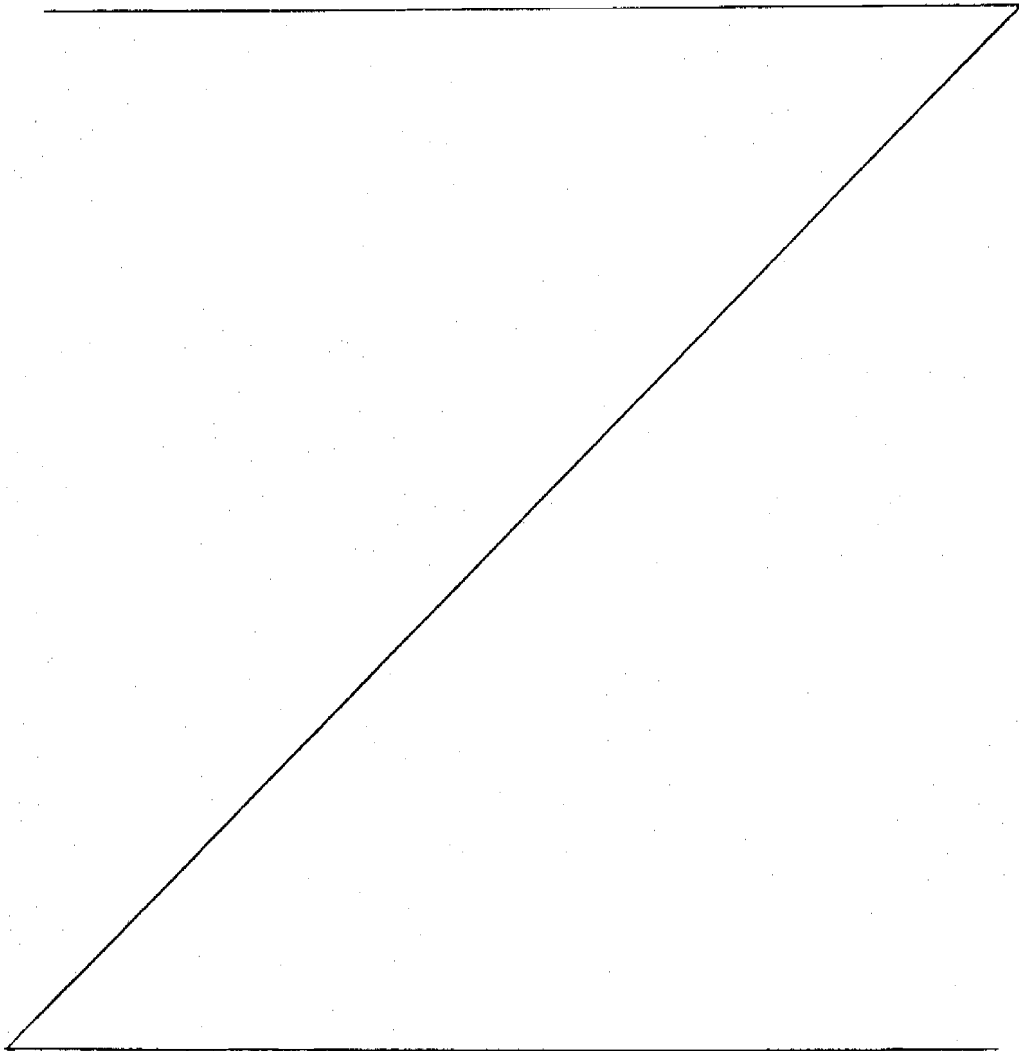
* * *

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **CONNIE M. ROCKCO** moved adoption of the following:

ORDER APPROVING CAPITAL EXPENSE PURCHASE OF TWENTY SPECIALIZED AIR PACKS FOR THE TERRORISM REGIONAL RESPONSE TEAM FROM FERRARA FIREFIGHTING EQUIPMENT, INC. FROM STATE CONTRACT #5-340-04065 IN THE TOTAL AMOUNT OF \$42,600.00, PAYABLE FROM 001-260-921, SAID AMOUNT TO BE REIMBURSED BY WEAPONS OF MASS DESTRUCTION REGIONAL RESPONSE TEAM GRANT

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY APPROVE capital expense purchase of twenty specialized air packs for the Terrorism Regional Response Team from Ferrara Firefighting Equipment, Inc. from state contract # 5-340-04065 in the total amount of \$42,600.00, payable from 001-260-921, said amount to be reimbursed by Weapons of Mass Destruction Regional Response Team Grant. The supporting documentation is as follows:



MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

HARRISON COUNTY
CIVIL DEFENSE COUNCIL

1801 23RD Avenue, P.O. Box 68, Gulfport, Mississippi 39502
 Telephone (228) 865-4002
 Fax (226) 865-4087



January 30, 2003

Dorinda:

If possible can we get this put on the agenda for February 3, 2003 board meeting for approval to order?

This is fire equipment for the Regional Response Team. Harrison County received a grant in December, 2002 for \$99,989.00 to purchase such equipment.

The grant received from Mississippi Emergency Management Agency is to equip the Weapons of Mass Destruction Regional Response Team for the six coastal counties: Harrison, Hancock, Jackson, George, Stone and Pearl River.

When we purchase the equipment and receive it with all correct paperwork we will be reimbursed by MEMA.

The quote is attached and it is on state bid contract # 5-340-04065

Linda
 Linda

12/14 0

[Signature]

Connie Rockco
 Marlin Laidner

Henry Arledge
 John McAdams

Linda Rouse
 Director
 COUNCIL
 Bobby Eleuterius

Larry Benefield
 Joe Meadows

George Payne
 William Martin

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Jan 29 03 09:54

Station 10

831-0716

p.1

01/24/2003 10:14

2255675268

FERRARA FIRE APP

PAGE 02/02

FERRARA FIREFIGHTING EQUIPMENT, INC.
 27855 JAMES CHAPEL ROAD NORTH
 HOLDEN, LA 70744
 1-(800) 443-9006 EXT. 4008
 FAX (225) 567-7721

**FERRARA
 FIREFIGHTING
 EQUIPMENT, INC.**

Bid

To: Harrison County Civil Defense

From: Janna Calongne

Date: 01/24/2003

Re: Scott Air-Pak Fifty - MEMA Grant

QTY	DESCRIPTION	UNIT PRICE	TOTAL PRICE
20	804848-0202 - Air-Pak Fifty, CBRN Approved, 4500 psig, 60-minute cylinder, Less SCBA Hard Case	2,130.00	42,600.00
Total			\$42,600.00

TERMS: NET 30 DAYS

F.O.B. : Destination

Janna Calongne
 SALES REPRESENTATIVE

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **WILLIAM W. MARTIN** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

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MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **WILLIAM W. MARTIN** moved adoption of the following:

**ORDER NOMINATING MRS. FRANCES FREDERICKS AS THE BOARD'S MINORITY
REPRESENTATIVE TO SERVE ON THE BOARD OF DIRECTORS OF THE
SOUTHERN MISSISSIPPI PLANNING AND DEVELOPMENT DISTRICT BOARD FOR
A TERM ENDING JANUARY 31, 2004**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY NOMINATE Mrs. Frances Fredericks as the Board's minority representative to serve on the Board of Directors of the Southern Mississippi Planning and Development District board for a term ending January 31, 2004.

Supervisor **LARRY BENEFIELD** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **BOBBY ELEUTERIUS** moved adoption of the following:

**ORDER APPOINTING SUPERVISOR MARLIN R. LADNER AS A MEMBER OF THE
BOARD OF DIRECTORS OF THE SOUTHERN PLANNING AND DEVELOPMENT
DISTRICT FOR A TERM ENDING JANUARY 31, 2004**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY APPOINT Supervisor Marlin R. Ladner as a member of the Board of Directors of the Southern Planning and Development District for a term ending January 31, 2004.

Supervisor **WILLIAM W. MARTIN** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

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MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **LARRY BENEFIELD** moved adoption of the following:

**ORDER APPROVING BUDGET AMENDMENTS, AS RECOMMENDED BY THE
COUNTY ADMINISTRATOR**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does **HEREBY APPROVE** the following budget amendments, as recommended by the County Administrator:

Budget Amendments for Approved Raises Fiscal Year 2002-2003

[illegible]

[illegible]

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

Budget Amendments for Approved Raises

Fiscal Year 2002-2003

County Attorney			Victim / Witness Program		
001 169 404	+	1,050.00	001 178 402	+	2,024.88
001 169 465	+	192.38	001 178 465	+	197.43
001 169 466	+	80.33	001 178 466	+	154.90
001 169 467	+	4.83	001 178 467	+	9.31
	+	1,237.54			2,386.52
Criminal Records Cust.			Narcotics Liason Officer		
001 172 404	+	1,034.40	001 179 404	+	787.36
001 172 465	+	100.85	001 179 465	+	76.77
001 172 466	+	79.13	001 179 466	+	60.23
001 172 467	+	4.76	001 179 467	+	3.62
	+	1,219.14			927.98
Shelter & Abuse			Sheriff's Administration		
001 174 430	+	15,138.46	001 200 401	+	10,096.00
001 174 465	+	1,476.00	001 200 402	+	10,275.99
001 174 466	+	1,158.09	001 200 412	+	17,505.32
001 174 467	+	997.62	001 200 430	+	3,260.00
			001 200 431	+	17,095.00
			001 200 465	+	7,430.70
			001 200 466	+	5,830.24
	+	18,770.17		+	71,493.25
County Court Administrator			Law Enforcement Patrol		
001 175 404	+	1,670.68	001 202 465	+	5,992.88
001 175 465	+	162.69	001 202 466	+	4,702.11
001 175 466	+	127.81	001 202 467	+	2,864.29
001 175 467	+	7.69	001 202 402	+	61,465.48
	+	1,969.07		+	75,024.76

Mosquito Control		
001 412 401	+	744.24
001 412 404	+	5,167.44
001 412 430	+	25,000.68
001 412 465	+	3,013.96
001 412 466	+	2,364.80
001 412 467	+	1,743.46
	+	38,034.58
Welfare Administration		
001 450 430	+	1,358.16
001 450 465	+	132.42
001 450 466	+	103.90
001 450 467	+	91.81
	+	1,686.29
Council on Aging		
001 452 430	+	20,493.88
001 452 465	+	1,998.15
001 452 466	+	1,567.78
001 452 467	+	1,350.55
	+	25,410.36
Human Resources Agency		
001 453 401	+	803.28
001 453 465	+	78.32
001 453 466	+	61.45
001 453 467	+	3.70
	+	946.75

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

Budget Amendments for Approved Raises

5

Fiscal Year 2002-2003

Law Library		
001 502 401	+	867.75
001 502 465	+	85.56
001 502 466	+	67.91
001 502 467	+	4.08
	+	1,046.31
Community / Civic Center		
001 510 430	+	29,761.88
001 510 465	+	2,901.78
001 510 466	+	2,276.78
001 510 467	+	2,011.90
		36,952.34
Parks and Recreation		
001 520 401	+	896.64
001 520 404	+	1,073.77
001 520 430	+	34,902.32
001 520 465	+	3,595.09
001 520 466	+	2,820.75
001 520 467	+	2,179.18
	+	45,467.76
Fairgrounds		
001 522 430	+	12,544.40
001 522 465	+	1,223.08
001 522 466	+	359.65
001 522 467	+	741.37
	+	15,468.50

Skate Park		
001 523 401	+	1,268.48
001 523 404	+	6,791.28
001 523 465	+	785.83
001 523 466	+	618.57
001 523 467	+	476.33
	+	9,938.49
Zoning		
001 700 401	+	3,839.92
001 700 404	+	878.60
001 700 465	+	460.06
001 700 466	+	360.97
001 700 467	+	213.75
	+	5,753.30
Total General Fund:		
		\$12,223.79

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Budget Amendments for Approved Raises
Fiscal Year 2002-2003

Fire Services		
106 250 401	+	715.92
106 250 404	+	1,204.32
106 250 465	+	187.22
106 250 466	-	146.90
106 250 467	+	79.88
	+	2,334.24
106 250 576	-	2,334.24
Total Fire Service Fund:	+	0.00
Road Fund		
Road Department		
150 300 401	+	9,264.86
150 300 464	+	7,063.58
150 300 420	+	87,512.76
150 300 465	+	10,124.52
150 300 466	+	7,943.85
150 300 467	+	12,772.47
	+	134,682.04
Engineering		
150 156 402	+	3,119.50
150 156 426	+	5,164.32
150 156 465	+	807.67
150 156 466	+	633.71
150 156 467	+	188.04
	+	9,913.24
	+	144,595.28
150 300 570	-	144,595.28
Total Road Fund:		0.00

Sand Beach Fund		
156 355 401	+	2,015.92
156 355 404	+	2,649.60
156 355 430	+	40,480.32
156 355 465	+	4,401.73
156 355 468	+	3,452.66
156 355 467	+	2,668.12
	+	55,668.34
156 355 570	-	41,000.00
	+	14,668.34
Bridge Fund		
160 360 401	+	1,145.04
160 360 404	+	750.00
160 360 420	+	20,709.03
160 360 444	-	89,038.39
160 360 465	-	5,648.60
160 360 468	-	4,431.98
160 360 467	-	4,507.29
	+	31,104.07
	-	103,628.26
	-	72,522.19
160 600 366	-	89,038.39

MINUTE BOOK

BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI

FEBRUARY 2003 TERM

Budget Amendments Fiscal Year 2002-2003

GRANTS		
Revenues		
030 000 347	+	127,086.25
	+	127,086.25
Palyep Grant-Sheriff		
030 216 440	+	9,094.84
030 216 465	+	886.67
030 216 466	+	695.60
030 216 467	+	423.78
030 216 475	+	1,806.25
030 216 581	+	7,466.00
030 216 603	+	3,352.00
030 216 774	+	2,534.11
030 216 780	+	838.00
	+	27,097.25
DOJ FY 99 Equipt. Grant / EOC		
030 290 921	+	99,989.00
	+	99,989.00
Revenues		
064 000 347	+	216,576.00
	+	216,576.00
Home Program		
064 459 550	+	25,000.00
064 459 556	+	11,600.00
064 459 700	+	179,976.00
	+	216,576.00

Revenues		
125 000 347	+	16,493.00
125 000 349	+	20,000.00
	+	36,493.00
State Triad Grant		
125 291 919	+	4,461.00
125 291 920	+	32,032.00
	+	36,493.00
State Triad Grant		
125 441 695	+	1,950.55
	+	1,950.55
Group Insurance		
001 121 463	+	1,500,000.00
	+	1,500,000.00

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

***PO ISSUED F.Y. 01/02,
 BUT PAID F.Y. 02/03***

Budget Amendments 2003
 General County Fund

ACCOUNT	DEPARTMENT	VENDOR	INV. DATE	CHECK DATE	AMOUNT	SUBTOTAL
001 100 603	Board of Supervisors	City Publishing	8/28/02	10/14/02	117.13	
						117.13
001 101 603	Chancery Clerk	C & C Office Supply	9/19/02	10/14/02	492.01	
		Central Paper Co.	8/22/02	10/14/02	134.78	
		IKON Office Solutions	8/23/02	10/14/02	247.99	
		Newell Paper Company	8/16/02	12/3/02	28.13	
		Newell Paper Company	8/20/02	12/3/02	16.87	
						919.78
001 101 920	Chancery Clerk	Premise, Inc.	9/20/02	10/28/02	5,104.00	
						5,104.00
001 102 503	Circuit Clerk	City Publishing	8/28/02	10/8/02	227.51	
						227.51
001 102 695	Circuit Clerk	Sam's Club Direct	9/9/02	10/8/02	71.26	
						71.26
001 103 602	Tax Assessor	Xerox Corporation	7/17/02	10/14/02	81.08	
						81.08

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

***PO ISSUED F.Y. 01/02.
 BUT PAID F.Y. 02/03***

Budget Amendments 2003
 General County Fund

2

ACCOUNT	DEPARTMENT	VENDOR	INV. DATE	CHECK DATE	AMOUNT	SUBTOTAL
001 103 603	Tax Assessor	City Publishing	8/28/02	10/8/02	227.51	
		Bill Weaver Printer	9/13/02	10/8/02	150.00	
		Central Paper Company	9/13/02	10/8/02	181.30	
		American Business Forms	8/29/02	11/5/02	213.75	
						782.56
001 103 695	Tax Assessor	Huntoons Incorporated	9/23/02	10/8/02	35.40	
		Central Paper Company	9/13/02	10/8/02	28.95	
		T & T Data Services	7/23/02	11/5/02	25.00	
						89.35
001 104 581	Tax Collector	Comm-Tech Solutions	9/19/02	10/8/02	2,041.70	
		Premise, Inc.	8/9/02	12/16/02	1,800.00	
						3,841.70
001 104 603	Tax Collector	High Speed Copy	9/18/02	10/8/02	49.46	
		American Business Forms	9/16/02	10/8/02	148.00	
						197.46
001 104 650	Tax Collector	Roberson Security	9/20/02	10/8/02	485.00	
		Premise, Inc.	8/23/02	1/7/03	2,945.00	
		Lightning Quick Signs	8/14/02	11/12/02	5,278.00	
						8,708.00

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ACCOUNT	DEPARTMENT	VENDOR	INV. DATE	CHECK DATE	AMOUNT	SUBTOTAL
001 104 695	Tax Collector	Safety Med, Inc.	9/6/02	10/28/02	56.25	
						56.25
001 104 919	Tax Collector	ABC Key Shop	9/30/02	10/28/02	1,978.00	
		Simon's Refrigeration	9/23/02	10/5/02	3,475.00	
						5,453.00
001 121 641	Financial	Advanced Drainage Systems	9/17/02	10/8/02	4,198.42	
						4,198.42
001 122 603	Purchasing	Central Paper Company	7/18/02	10/8/02	8.95	
						8.95
001 151 502	Buildings and Grounds	Comm-Tech Solutions	7/29/02	10/8/02	34.00	
		Comm-Tech Solutions	8/27/02	10/28/02	343.85	
		Communication Resource Co	7/31/02	11/12/02	50.00	
		Comm-Tech Solutions	7/16/02	11/12/02	314.75	
						742.60
001 151 533	Buildings and Grounds	Xerox Corporation	9/20/02	10/8/02	752.94	
						752.94

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ACCOUNT	DEPARTMENT	VENDOR	INV. DATE	CHECK DATE	AMOUNT	SUBTOTAL
001 151 581	Buildings and Grounds	CDE Integrated Systems, Inc.	9/17/02	10/8/02	1,040.00	
		Necaise Locksmith	8/14/02	12/3/02	25.00	
		Jerry's Towing Service	7/17/02	12/16/02	50.00	
						1,115.00
001 151 641	Buildings and Grounds	Gulfport Industrial Supply	9/19/02	10/8/02	95.00	
		Noland	9/18/02	10/8/02	676.14	
		Roberson Security	9/24/02	10/8/02	100.00	
		Sun Coast Business and Ind.	9/24/02	10/8/02	33.40	
		Motion Industries	9/17/02	10/8/02	110.63	
		Lowe's of Gulfport	9/23/02	10/8/02	395.80	
		Roskopf Electric Supply	9/19/02	10/8/02	11.40	
		Dunaway Signs	9/18/02	10/8/02	34.75	
		Johnstone Supply of Gulfport	9/19/02	10/8/02	74.50	
		Home Depot	9/24/02	10/14/02	449.50	
		Biloxi Lumber Company	9/24/02	10/14/02	248.77	
		Lowe's of Gulfport	9/20/02	10/28/02	382.47	
		MS Coast Supply	8/27/02	11/5/02	131.94	
		Necaise Locksmith	8/6/02	12/3/02	3.50	
		Necaise Locksmith	8/14/02	12/3/02	33.00	
		Howard's Paint & Decorative	5/24/02	1/13/03	36.06	
						2,816.86
001 151 645	Buildings and Grounds	Sun Coast Business & Ind.	9/24/02	10/8/02	305.05	
						305.05

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ACCOUNT	DEPARTMENT	VENDOR	INV. DATE	CHECK DATE	AMOUNT	SUBTOTAL
001 151 681	Buildings and Grounds	Refrigeration Supply Comp.	9/18/02	10/8/02	67.32	
		A-1 Battery Distributor	9/20/02	10/8/02	36.95	
		Mid-State Automotive Dist.	9/20/02	10/8/02	10.94	
		Southern Communications	6/10/02	10/14/02	7.00	
		Auto Parts & Tool Company	9/5/02	12/10/02	219.91	
						342.12
001 151 695	Buildings and Grounds	Safety Med, Inc.	7/30/02	12/10/02	57.55	
						57.55
001 151 917	Buildings and Grounds	Coast Transit Authority	8/26/02	11/12/02	4,700.00	
						4,700.00
001 151 920	Buildings and Grounds	OEC/Office Furniture	6/18/02	10/28/02	15,601.25	
						15,601.25
001 152 544	Data Processing	Comm-Tech Solutions	8/1/02	10/8/02	294.00	
		T & T Data Services	8/14/02	11/5/02	320.03	
		T & T Data Services	7/23/02	11/5/02	476.00	
						1,090.00
001 152 603	Data Processing	Office Depot	9/2/02	10/28/02	172.03	
						172.03

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ACCOUNT	DEPARTMENT	VENDOR	INV. DATE	CHECK DATE	AMOUNT	SUBTOTAL
001 155 602	Code Administration	Charrette, LLC	7/29/02	10/14/02	456.00	
		Charrette, LLC	8/7/02	10/14/02	178.64	
		Charrette, LLC	8/8/02	10/14/02	192.26	
						826.90
001 155 603	Code Administration	Mitchell Clark, Jr.	9/19/02	10/8/02	1,700.00	
		Office Depot	6/21/02	10/14/02	445.42	
		Lawrence Printing Company	8/5/02	10/14/02	780.00	
		Lawrence Printing Company	9/17/02	10/14/02	393.00	
		Office Depot	7/15/02	10/28/02	343.95	
						3,660.42
001 155 681	Code Administration	Southern Communications	6/10/02	10/14/02	72.00	
						72.00
001 155 695	Code Administration	Office Depot	7/15/02	10/28/02	99.95	
						99.95
001 155 936	Code Administration	Southern Communications	5/10/02	10/14/02	165.00	
		Southern Communications	5/9/02	10/14/02	244.00	
						409.00
001 158 542	Outside B & G	Coast Battery Specialist	8/12/02	10/28/02	35.00	
		Performance Tire and Wheel	8/27/02	12/3/02	340.80	
						375.80

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ACCOUNT	DEPARTMENT	VENDOR	INV. DATE	CHECK DATE	AMOUNT	SUBTOTAL
001 155 602	Code Administration	Charrette, LLC	7/29/02	10/14/02	456.00	
		Charrette, LLC	8/7/02	10/14/02	178.64	
		Charrette, LLC	8/8/02	10/14/02	192.26	
						826.90
001 155 603	Code Administration	Mitchell Clark, Jr.	9/19/02	10/8/02	1,700.00	
		Office Depot	6/21/02	10/14/02	446.47	
		Lawrence Printing Company	8/5/02	10/14/02	780.00	
		Lawrence Printing Company	9/17/02	10/14/02	390.00	
		Office Depot	7/15/02	10/28/02	343.95	
						3,660.42
001 155 681	Code Administration	Southern Communications	6/10/02	10/14/02	72.00	
						72.00
001 155 695	Code Administration	Office Depot	7/15/02	10/28/02	99.95	
						99.95
001 155 936	Code Administration	Southern Communications	5/10/02	10/14/02	165.00	
		Southern Communications	5/9/02	10/14/02	244.00	
						409.00
001 158 542	Outside B & G	Coast Battery Specialist	8/12/02	10/28/02	35.00	
		Performance Tire and Wheel	8/27/02	12/3/02	340.80	
						375.80

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001 158 641	Outside B & G	Biloxi Lumber Co.	8/22/02	10/8/02	111.02	
		Phillips Building Supply	8/29/02	10/8/02	147.95	
		Refrigeration Supply Company	8/23/02	10/8/02	38.00	
		Richburg's Hardware	9/20/02	10/8/02	21.83	
		Richburg's Hardware	9/24/02	10/8/02	29.10	
		Walker Rent-All & Hardware	8/16/02	10/8/02	150.00	
		Granger	9/12/02	10/8/02	54.90	
		Granger	9/19/02	10/8/02	129.50	
		Micro Methods, Inc.	9/12/02	10/14/02	35.00	
		Mandal's Inc.	8/27/02	10/28/02	56.54	
		Central Avenue Supply Co.	8/23/02	11/5/02	9.30	
		Roskopf Electric Supply	8/27/02	11/12/02	55.55	
		Granger	8/19/02	12/3/02	182.11	
		BLP Paint	8/26/02	12/3/02	96.27	
		Necaise Locksmith Service	9/3/02	12/3/02	405.00	
						1,522.17
001 158 680	Outside B & G	Performance Tire & Wheel	8/15/02	12/10/02	153.95	
						153.95
001 158 695	Outside B & G	Richburg's hardware	9/20/02	10/8/02	87.05	
		Hughes Supply Company	9/20/02	10/28/02	75.97	
						163.02
001 160 603	Chancery Court	Lawrence Printing Company	8/22/02	12/10/02	810.00	
						810.00

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001 160 919	Chancery Court	Stenograph, LLC	9/12/02	12/10/02	4,095.00	
		Advantage Software	9/11/02	12/10/02	8,650.00	
						12,745.00
001 161 576	Circuit Court	Quality Bakery	9/19/02	10/8/02	106.28	
		Quality Bakery	9/18/02	10/8/02	12.36	
		Quality Bakery	9/17/02	10/8/02	11.88	
						130.52
001 161 581	Circuit Court	Reliagene Technologies	6/11/02	12/3/02	946.73	
						946.73
001 161 603	Circuit Court	Mitchell Clark, Jr.	9/19/02	10/8/02	302.00	
		Clark D. Shaughnessy & Co.	8/21/02	10/14/02	348.61	
						650.61
001 162 603	County Court	Copy Graphics, Inc.	8/1/02	10/14/02	72.00	
						72.00
001 164 603	Youth Court	K Mart	9/18/02	10/8/02	21.78	
						21.78
001 164 641	Youth Court	K Mart	9/18/02	10/8/02	127.92	
						127.92

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ACCOUNT	DEPARTMENT	VENDOR	INV. DATE	CHECK DATE	AMOUNT	SUBTOTAL
001 164 645	Youth Court	Gulf Coast Business Supply	9/24/02	10/8/02	24.60	
		Clay's Office Supply	9/23/02	10/8/02	219.92	
						244.52
001 166 603	Justice Court	Better Marketing Konnection	9/10/02	10/8/02	488.20	
		C & C Office Supply Company	9/24/02	10/14/02	536.48	
						1,024.68
001 167 681	Coroner	Turan Foley Chevrolet	9/23/02	10/8/02	1,561.18	
		Auto Parts & Tool Company	9/24/02	10/8/02	65.68	
		Goodyear Service Store	9/24/02	10/8/02	323.96	
						1,950.82
001 170 934 (New 173)	Chancery Court Admin.	Office Furniture Solutions	9/16/02	10/8/02	4,886.20	
						4,886.20
001 171 919	Circuit/Court Admin.	Office Furniture Solutions	9/16/02	10/28/02	4,634.41	
						4,634.41
001 174 581	Shelter & Abuse	Communication Resource Co.	7/18/02	11/12/02	80.25	
						80.25

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ACCOUNT	DEPARTMENT	VENDOR	INV. DATE	CHECK DATE	AMOUNT	SUBTOTAL
001 174 694	Shelter & Abuse	K Mart	9/17/02	10/28/02	31.90	
		The Earthgrains Company	9/5/02	10/28/02	36.85	
		The Earthgrains Company	9/16/02	10/28/02	72.65	
		Milk Products (Borden)	9/7/02	12/3/02	20.50	
		Milk Products (Borden)	9/14/02	12/3/02	30.75	
		Milk Products (Borden)	9/21/02	12/3/02	20.50	
						213.15
001 174 695	Shelter & Abuse	K Mart	9/18/02	10/8/02	169.53	
		K Mart	9/17/08	10/8/02	428.08	
						597.61
001 174 696	Shelter & Abuse	K Mart	9/18/02	10/8/02	99.45	
						99.45
001 175 933	County Court Admin.	T & T Data Services	8/28/02	11/12/02	1,425.00	
						1,425.00
001 177 556	Criminal Indigent Def.	Sherry P. Gutierrez	9/15/02	10/8/02	3,025.37	
						3,025.37
001 180 603	Election Expense	Cassline, Inc.	6/26/02	11/5/02	30.00	
						30.00

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ACCOUNT	DEPARTMENT	VENDOR	INV. DATE	CHECK DATE	AMOUNT	SUBTOTAL
001 180 695	Election Expense	Progress Printing Company	9/18/02	10/14/02	475.00	
		Classline, Inc.	5/12/02	10/14/02	190.00	
		Progress Printing Company	8/13/02	10/28/02	475.00	
						1,140.00
001 200 500	Sheriff's Administration	Southern Communications	9/3/02	10/14/02	128.10	
		Southern Communications	9/3/02	10/28/02	42.50	
						170.60
001 200 542	Sheriff's Administration	Dixie Glass Company, Inc.	6/20/02	10/8/02	197.75	
		Turan Foley Chevrolet	7/19/02	10/8/02	78.20	
		Tire Distribution Systems	8/30/02	10/8/02	64.27	
		Kustom Signals, Inc.	8/5/02	10/8/02	157.00	
		Car Care Auto Parts, Inc.	9/10/02	10/8/02	125.18	
		Automotive Engine Special	9/5/02	10/14/02	160.50	
		Maximum Auto Parts	7/19/02	1/7/03	44.60	
		Maximum Auto Parts	7/31/02	1/7/03	37.42	
						864.92

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ACCOUNT	DEPARTMENT	VENDOR	INV. DATE	CHECK DATE	AMOUNT	SUBTOTAL
001 200 544	Sheriff's Administration	Commercial & Coin Laundry	6/28/02	10/14/02	166.25	
		Jerry's Lawnmower Sales	7/18/02	10/14/02	28.50	
		Necaise Locksmith Service	8/26/02	10/28/02	65.00	
		Associated Food Equipment	8/20/02	10/28/02	500.00	
		Roskopf Electric Supply	5/1/02	11/12/02	30.00	
		Hobart Corporation	8/30/02	11/12/02	204.75	
		Lyman Well Company	8/28/02	12/3/02	855.00	
		Stuart C. Irby	9/1/02	12/3/02	51.48	
		Stuart C. Irby	9/5/02	12/3/02	36.00	
		Cotton's Four Wheel Drive	8/7/02	12/3/02	100.00	
		MS Coast Supply Co. Inc	9/9/02	12/16/02	474.00	
						2,510.98
001 200 552	Sheriff's Administration	Memorial Hospital @ Gulfport	8/26/02	11/12/02	300.00	
						300.00
001 200 603	Sheriff's Administration	City Publishing Company	8/28/02	10/8/02	560.17	
		Coast Printing Company	9/23/02	10/8/02	303.00	
		High Speed Copy	9/3/02	11/5/02	66.00	
		IKON Office Solutions	8/27/02	12/10/02	118.00	
						1,047.17
001 200 613	Sheriff's Administration	Roper Supply Company	9/24/02	10/8/02	294.00	
		Southern Communications	8/12/02	10/14/02	267.00	
		Gulf States Distributing	9/9/02	10/26/02	366.00	
		Current Software	8/22/02	10/26/02	2,000.00	
		Gulf States Distributing	9/9/02	11/5/02	378.00	
		Club Caribbean Divers	9/6/02	12/16/02	248.20	
		Evercom Systems, Inc.	9/16/02	1/7/03	348.50	
						3,901.70

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ACCOUNT	DEPARTMENT	VENDOR	INV. DATE	CHECK DATE	AMOUNT	SUBTOTAL
001 200 670	Sheriff's Administration	Blossman Gas Incorporated	4/26/02	10/28/02	89.00	
		Maximum Auto Parts Supply	7/19/02	1/7/03	44.70	
						133.70
001 200 681	Sheriff's Administration	A - 1 Battery Distributor	9/13/02	10/28/02	79.95	
		Maximum Auto Parts Supply	5/15/02	10/28/02	13.10	
						93.05
001 200 691	Sheriff's Administration	McCain Uniforms	9/19/02	10/28/02	615.00	
		Maxwell's Public Safety	9/3/02	12/3/02	16.00	
		Southern Communications	8/22/02	12/10/02	149.50	
						780.50
001 200 695	Sheriff's Administration	Bob Barker Company	9/13/02	10/8/02	470.40	
		Venus Farm Supply	9/19/02	10/28/02	82.50	
		Fazzio's Home & Farm Center	9/4/02	10/28/02	386.90	
						939.80
001 200 920	Sheriff's Administration	Southern Communications	5/7/02	10/14/02	1,656.00	
		Equipment Concepts & Design	8/21/02	10/28/02	25,000.00	
		Associated Food Equipment	18/28/02	11/12/02	2,911.00	
		Associated Food Equipment	7/24/02	11/12/02	11,361.75	
						40,928.75
001 211 544	Corrections	Hobart Corporation	8/30/02	11/12/02	459.80	
		Al Hill's Boiler Sales	8/1/02	12/3/02	498.69	
						958.49

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001 211 694	Corrections	Earthgrains Sara Lee Bakery	9/17/02	10/8/02	282.24	
		Dairy Fresh Corporation	9/20/02	10/8/02	406.13	
		Dairy Fresh Corporation	9/24/02	10/8/02	406.13	
		Bunny Bread, Inc.	8/29/02	10/8/02	350.10	
		Coast to Coast Foods Group	9/6/02	10/14/02	3,150.00	
		Gulf Coast Business Supply	9/13/02	10/28/02	500.00	
		Sam's Club Direct	7/26/02	11/5/02	99.21	
		PYA / Monarch, Inc.	7/5/02	12/3/02	572.80	
						5,766.61
001 211 695	Corrections	Mobile Veterinary Service	8/1/02	10/28/02	210.00	
						210.00
				Grand Total For Sheriff:		58,606.27
001 223 581	Youth Detention Facility	Advance Fire Protection	7/19/02	10/8/02	95.00	
		Advance Fire Protection	6/12/02	1/7/03	326.00	
						421.00
001 223 541	Youth Detention Facility	Bob Barker Company	7/31/02	10/8/02	51.02	
						51.02
001 260 544	Civil Defense	C.C. Lynch	9/5/02	10/14/02	450.00	
						450.00

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001 260 693	Civil Defense	City Publishing Company	8/28/02	10/8/02	117.13	
		Sam's Club Direct	9/6/02	10/8/02	139.97	
						257.10
001 260 690	Civil Defense	C.C. Lynch	3/19/02	11/12/02	848.33	
						848.33
001 263 936	County Patrolman/Safety	Southern Communications	5/20/02	12/16/02	110.00	
		Southern Communications	5/28/02	12/16/02	7.00	
		Southern Communications	5/17/02	12/16/02	131.00	
						248.00
001 341 581	Beautification	Teris North America LLC	6/26/02	10/8/02	1,399.05	
						1,399.05
001 412 541	Mosquito Control	Coast Battery Specialist	9/24/02	10/8/02	39.00	
						39.00

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ACCOUNT	DEPARTMENT	VENDOR	INV. DATE	CHECK DATE	AMOUNT	SUBTOTAL
001 412 542	Mosquito Control	Quality Auto Supply	9/24/02	10/8/02	34.26	
						34.26
001 412 560	Mosquito Control	Adapco	8/15/02	10/8/02	1,308.75	
						1,308.75
001 412 680	Mosquito Control	Tire Distribution Systems	9/23/02	10/8/02	159.39	
						159.39
001 412 695	Mosquito Control	Maximum Auto Parts Supply	9/24/02	10/8/02	92.70	
						92.70
001 412 936	Mosquito Control	Southern Communications	5/17/02	1/7/03	271.00	
						271.00
001 450 544	Welfare Administration	Anderson Chemical Company	8/29/02	10/8/02	421.35	
						421.35
001 450 603	Welfare Administration	Newell Paper Company	9/16/02	10/8/02	203.50	
		Gulf Coast Business Supply	8/13/02	10/8/02	193.66	
		Gulf Coast Business Supply	9/12/02	10/8/02	34.99	
						432.15

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ACCOUNT	DEPARTMENT	VENDOR	INV. DATE	CHECK DATE	AMOUNT	SUBTOTAL
001 450 641	Welfare Administration	Lowes of Gulfport	8/23/02	10/8/02	326.03	
		K Mart	9/20/02	10/8/02	41.98	
		Sun Coast Business and Ind.	9/19/02	10/8/02	238.00	
						606.01
001 452 695	Council on Aging	Gulf Coast Business Supply	9/11/02	10/8/02	157.68	
		Gulf Coast Business Supply	9/6/02	10/14/02	450.46	
						608.14
001 453 695	Human Resources Agn.	National Art Craft Company	7/23/02	10/8/02	76.15	
						76.15
001 453 700	Human Resources Agn.	The Merchants Company	5/0/02	12/3/02	188.00	
						188.00
001 510 641	Community/Civic Centers	Dixie Glass Company, Inc.	9/10/02	10/8/02	683.77	
		Locksmith & Security Services	9/24/02	10/14/02	85.00	
		Ball Heating and Air Conditioning	6/24/02	10/28/02	272.00	
		Dixie Glass Company, Inc.	8/22/02	11/5/02	481.89	
		Central Paper Company	8/23/02	11/5/02	67.45	
		Stuart C. Irby	3/4/02	12/16/02	22.62	
		Stuart C. Irby	4/19/02	12/16/02	513.92	
		Necaise Locksmith Service	5/10/02	1/7/03	41.50	
						2,168.15

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ACCOUNT	DEPARTMENT	VENDOR	INV. DATE	CHECK DATE	AMOUNT	SUBTOTAL
001 510 645	Community/Civic Centers	Central Paper Company	8/23/02	11/5/02	343.95	
		Central Paper Company	8/16/02	11/5/02	276.20	
		Central Paper Company	8/6/02	11/5/02	486.70	
						1,106.85
001 510 695	Community/Civic Centers	Central Paper Company	8/23/02	11/5/02	60.90	
		Central Paper Company	7/8/02	11/5/02	262.99	
		Central Paper Company	7/9/02	11/5/02	42.00	
		Safety Med, Inc.	8/9/02	12/10/02	126.60	
		Safety Med, Inc.	8/9/02	12/10/02	102.15	
						594.64
001 520 581	Parks and Recreation	H/C Wastewater Management	9/17/02	10/8/02	2,815.00	
		Haynes Electric Company	6/26/02	11/5/02	96.00	
						2,911.00
001 520 641	Parks and Recreation	Biloxi Lumber Company	9/19/02	10/8/02	123.60	
		Cedar Lake Hardware & Supply	9/10/02	10/8/02	41.77	
		Coastal Farm Supply Inc.	9/23/02	11/5/02	159.50	
		Magnolia State School	9/3/02	10/28/02	3,760.48	
						4,085.35
001 520 542	Parks and Recreation	Howard's Paint and Decorations	9/13/02	10/8/02	190.20	
						190.20

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ACCOUNT	DEPARTMENT	VENDOR	INV. DATE	CHECK DATE	AMOUNT	SUBTOTAL
001 520 695	Parks and Recreation	Coastal Farm Supply Inc.	9/12/02	10/8/02	24.75	
		Coastal Farm Supply Inc.	9/13/02	10/8/02	148.50	
		Fazzio's Home & Farm Center	7/2/02	10/14/02	218.00	
		Coastal Farm Supply Inc.	7/8/02	10/14/02	220.00	
		Pennington Seed, Inc.	9/11/02	10/28/02	5,249.00	
						5,860.25
001 520 780	Parks and Recreation	Portable Services, Inc.	9/6/02	10/8/02	130.00	
						130.00
001 520 920	Parks and Recreation	Coast Coca Cola Bottling	9/17/02	10/14/02	3,156.00	
						3,156.00
001 522 531	Fairgrounds	Beard Equipment	9/11/02	10/28/02	1,400.00	
						1,400.00
001 522 632	Fairgrounds	Fore Construction Inc	8/27/02	10/8/02	14,933.70	
						14,933.70

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ACCOUNT	DEPARTMENT	VENDOR	INV. DATE	CHECK DATE	AMOUNT	SUBTOTAL
001 522 641	Fairgrounds	Larosa Glass Inc.	9/18/02	10/8/02	18.64	
		Fazzio's Home & Farm Center	9/18/02	10/8/02	206.09	
		Fazzio's Home & Farm Center	9/6/02	10/8/02	124.90	
		T S C O Metals	9/23/02	10/8/02	209.00	
		Biloxi Lumber Company	9/16/02	10/8/02	434.98	
		Fazzio's Home & Farm Center	9/24/02	10/28/02	37.46	
		Fazzio's Home & Farm Center	9/24/02	10/28/02	24.44	
		Metro Concrete, LLC	2/25/02	10/28/02	916.00	
		Goldin Building Systems	9/9/02	10/28/02	22.90	
		MS Coast Supply Company, LLC	9/24/02	12/10/02	17.34	
						2,011.75
001 522 642	Fairgrounds	BLP Paint	8/22/02	10/8/02	59.70	
						59.70
001 522 644	Fairgrounds	Maximum Auto Parts Supply	9/10/02	10/8/02	86.65	
						86.65
001 522 645	Fairgrounds	Maximum Auto Parts Supply	9/13/02	10/8/02	13.99	
						13.99
001 522 681	Fairgrounds	Lee Tractor Company Inc	9/13/02	10/8/02	267.84	
		Maximum Auto Parts Supply	9/13/02	10/8/02	0.35	
		Beard Equipment Company	9/11/02	10/8/02	96.58	
		R & W Equipment	9/11/02	10/8/02	78.59	
		R & W Equipment	9/20/02	10/28/02	149.95	
						593.31
001 523 581						

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ACCOUNT	DEPARTMENT	VENDOR	INV. DATE	CHECK DATE	AMOUNT	SUBTOTAL
	Skate Park	Ball Heating and Air Cond.	6/12/02	11/5/02	322.00	
		Comm-Tech Solutions	3/26/02	12/3/02	135.00	
						457.00
001 523 641						
	Skate Park	Comm-Tech Solutions	6/14/02	10/28/02	693.00	
						693.00
001 523 695						
	Skate Park	Safety Med, Inc.	4/9/02	10/14/02	177.20	
						177.20
001 700 603	Zoning	Sam's Club	8/21/02	10/8/02	74.98	
						74.98
		TOTAL GENERAL COUNTY FUND:				265,266.56

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ACCOUNT	DEPARTMENT	VENDOR	INVOICE DATE	CHECK DATE	AMOUNT	SUBTOTAL
150 156 603	County Engineer	Charrette LLC	6/7/02	10/14/02	237.40	
		Charrette LLC	6/10/02	10/14/02	103.92	
		Charrette LLC	8/21/02	10/14/02	34.64	
		Hayes Instrument Co.	9/18/02	5/14/00	135.37	
						511.33
150 156 695	County Engineer	Charrette LLC	3/22/02	10/14/02	122.36	
						122.36
150 156 919	County Engineer	Global Computer Supplies	9/19/02	10/14/02	590.89	
		Global Computer Supplies	9/29/02	11/18/02	889.99	
						1,480.88
150 300 500	General Road Maint.	Southern Communications	5/17/02	10/14/02	26.00	
		Team One Communications	4/29/02	11/5/02	277.58	
		Team One Communications	6/21/02	12/3/02	79.00	
						382.58
150 300 532	General Road Maint.	Puckett Rents	4/24/02	10/8/02	353.50	
		Puckett Machinery Co.	7/16/02	10/14/02	1,350.00	
		D'iberville Equipment Rental	7/3/02	10/28/02	1,225.00	
		Puckett Rents	9/4/02	12/15/02	1,900.00	
		Puckett Machinery Co.	6/25/02	1/7/03	1,350.00	
						6,178.50
150 300 533	General Road Maint.	D'iberville Equipment Rental	8/30/02	10/28/02	38.00	
		Puckett Rents	5/20/02	10/28/02	150.00	

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ACCOUNT	DEPARTMENT	VENDOR	INVOICE DATE	CHECK DATE	AMOUNT	SUBTOTAL
						188.00
150 300 541	General Road Maint.	Hammett's Auto Electric	9/23/02	10/8/02	198.95	
		Empire Truck Sales, Inc	9/27/02	10/8/02	489.72	
		Johnson Diesel Service	9/27/02	10/8/02	579.96	
		Lee Tractor Company	9/23/02	10/8/02	927.79	
		Dunaway Glass	9/20/02	10/8/02	15.00	
		Johnson Diesel Service	9/19/02	10/14/02	2,431.79	
		Shamrock Pipe & Tools	9/25/02	10/14/02	2,284.68	
		Dunaway Glass	9/18/02	10/14/02	95.00	
		Cumberland's Garage Paint	9/24/02	10/14/02	680.00	
		Johnson Diesel Service	9/4/02	10/26/02	163.45	
		Turan Foley Chevrolet	2/4/02	11/5/02	1,494.66	
		Louis Smith Welding	8/20/02	12/3/02	460.00	
		Rocking C Truck & Trailer	7/17/02	12/3/02	133.75	
		Puckett Machinery Co.	9/18/02	1/7/02	1,929.33	
						11,884.08
150 300 542	General Road Maint.	Eddie's Tire & Automotive	7/30/02	10/8/02	50.00	
		Mitch William's Paint & Bo	2/26/02	12/3/02	308.00	
						358.00
150 300 546	General Road Maint.	Temple & Son Electric	9/18/02	10/8/02	456.19	
		Treated Materials Company	4/10/02	10/14/02	246.00	
						702.19
150 300 581	General Road Maint.	Portable Services, Inc.	9/13/02	10/8/02	85.00	
		Portable Services, Inc.	9/13/02	10/14/02	35.00	
		Team One Communications	9/24/02	10/28/02	66.30	
		Gulf Coast Petroleum Inc	6/24/02	10/28/02	149.27	

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 Road Fund

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ACCOUNT	DEPARTMENT	VENDOR	INVOICE DATE	CHECK DATE	AMOUNT	SUBTOTAL
						385.57
150 300 602	General Road Maint.	IKON Office Solutions	9/17/02	11/5/02	101.99	
						101.99
150 300 603	General Road Maint.	Gulf Coast Business Supply	9/24/02	10/8/02	57.00	
		Office Depot	4/29/02	10/14/02	21.87	
		Gulf Coast Business Supply	9/4/02	10/28/02	350.95	
		K Mart	9/24/02	11/5/02	87.96	
						517.78
150 300 631	General Road Maint.	Twin L Construction	7/19/02	10/8/02	318.50	
		Donald N. Ainsworth & Jam	8/19/02	10/8/02	5,736.00	
		Edwards Gravel Company	8/19/02	10/8/02	1,235.00	
		Vulcan Materials Company	9/17/02	10/14/02	683.10	
		Vulcan Materials Company	8/7/02	10/14/02	2,619.16	
		Vulcan Materials Company	7/16/02	10/28/02	3,766.41	
		Perkinston Sand & Gravel	9/9/02	11/5/02	411.51	
		Vulcan Materials Company	8/20/02	11/12/02	464.94	
		Twin L Construction	8/20/02	12/16/02	735.00	
						15,969.62
150 300 632	General Road Maint.	Williams Paving Company	7/3/02	10/8/02	63.26	
		Fore Construction Company	9/10/02	10/8/02	19,916.70	
		Williams Paving Company	8/5/02	10/8/02	70.84	
		Blackslide Emulsions, Inc	9/11/02	10/14/02	66.55	
		Williams Paving Company	9/5/02	10/14/02	42.18	
		Bond Paving Company	8/31/02	12/3/02	1,734.00	
		Metro Concrete, LLC	9/12/02	1/7/03	20.00	
						21,913.53

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ACCOUNT	DEPARTMENT	VENDOR	INVOICE DATE	CHECK DATE	AMOUNT	SUBTOTAL
150 300 633	General Road Maint.	Metro Concrete, LLC	7/12/02	10/14/02	261.25	
		Metro Concrete, LLC	7/31/02	10/14/02	313.50	
		Metro Concrete, LLC	6/24/02	10/23/02	261.25	
		Metro Concrete, LLC	6/21/02	10/28/02	104.50	
		Metro Concrete, LLC	7/29/02	11/5/02	352.45	
		Metro Concrete, LLC	7/29/02	11/5/02	1,776.50	
		Metro Concrete, LLC	7/29/02	11/5/02	151.05	
		Metro Concrete, LLC	7/17/02	11/12/02	261.25	
						3,481.75
150 300 639	General Road Maint.	Whitco Sign & Manufacturing	5/31/02	10/8/02	131.00	
		Dunaway Signs	9/17/02	10/28/02	175.00	
		Signs and Blanks Inc.	9/17/02	11/12/02	450.00	
						756.00
150 300 641	General Road Maint.	MS Coast Supply Co. Inc	9/19/02	10/8/02	52.67	
		Phillips Building Supply	9/24/02	10/8/02	29.99	
		Roskopf Electric	9/24/02	10/8/02	105.75	
						188.41
150 300 645	General Road Maint.	Gulf Coast Business Supply	9/24/02	10/17/02	124.96	
						124.96
150 300 670	General Road Maint.	Radcliff Economy Marine	8/6/02	11/12/02	70.20	
						70.20

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150 300 531	General Road Maint.	Puckett Machinery Company	9/20/02	10/8/02	204.43	
		Sanders Tractor Company	9/24/02	10/8/02	41.12	
		Hammett's Auto Electric	9/18/02	10/8/02	289.95	
		Quality Auto Supply	9/23/02	10/8/02	189.68	
		Johnson Diesel Service	9/16/02	10/8/02	24.50	
		Lee Tractor Company Inc	9/20/02	10/8/02	456.32	
		Lee Tractor Company Inc	9/25/02	10/8/02	415.57	
		Howard Smith Equipment	9/12/02	10/8/02	46.48	
		Coast Battery Specialist	8/19/02	10/8/02	82.00	
		Coast Battery Specialist	9/24/02	10/8/02	94.55	
		Maximum Auto Parts Supply	8/22/02	10/8/02	141.78	
		Maximum Auto Parts Supply	9/24/02	10/8/02	88.00	
		Maximum Auto Parts Supply	9/18/02	10/8/02	115.28	
		Maximum Auto Parts Supply	9/16/02	10/8/02	31.14	
		Maximum Auto Parts Supply	9/20/02	10/8/02	28.37	
		R & W Equipment	9/20/02	10/8/02	165.00	
		Sherwin Williams	8/7/02	10/8/02	65.00	
		Pierce Auto Sales & Rentals	9/17/02	10/8/02	149.04	
		Dunaway Glass	9/20/02	10/8/02	15.00	
		Larosa Glass, Inc	9/23/02	10/8/02	8.78	
		Eddie's Tire & Automotive	7/30/02	10/8/02	180.35	
		Rocking C Truck & Trailer	9/20/02	10/8/02	139.78	
		Ramsey's Auto Center, Inc.	9/19/02	10/8/02	52.52	
		Smith's Auto Supply	9/24/02	10/8/02	169.61	
		Smith's Auto Supply	9/20/02	10/8/02	120.88	
		Smith's Auto Supply	9/27/02	10/8/02	89.19	
		Ward International Truck	9/18/02	10/8/02	155.52	
		O'Reilly Auto Parts Store	9/24/02	10/8/02	182.30	
		Popp's Ferry Sales & Service	9/20/02	10/8/02	18.92	
		Popp's Ferry Sales & Service	9/24/02	10/8/02	26.40	
		Auto Parts & Tool Company	9/17/02	10/8/02	63.10	
		Maximum Auto Parts Supply	9/13/02	10/8/02	430.08	
		Mitch Williams Paint/Body	8/23/02	10/8/02	218.75	
		Puckett Machinery Company	9/20/02	10/14/02	140.16	

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150 300 681	General Road Maint.	Auto Parts & Tool Company	9/20/02	10/14/02	389.49	
Continued from page 6		Auto Parts & Tool Company	9/18/02	10/14/02	190.32	
		Maximum Auto Parts Supply	9/12/02	10/14/02	79.23	
		Maximum Auto Parts Supply	9/17/02	10/14/02	23.80	
		Millcreek Manufacturing	8/23/02	10/14/02	171.78	
		Gall's Inc.	2/22/02	10/28/02	234.98	
		Howard Smith Equipment	5/14/02	10/28/02	19.58	
		Howard Smith Equipment	5/15/02	10/28/02	81.06	
		Lawn & Garden Center	8/28/02	11/5/02	55.37	
		Copy Graphics, Inc.	9/18/02	11/5/02	31.45	
		Millcreek Manufacturing	8/8/02	11/5/02	122.22	
		Affordable Glass Company	8/9/02	12/3/02	167.35	
						6,212.75
150 300 685	General Road Maint.	Jerry's Lawnmower Sales	9/24/02	10/8/02	21.60	
		Cedar Lake Hardware	9/24/02	10/8/02	28.00	
		Cedar Lake Hardware	9/23/02	10/8/02	85.00	
		Cedar Lake Hardware	7/25/02	10/8/02	196.36	
		Cedar Lake Hardware	9/23/02	10/8/02	83.96	
		Cedar Lake Hardware	9/24/02	10/8/02	139.42	
		Cedar Lake Hardware	9/27/02	10/8/02	100.03	
		Cedar Lake Hardware	9/23/02	10/8/02	275.00	
		Quality Auto Supply	9/23/02	10/8/02	4.95	
		Hemel Auto Parts	9/20/02	10/8/02	45.34	
		McDaniel General Merch.	9/18/02	10/8/02	319.95	
		Coast Battery Specialist	9/24/02	10/8/02	3.95	
		Maximum Auto Parts Supply	9/24/02	10/8/02	372.33	
		Safety Med, Inc.	9/19/02	10/8/02	11.90	
		Sherwin Williams	8/7/02	10/8/02	52.08	
		Sherwin Williams	9/18/02	10/8/02	447.50	
		Waring Oil Company	9/19/02	10/8/02	122.40	
		Coast Medical Supply Inc.	9/3/02	10/8/02	159.15	
		Sun Coast Business and Ind.	9/18/02	10/8/02	151.42	

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150 300 695	General Road Maint.	Cash N Carry Building	9/19/02	10/8/02	305.70	
Continued from page 7		Cash N Carry Building	9/27/02	10/8/02	112.98	
		LaRosa Glass	9/24/02	10/8/02	69.34	
		LaRosa Glass	9/23/02	10/8/02	97.08	
		LaRosa Glass	9/24/02	10/8/02	107.35	
		LaRosa Glass	9/20/02	10/8/02	18.84	
		LaRosa Glass	9/27/02	10/8/02	21.74	
		Gay's Ace Hardware	9/25/02	10/8/02	81.96	
		J S C O Metals	9/24/02	10/8/02	125.80	
		Rocking C Truck & Trailer	9/20/02	10/8/02	138.95	
		Smith Auto Supply	9/24/02	10/8/02	28.85	
		Grainger	9/20/02	10/8/02	59.74	
		Popp's Ferry Sales & Service	9/24/02	10/8/02	10.08	
		Maximum Auto Parts Supply	9/25/02	10/14/02	17.76	
		Fazzio's Home & Farm Center	9/24/02	10/14/02	81.42	
		Fazzio's Home & Farm Center	9/23/02	10/14/02	59.48	
		Fazzio's Home & Farm Center	9/13/02	10/14/02	111.10	
		Maximum Auto Parts Supply	9/24/02	10/14/02	66.27	
		State Chemical MFG Co.	9/7/02	10/14/02	373.25	
		Cedar Lake Hardware	9/24/02	10/14/02	61.56	
		Dunaway Signs	9/6/02	10/28/02	60.00	
		Coastal Farm Supply	7/17/02	11/5/02	9.95	
		Coastal Farm Supply	8/14/02	11/5/02	79.70	
		Gulfport Industrial Supply	9/4/02	11/12/02	301.35	
		Sun Coast Business and Ind.	5/9/02	12/3/02	189.04	
						5,209.63
150 300 916	General Road Maint.	D'l'berville Equipment Rental	8/22/02	10/6/02	8,800.00	
						8,800.00
150 351 922	Capital Road Improv.	Fore Construction	9/10/02	10/8/02	20,074.80	
		Advance Drainage Systems	8/28/02	10/8/02	5,580.24	

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

***PO ISSUED F.Y. 01/02
 BUT PAID F.Y. 02/03***

Budget Amendments 2003
 Road Fund

ACCOUNT	DEPARTMENT	VENDOR	INVOICE DATE	CHECK DATE	AMOUNT	SUBTOTAL
						2,089.67
156 355 542	Sand Beach Maint.	Quality Auto Supply	9/20/02	10/8/02	232.22	
						232.22
156 355 581	Sand Beach Maint.	H/C Wastewater Management	9/17/02	10/8/02	2,733.00	
		Henry Wrights Towing	9/27/02	10/28/02	154.00	
						2,887.00
156 355 644	Sand Beach Maint.	Quality Auto Supply	9/10/02	10/8/02	2,474.54	
		Gulfport Industrial Supply	9/24/02	10/14/02	283.30	
		Quality Auto Supply	9/19/02	10/28/02	2,659.27	
						5,617.11
156 355 645	Sand Beach Maint.	Gulfport Industrial Supply	9/24/02	10/14/02	14.52	
						14.52
156 355 650	Sand Beach Maint.	Johnstone Supply of Gulfport	9/19/02	10/8/02	64.62	
						64.62
156 355 674	Sand Beach Maint.	State Chemical MFG Co.	9/23/02	10/8/02	81.75	
		Diversified Technologies	9/23/02	10/8/02	560.00	
		Radcliff Economy Marine	9/25/02	10/8/02	1,145.55	
		Pepco	9/16/02	10/8/02	1,265.50	
		Pepco	9/17/02	10/8/02	114.00	
						3,166.90
156 355 681	Sand Beach Maint.	Russell's Tractor Service	3/7/02	11/5/02	25.08	

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***PO ISSUED F.Y. 01/02.
BUT PAID F.Y. 02/03***

Budget Amendments
Fiscal Year 2003

ACCOUNT	DEPARTMENT	VENDOR	INV. DATE	CHECK DATE	AMOUNT	SUBTOTAL
096 153 581	Mapping	Unishippers South	8/13/02	10/26/02	153.86	
						153.86
096 153 603	Mapping	T & T Data Services	8/15/02	11/12/02	999.00	
		Mustang Computers & Supply	9/26/02	12/3/02	187.00	
		Corporate Express	6/24/02	1/7/03	295.68	
		Corporate Express	6/17/02	1/7/03	73.92	
						1,555.60
				TOTAL FOR MAPPING FUND:		1,709.46
097 287 681	E-911	Southern Communications	9/11/02	10/14/02	616.00	
						616.00
				TOTAL FOR E-911 FUND:		616.00
106 250 486	Fire Services	Southern Communications	8/27/02	10/17/02	28.73	
		Southern Communications	6/9/02	10/17/02	33.75	
						62.48
106 250 502	Fire Services	Comm-Tech Solutions	7/29/02	10/8/02	45.00	
						45.00

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Budget Amendments
Fiscal Year 2003

ACCOUNT	DEPARTMENT	VENDOR	INV. DATE	CHECK DATE	AMOUNT	SUBTOTAL
106 250 581	Fire Services	All American Towing Services	9/17/02	10/28/02	150.00	
		Chevron-Long Beach	8/24/02	11/5/02	45.00	
						195.00
106 250 641	Fire Services	Biloxi Lumber Company	9/24/02	10/8/02	127.98	
		Biloxi Lumber Company	8/15/02	10/8/02	45.32	
						173.30
106 250 681	Fire Services	Sunbelt Fire Apparatus Inc.	9/19/02	10/14/02	15.79	
		Gall's Inc	9/12/02	10/28/02	25.99	
		Maximum Auto Parts Supply	8/21/02	11/5/02	22.50	
						64.28
106 250 691	Fire Services	Southern Fire Equipment	8/19/02	10/8/02	582.00	
						582.00
106 250 696	Fire Services	Southern Trophies	9/20/02	10/28/02	108.00	
						108.00
106 250 930	Fire Services	Deep South Truck & Equipment	9/24/02	10/28/02	650,345.82	
						650,345.82
				TOTAL FOR FIRE SERVICE FUND:		651,575.88

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***PO ISSUED F.Y. 01/02,
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Budget Amendments
Fiscal Year 2003

ACCOUNT	DEPARTMENT	VENDOR	INV. DATE	CHECK DATE	AMOUNT	SUBTOTAL
113 900 935	Public Safety Fund	Mid South Uniform & Supply	8/9/02	10/28/02	29,813.94	
		Mid South Uniform & Supply	8/30/02	10/28/02	10,780.20	
		Mia South Uniform & Supply	9/4/02	10/23/02	898.35	
						41,492.49
				TOTAL FOR PUBLIC SAFETY FUND:		41,492.49

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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Supervisor **WILLIAM W. MARTIN** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

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MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor BOBBY ELEUTERIUS moved the adoption of the following Resolution:

A RESOLUTION OF THE HARRISON COUNTY BOARD
OF SUPERVISORS DECLARING ITS INTENT TO
UNOPPOSE THE APPLICATION AND NOTIFICATION
OF ANN O. REA TO CONSTRUCT WITH PERSONAL
FUNDS A PUBLIC BOAT SHED AND DOCK LOCATED
AT 114 W. FAIRWAY DRIVE, BOISDORE BAYOU,
COMMONLY REFERRED TO AS HENDERSON POINT,
PASS CHRISTIAN, MS

WHEREAS, a request has been made by an Ann O. Rea to use per personal or private funds to construct a boat shed and dock, 33 ft. in length, 30 in. in width and 15 ft. and 6 in. in height to be located at 114 W. Fairway Drive, on the Boisdore Bayou, to be used for public purposes; and

WHEREAS, the Board does find that said construction will be in the best interest of the citizens of Harrison County, Mississippi and that this Board will not oppose the Application and Notification of Ann O. Rea for the construction of the boat shed and dock, which application must be made with the United States Department of Army, Core of Engineers, Mississippi Department of Wildlife Conservation, Bureau of Marine Resources, Mississippi Department of Natural Resources, and Bureau of Pollution Control; and

WHEREAS, the Board's intent to unoppose the construction is contingent upon the applicant, Ann O. Rea's, agreement to provide general liability insurance on the boat shed and dock, in a sum not less than \$500,000.00, which is the limit of liability for

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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civil actions under the Mississippi State Tort Claims Act as it pertains to governmental entities; that Ann O. Rea has agreed to provide to the Harrison County Insurance Administrator each year a copy of said policy, which policy will also name Harrison County, Mississippi as a named insured; and

WHEREAS, in addition to the conditions set forth above, Ann O. Rea, applicant, will execute a contract with Harrison County, Mississippi to provide the insurance as noted above, which contract shall also provide that Ann O. Rea will indemnify and hold harmless Harrison County from any and all claims, causes of action, lawsuits, attorney fees, property damage, or any and all damages resulting from any claim made arising from the construction, use, or repair of said boat shed and dock.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, AS FOLLOWS:

SECTION I. That for the benefit of Harrison County and Harrison County citizens, Harrison County agrees to not oppose the Application and Notification of Ann O. Rea for the construction of the boat shed and dock, which application must be made with the United States Department of Army, Core of Engineers, Mississippi Department of Wildlife Conservation, Bureau of Marine Resources, Mississippi Department of Natural Resources, and Bureau of Pollution Control; however, Ann O. Rea must meet the insurance and indemnity provisions set forth above.

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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Supervisor LARRY BENEFIELD seconded the Motion to adopt the above and foregoing Resolution whereupon the President put the question to a vote with the following results:

Supervisor BOBBY ELEUTERIUS	voted, <u>AYE</u> ,
Supervisor MARLIN LADNER	voted, <u>AYE</u> ,
Supervisor LARRY BENEFIELD	voted, <u>AYE</u> ,
Supervisor CONNIE ROCKCO	voted, <u>AYE</u> ,
Supervisor WILLIAM MARTIN	voted, <u>AYE</u> .

The majority of the members present having voted in the affirmative, the President then declared the Motion carried and the Resolution adopted on this the 3rd day of February, 2003.

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BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **LARRY BENEFIELD** moved, and Supervisor **WILLIAM W. MARTIN** seconded, adoption of the following:

ENTER CLOSED SESSION to discuss whether or not to enter into Executive Session to discuss:

- a) Insurance coverage for certain personnel;
- b) Potential litigation concerning the Chancery Clerk.

There was a unanimous vote by the Board to enter Closed Session.

ALL ORDERED AND DONE this the 3rd day of February 2003.

* * *

Supervisor **WILLIAM W. MARTIN** moved, and Supervisor **LARRY BENEFIELD** seconded, adoption of the following:

ENTER EXECUTIVE SESSION.

There was a unanimous vote by the Board to enter Executive Session.

ALL ORDERED AND DONE this the 3rd day of February 2003.

* * *

Supervisor **BOBBY ELEUTERIUS** moved, and Supervisor **WILLIAM W. MARTIN** seconded, adoption of the following:

RECONVENE FROM EXECUTIVE SESSION.

There was a unanimous vote by the Board to reconvene from Executive Session.

The Board Attorney reported that the Board received an update on the above listed matters. No action was taken.

ALL ORDERED AND DONE this the 3rd day of February 2003.

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MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

Supervisor **LARRY BENEFIELD** moved adoption of the following:

**ORDER APPROVING \$564,383.12 PAYMENT TO MISSISSIPPI PUBLIC
ENTITY EMPLOYEE BENEFIT TRUST FOR VARIOUS MEDICAL CLAIMS,
PAYABLE FROM 001 121 468**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY APPROVE \$564,383.12 payment to Mississippi Public Entity Employee Benefit Trust (MPPEBT) for various medical claims, payable from 001 121 468.

Supervisor **BOBBY ELEUTERIUS** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS the 3rd day of February 2003.

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MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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Supervisor **LARRY BENEFIELD** moved adoption of the following:

**ORDER AUTHORIZING PUBLICATION OF PUBLIC NOTICE CONCERNING THE
CORPS OF ENGINEERS' TURKEY CREEK FLOOD CONTROL STUDY**

ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, that the Board does HEREBY AUTHORIZE publication of public notice concerning the Corps of Engineers' Turkey Creek flood control study.

Supervisor **BOBBY ELEUTERIUS** seconded the motion to adopt the above and foregoing order, whereupon the question was put to a vote with the following results:

Supervisor BOBBY ELEUTERIUS voted	AYE
Supervisor LARRY BENEFIELD voted	AYE
Supervisor MARLIN R. LADNER voted	AYE
Supervisor WILLIAM W. MARTIN voted	AYE
Supervisor CONNIE M. ROCKCO voted	AYE

The motion having received the affirmative vote from the majority of the supervisors present, the president declared the motion carried and the order adopted.

THIS, the 3rd day of February 2003.

* * *

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
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The following items came on for discussion by the Board, with no Board action being taken at this time:

a) The Circuit Clerk and the Election Commissioners thanked Larry Blakeney, Mapping Department, for his help with redistricting.

b) The Board members thanked the Circuit Clerk's office and the Election Commissioners for their work on redistricting.

c) The Circuit Clerk expressed her concern about voters finding the proper voting place for East and West Lizana voting precincts.

d) Supervisor Benefield inquired how long the 911 Commission would need to use storage facilities. Storage should end by July 2003.

e) Supervisor Rockco stated that she is happy to see the Development Commission abiding by State statute.

* * *

MINUTE BOOK
BOARD OF SUPERVISORS, HARRISON COUNTY, MISSISSIPPI
FEBRUARY 2003 TERM

ORDERED THAT THE BOARD ADJOURN IN THE FIRST JUDICIAL DISTRICT until Term in
Course.

THIS, the 3rd day of February 2003.



PRESIDENT