

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

Jessie Medlin, PRESIDENT 2006 PRESIDING

November 6, 2006

A. CALL TO ORDER

The November 6, 2006, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie Medlin, Board President.

Chief Deputy Charlie Brown of the DeSoto County Sheriff’s Department was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

- Supervisor Jessie Medlin-----District 1
- Supervisor Eugene C. Thach-----District 2
- Supervisor Bill Russell-----District 3
- Supervisor Allen Latimer-----District 4
- Supervisor Tommy Lewis-----District 5
- W. E. Sluggo Davis-----Chancery Clerk
- Michael Garriga-----County Administrator
- Tony Nowak-----Board Attorney
- Chief Deputy Charlie Brown-----Sheriff’s Department

B. INVOCATION

Supervisor Eugene Thach presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF OCTOBER MINUTES

The official minutes of the Board of Supervisors were read for the month of October 2006, pursuant to Section 19-3-27 of the Mississippi Code of 1972, Annotated. Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to approve the minutes of the Board of Supervisors, with clarifications made by the Supervisors for the month of October 2006. The motion passed by a unanimous vote.

E. CONSENT AGENDA

After considering the items presented on the Consent Agenda, Supervisor Tommy Lewis made he motion and Supervisor Bill Russell seconded the motion to approve the Consent Agenda items as follows:

1. Accounting

a. Approval for Interfund Loan

From: General County Fund	001-000-054	\$555,000.00
To: 2003 Funding Bonds I & S	221-000-149	\$555,000.00
From: General County Fund	001-000-054	\$185,000.00
To: Administration Building I & S	212-000-149	\$185,000.00

b. Approval to Ratify Bond Payment

Mississippi Development Bank Promissory Notes

Hancock Bank, Check #022367, issued 10/24/06, Note #05648-049, \$58,252.36

\$18,000,000 MS Development Bank Special Obligation Bonds

Trustmark Bank, Check #022380, issued 10/30//06, \$45,085.71

c. Approval to Ratify Monthly Health Claims - \$349,050.05

2. Approval of Bailiff Pay

Chris Sing \$160.00 Lee Hodge \$80.00 Joe Holmes \$160.00

3. Justice Court Report

Criminal Cases Filed – 38	State Assessments - \$39,358.56
Civil Cases Filed – 374	County General Fund - \$73,115.10
Traffic Tickets Filed – 647	Total Collections - \$112,473.66
Total Cases Filed – 1,359	

4. Approval of Chancery Clerk Allowance - \$1,550.00

5. Safety Officer's Report (1)

6. Approval of Publication of Board Proceedings

7. Extension Service – Receiving Clerks

a. Approval to Appoint Mrs. Gale Rutt as Receiving Clerk

b. Approval to Remove Mrs. Debbie Rouse as Receiving Clerk

8. Dept. of Road Management

a. Approval for Travel for Drainage Inspectors to Attend Workshop

b. Permit Application for Use and Occupancy Agreement for the Construction or Adjustment of a Utility Within Road or Highway Right-of-Way

(1.) Nesbit Water Association

(2.) Bellsouth

9. Circuit Court Clerk Allowance – September, 2006 (2)

10. Make the Fully Executed Lease for FSA Part of the Minutes – For the term beginning 10-1-06 through 9/30/11. In the amount of \$38,130.00 per year at the rate of \$3,177.50 per month (\$10.00 per square foot) in arrears.

11. Sheriff's Department

a. Approval to Accept Donation from Rowsey Furniture for the Sheriff's Department SWAT Team

b. Making the Full Executed Agreement with Dr. Bray Part of the Minutes

c. Sheriff's Employee Report

12. Make the 2006 Solid Waste Report Publication Part of the Minutes

Total Revenues - \$1,751,729.81 Total Expenditures - \$1,436,426.46 Average Cost per County Resident - \$10.04

13. Misty Oaks Subdivision - Approval to Add Plat Book and Page Numbers and The Section, Township and Range to the Board's Approval Dated August 21, 2006

Plat Book 80 – Page 17 – STR – 8-2-8

14. Metro Narcotics – Approval to Add Forfeiture to Inventory

Case #	Vehicle	Serial #	Est Amt	Forfeited Date
04-0097 1999	Oldsmobile	1G3NL52E3XC302510	\$3,500.00	8/18/2006
06-0074 1999	Chevrolet	1G1JCS243X7274831	\$3,000.00	8/18/2006
06-0029 0996	Acura	JH4KA965XTC012171	\$7,050.00	9/26/2006

15. Make Interlocal Agreement Between DeSoto County and Olive Branch for a Firing Range Part of the Minutes

16. Authorization to Bid One or More Motorcycles for the Sheriff’s Department

17. Approval of Inventory Dispositions - Preliminary –Information Technology, Planning Commission

IT Dept.	ASSET #	SERIAL #	DESCRIPTION	REASON FOR DISP.	LOCATION
	6059	23A5052	IBM Terminal	Broken	IT Department
	730048	2362356	IBM 5822 Modem	Obsolete	IT Department
	730049	2345051	IBM 5822 Modem	Obsolete	IT Department
	730050	2348275	IBM 5822 Modem	Obsolete	IT Department
	730051	2371741	IBM 5822 Modem	Obsolete	IT Department
	8072	2362319	IBM 5822 Modem	Obsolete	IT Department
	32140	2304801	IBM 5822 Modem	Obsolete	IT Department
	32137	2304958	IBM 5822 Modem	Obsolete	IT Department
	32135	2371684	IBM 5822 Modem	Obsolete	IT Department
	730089	23GY678	IBM 300 PC	Broken/Obsolete	IT Department
	30799	SSG048130HB	HP Deskjet 1220C	Broken	IT Department
	6106	013830	Ecision Data Terminal	Broken	IT Department
	5089	405MA0007527	Compaq Monitor	Obsolete	IT Department
	6123	OTG1043267	Epson Printer	Broken	IT Department
	8334	23A5041	IBM Terminal	Broken	IT Department
	6072	88WY301	IBM Terminal	Broken	IT Department
	33468	0130016174	Personal Computer	Broken	IT Department
	33545	42MG094466	Personal Computer	Broken	IT Department
	31304	75B5211	Personal Computer	Broken	IT Department
	730071	2344591	Monitor	Obsolete	IT Department
	730080	2339289	Monitor	Obsolete	IT Department
	730070	2344732	Monitor	Obsolete	IT Department
	30550	15503114	Personal Computer	Broken	IT Department
	30937	11822847723	Monitor	Broken	IT Department
	30430	14553059	Personal Computer	Broken	IT Department
	30460	14904207	Personal Computer	Broken	IT Department
	30861	27911840001	Personal Computer	Broken	IT Department
Planning Commission					
ASSET #	SERIAL #	DESCRIPTION	REASON FOR DISP.	LOCATION	
1075	179092	Blue line machine	Obsolete (no longer needed)	GIS/Planning	

The motion passed by a unanimous vote.

See Exhibit E.

F. OLD BUSINESS

1. Approval of Interlocal Agreement with Town of Walls/Sigma Supply

Board Attorney Tony Nowak, said under the grant requirements for Sigma Supply the County must maintain ownership of the sewer system for 20 years. He said in order to operate the sewer system the County must enter into an agreement with another entity and the Town of Walls has agreed to operate the sewer system for 20 years, then the ownership of the sewer system would revert to the Town of Walls. Mr. Nowak said he has prepared a lease agreement to reduce the terms of the agreement to writing and has sent the agreement to the Town of Walls for approval, and is presenting the agreement to the Board of Supervisors for approval today.

Supervisor Bill Russell clarified that the agreement includes maintenance and upkeep of the lift station. County Administrator Michael Garriga said that is correct.

Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion approve the interlocal agreement with the Town of Walls to operate the sewer system for Sigma Supply contingent on approval by the Town of Walls. The motion passed by a unanimous vote. **See Exhibit F.1**

2. Approval to Appoint Substitute Prosecuting Attorney – State of Mississippi v Brooks Bumpous

Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to approve appointing Vanessa Winkler-Price as attorney for the case styled State of Mississippi versus Brooks Bumpous for a fee in the amount of \$1,500.00. The motion passed by a unanimous vote. **See Exhibit F.2**

G. NEW BUSINESS

1. Tax Exemptions

a. Future Electronics - MOU

Attorney Mark Aquadro appeared before the Board of Supervisors regarding a request for a resolution of intent pertaining to tax exemptions for Future Electronics Distribution Center, LP. Mr. Aquadro said they had been before the Tax Advisory Committee about a planned expansion for Future Electronics. Mr. Aquadro said that Future Electronics has made significant advances toward an expansion of their operation in Southaven, MS. He said they are planning to include 65 new jobs with the expansion and additional payroll of \$1.5 million. Mr. Aquadro said that the addition was financed with bond proceeds.

Supervisor Allen Latimer said he appreciates Future Electronics bringing good paying jobs to DeSoto County. He asked how they will attract employees. The representatives from Future Electronics said they will try to attract employees locally.

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to authorize the Board President to sign the resolution of the Board of Supervisors of DeSoto County, MS pertaining to tax exemptions under MS code Section 57-10-255 including but not limited to sales and use taxes on all purchases required for the expansion of all of an electronic components distributions center by Future Electronics Distribution Center, LP and/or its assigned related matters and as more fully described in exhibit G.1 The motion passed by a unanimous vote. **See Exhibit G.1.a**

b. Panattoni/Iron Mountain – Real Property

Director of Economic Council Jim Flanagan and Al Andrews of Panattoni and a representative from Iron Mountain appeared before the Board of Supervisors to request a real property tax exemption for Panattoni who is planning to lease property to Iron Mountain Data Storage. Mr. Flanagan said that this is a request for a 10 year exemption for real property. Al Andrews of Panattoni described the building and the business of Iron Mountain. Mr. Andrews said that they owned 100 acres at the corner of Stateline Road and Airways Blvd. He said this is the newest building that was built on that property. He said that Iron Mountain is the leader in document storage facilities.

Supervisor Eugene Thach asked if the company anticipates any problems hiring people at the rate of \$11.00 per hour. Mr. Flanagan said that rate is competitive for that area.

Supervisor Allen Latimer said that the County appreciates Iron Mountain locating in DeSoto County and asked if they plan to hire from DeSoto County. The representative from Iron Mountain said that they will try to hire from DeSoto County.

Mr. Andrews said that it would be illegal for them to discriminate based on where a person lives. He said it has been their experience that people want to live near where they work and work near their home.

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to approve a 10 year tax exemption for real property for Panattoni. The motion passed by a unanimous vote. **See Exhibit G.1.b**

2. Records Management and Preservation

Phillip Cothren and Glen Terry of LMI appeared before the Board of Supervisors to discuss a records management program. Mr. Terry said that LMI has done business with DeSoto County for many years. He said that LMI is a Mississippi company since 1985. They presented a video of Hancock County Chancery Clerk, Tim Kellar, praising LMI for their efforts to get the County back online and preserve and protect records after Hurricane Katrina.

Mr. Cothren said that during the past ten years technology has improved greatly for records storage. He explained the process that LMI utilizes for record storage.

Supervisor Jessie Medlin asked where the records would be stored. Mr. Cothren said they can be stored in a number of places.

Supervisor Bill Russell asked, once everything is copied, how it is kept current. Mr. Terry said that they have several different options for that. He said they would need to return to the County and perform an assessment to determine their total needs, and to get a cost estimate.

Supervisor Russell asked if it would become a daily routine to enter the data. Supervisor Russell said that he is convinced that DeSoto County needs to do this but asked how we would determine what data should be saved.

Mr. Terry said the employees of DeSoto County have a better of idea of what records the County needs to save. He said that LMI could give some advice based on their work in other counties.

Chancery Clerk Sluggo Davis asked if the County could convert the data that the group from Utah has already converted to microfilm, to the LMI format. Mr. Terry said yes, if the group did it the same way they have with other customers.

Mr. Garriga said that he and Mr. Terry talked to various departments last week but were unable to meet with the Circuit Clerk. Mr. Garriga reported that the departments seemed interested in this option.

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to authorize LMI to do the assessment and make recommendations to the Board of Supervisors for preserving and storing records in DeSoto County. The motion passed by a unanimous vote.

3. EMS

a. Approval of Contract to Extend Warranty for Zoll Units

Director of Emergency Services, Bobby Storey and Director of Emergency Management, Tim Curtis, appeared before the Board of Supervisors to ask for approval to extend the warranty for Zoll units. Mr. Storey explained that their office has purchased defibrillators from this company. He said this warranty gives the County a 20% discount on the unit parts that break or wear out in addition to other warranty benefits. At the recommendation of the Director of Emergency Services, Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve and authorize the Board President to sign the contract with Zoll Medical Corp. at \$4,725.00 per year and as further detailed in exhibit G.3a. The motion passed by a unanimous vote. **See Exhibit G.3.a**

b. Approval to Renew Contract for Dr. Adcock

At the recommendation of the Director of Emergency Services, Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the renewal contract with Dr. Adcock as EMS Physician at \$45,000 per year and for a term set to expire December 31, 2007, and as further described in exhibit G.3.b. The motion passed by a unanimous vote. **See Exhibit G.3.b**

c. Comprehensive Emergency Management

Director of EMA, Tim Curtis said that this is a plan that is pretty much an imprint of the state plan for Comprehensive Emergency Management.

Board Attorney, Tony Nowak said he had no problems with the contract but Road Manager, Russell Dorris asked about who would have authority to dispatch equipment. Mr. Storey and Mr. Curtis both agreed that this point was not covered in this plan.

Supervisor Bill Russell asked if citizens have an opportunity to register with any service or organization when they are handicapped and need someone to check on them in the event of an emergency or disaster. Director of Emergency Services, Bobby Storey said that the County does have a program in place to meet that need. He said the individual sends a letter to the Fire Department and they pass the information on to Dispatch.

Supervisor Russell also asked if there is a plan to assist people when they do not want to leave their pets in time of a disaster or other emergency. Mr. Curtis said yes. They purchased a trailer that has multiple pens to hold animals. He said during a disaster, people can put their animals in the pen and then come to the trailer to visit the animals with the idea that this will keep these animals from the general population of animals in the shelter.

Supervisor Allen Latimer asked if the cities have this same plan as the county has in place. Mr. Storey said that he would rather speak through the cities about that question.

Supervisor Latimer asked if the County has a plan that would prepare for thousands of people being located at one place. Mr. Storey said yes we do. He said everyone learned a lot through Hurricane Katrina and hopefully the entire nation is better prepared to handle such situations.

Supervisor Jessie Medlin said it would be good to have a number published that people could call when they need help.

Supervisor Bill Russell asked where we are with different departments being able to communicate. Mr. Storey said that we have a procedure in place that expedites internal communication however a dispatch system is on order which will actually enable different departments to talk to each other with a patch-through-dispatch.

Mr. Curtis said they will review the plan each year and as our needs change they will update the plan.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to adopt the DeSoto County Comprehensive Emergency Plan as presented and further described in exhibit G.3.c. The motion passed by a unanimous vote.

Road Manager Russell Dorris joined the meeting and asked if the Board addressed calling out of road equipment. Supervisor Medlin said that this plan does not address this issue, but it will be addressed in a future plan. **See Exhibit G.3.c**

d. Acceptance of Credit Card Payments for Ambulance Services

Director of Emergency Services Bobby Storey said that some people want to pay their ambulance bill with a credit card. Mr. Storey said, in order to provide that service, they have negotiated with third party companies and it seems there will be a 4% fee charged to the credit card holder for that service.

Supervisor Tommy Lewis asked if the company charges any other fees and Mr. Storey said just 4%.

Supervisor Bill Russell asked how someone would pay by credit card if they do not have a computer. Mr. Storey said they will not be able to pay by credit card if they do not have access to a computer. Supervisor Russell said he does not see a benefit in this service over the County simply accepting credit cards.

Board Attorney Tony Nowak explained that PayPal is the recommended credit card service. PayPal provides a safety feature which allows the consumer to enter personal information only one time with them as opposed to registering personal information on multiple sites.

No motions were made nor votes taken on this item.

4. Grants

a. Metro Narcotics Grant Closeout and Board President to Sign

At the recommendation of the Grants Administrator Joyce Herring, Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to authorize the Board President to sign the closeout paperwork for the Metro Narcotics Grant. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----YES
Supervisor Bill Russell-----YES
Supervisor Allen Latimer-----YES
Supervisor Tommy Lewis-----ABSENT

See Exhibit G.4.a

b. Make MDA Response Denying Approval for the 2006 Home Grant Application Part of the Minutes

At the recommendation of the Grants Administrator Joyce Herring, Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to make the letter from the Mississippi Development Authority denying the County's application for a Home Grant part of the minutes. The motion passed by a unanimous vote. See Exhibit G.4.b

c. Make EPA Response Denying Approval for the Source Reduction Application Part of the Minutes

At the recommendation of the Grants Administrator Joyce Herring, Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve making the response from the United States Environmental Protection Agency denying the EPA Source Reduction Assistance Grant application for DeSoto County part of the minutes. The motion passed by a unanimous vote. See Exhibit G.4.c

d. DCAOP – Approval to Purchase Van and Modify Budget

Grants Administrator Joyce Herring, notified the Board of Supervisors that the County was approved to purchase a van for the DCAOP Program.

Supervisor Jessie Medlin asked if this will short the program in other areas. Mrs. Herring said they hope to combine some of the functions with the Drug Court grant and free up money allocated for the DCAOP.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the purchase of a van for DCAOP with the understanding that the Board will not make any commitment for future additional contributions or budget modifications for the County to assume more of the program due to a shortage of grant funding. The motion passed by a unanimous vote. See Exhibit G.4.d

5. Bids Under Advisement

a. Sigma Supply

b. Additional Funds for 10% Match

c. Approval of Contract Contingent on MDA Approval of Additional Funds

County Administrator Michael Garriga said they met last week regarding the shortfall in the grant application award for Sigma Supply. He said the County will approach MDA to fund the cost over-run less 10% which would be \$16,000. Mr. Garriga said that Sigma Supply has committed \$5 million in construction costs for the project and they have exceeded that amount to date.

Supervisor Allen Latimer asked if the County has the money. Mr. Garriga said we will find it.

Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to authorize the funding for the shortfall for the Sigma Supply grant by paying 10% of whatever the State agrees to pay for the shortfall up to \$16,125. The motion passed by a unanimous vote.

Supervisor Bill Russell made the motion and Supervisor and Supervisor Allen Latimer seconded the motion to approve the contract with ENSCOR, LOS for work described in the bid for Sigma Supply, contingent on Mississippi Development Authority funding becoming available to fund the shortfall. The motion passed by a unanimous vote.

See Exhibit G.5

6. Accounting

a. Claims Docket

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Comptroller. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----NO
Supervisor Eugene C. Thach-----YES
Supervisor Bill Russell-----YES
Supervisor Allen Latimer-----YES
Supervisor Tommy Lewis-----YES

See Exhibit G.6.a

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to recess the meeting until 1:05 p.m. The motion passed by a unanimous vote.

7. Ad for Mississippi Supervisors Magazine

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to approve the ad copy for the MAS advertisement focusing on the GIS Department and to have the ad listed on the inside front cover of the magazine. The motion passed by a unanimous vote.

See Exhibit G.7

8. Board Attorney

a. Invoice for Right of Way – Bill Sexton

At the recommendation of the Board Attorney, Supervisor Tommy Lewis made the motion and Supervisor Allen Latimer seconded the motion to approve the Clerk to write the checks for invoices for Bill Sexton for appraisal services for Leon Washington on Poplar Corner Road and David Hyman on Tulane Road in DeSoto County for \$850 each. The motion passed by a unanimous vote.

See Exhibit G.8.a

b. Invoice for Services – Standard and Poors

At the recommendation of the Board Attorney, Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to authorize the Clerk to write the check to

Standard and Poors for bond rating services in the amount of \$3,500.

See Exhibit G.8.b

c. Donation of Equipment – Youth Circle of Love

The Board of Supervisors was notified of a literacy program in Olive Branch called the Youth Circle of Love which is designed to help children achieve better grades in school. The Board was notified that the addition of computers to the program for children after school will implement literacy activities in the computer setting to increase the students’ abilities in the areas of reading, grammar, social studies, science and math as well as computer skills. The Board was notified that the DeSoto Literacy Council endorses the program and has previously donated computers to the program. One of the organizers of the activity also taught G.E.D. classes in the past.

Having received information that the Youth Circle of Love is a literacy program in DeSoto County, Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve declaring computers surplus in the Chancery Clerk’s office and allowing them to be donated to the Youth Circle of Love, Inc. as follows:

ASSET #	SERIAL #	DESCRIPTION
35175	23WWX81	IBM NETVISTA P3
35174	23WTN93	IBM NETVISTA P3
35173	23WWY88	IBM NETVISTA P3
31119	26925760001	MICRON PC

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----NO
Supervisor Bill Russell-----YES
Supervisor Allen Latimer-----YES
Supervisor Tommy Lewis-----YES

See Exhibit G.8.c

d. Circuit Clerk – Contract for Election Services

At the recommendation of the Board Attorney, Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to approve the contract with the Circuit Clerk for election services for \$50 per machine and as further outlined in exhibit G.8.d
See Exhibit G.8.d

e. Justice Court – Contract with Data Systems Management for Software Upgrade

The County Administrator notified the Board of Supervisors that no action was needed on this item as the State will pay for this service. See Exhibit G.8.e

f. Lease Agreement with Town of Walls

At the recommendation of the Board Attorney, Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to approve the lease agreement with the Town of Walls and to authorize the Board President to sign the lease for \$10 per year for the building on the corner of U.S. 61 and Nail Road. The motion passed by a unanimous vote.
See Exhibit G.8.f

g. Election Commission – Approval of Polling Place Agreements

Board Attorney Tony Nowak said the Election Commissioners felt it would be a good idea to have agreements with polling locations that are not located on County property. At the recommendation of the Board Attorney, Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the agreement for use of facilities for polling places and recommended by the Board Attorney. The motion passed by a unanimous vote.
See Exhibit G.8.g

9. County Administrator

a. Resolution for State Development Bank Funds (\$2.5 M)

At the recommendation of the County Administrator and Board Attorney, Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve and authorize the Board President to sign the Resolution of the Board of Supervisors of DeSoto County, MS, authorizing a third advance under that certain loan agreement, dated as June 7, 2002, by and between the Mississippi Development Bank and DeSoto County in the amount of \$2.5 million. The motion passed by a unanimous vote. **See Exhibit G.9.a**

b. Reimbursement to Cities for Voting Equipment Refund

County Administrator Michael Garriga said he has been approached by the mayors of all of the cities asking for a refund of their contributions toward the optical scan voting equipment. Mr. Garriga said when the initial optical scan voting equipment was purchased in 2002, city contributions were as follows:

Hernando	\$10,000
Horn Lake	\$30,000
Olive Branch	\$30,000
Southaven	\$50,000

Mr. Garriga said that he talked to the cities about storage, upkeep and maintenance costs for the equipment and he suggested the County keep 20% of the cities’ contributions to cover those costs and he said the mayors of those cities have agreed.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to approve reimbursing each city 80% of their original contributions toward the purchase of voting equipment as follows:

ORIGINAL CONTRIBUTION		REIMBURSEMENT
Hernando	\$10,000	\$8,000
Horn Lake	\$30,000	\$24,000
Olive Branch	\$30,000	\$24,000
Southaven	\$50,000	\$40,000

The motion passed by a vote as follows:

- Supervisor Jessie Medlin-----YES
- Supervisor Eugene C. Thach-----YES
- Supervisor Bill Russell-----YES
- Supervisor Allen Latimer-----YES
- Supervisor Tommy Lewis-----ABSENT

c. Certification of Drug Free Workplace

At the recommendation of the County Administrator Michael Garriga, Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to approve the Board President to sign the policy reducing to writing that DeSoto County government has a Drug Free Workplace program. The motion passed by a unanimous vote. **See Exhibit G.9.c**

10. County Consulting Engineer – Bids Under Advisement

a. 2007 Overlay Contract CO-17 (29)

At the recommendation of the County Consulting Engineer, Supervisor Eugene Thach made the motion and Supervisor Bill Russell seconded the motion to accept the low bid of Lehman Roberts Company to overlay various roads in DeSoto County at a bid cost of \$2,986,722.00. The motion passed by a unanimous vote. **See Exhibit G.10.a**

b. Craft Road CO-17 (14)

Supervisor Jessie Medlin advised the Board of Supervisors that the money contributed by Cherokee Subdivision is supposed to come off the top of the cost of the Craft Road project and

the balance should be split between the County and the City of Olive Branch. Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the low bid for Talbot Brothers for construction of County Project number CO-17 (14) Craft Road at a bid cost of \$5,251,061.35. The motion passed by a unanimous vote.
See Exhibit G.10.b

c. Tulane Road CO-17 (10)

Supervisor Allen Latimer made the motion and Supervisor Tommy Lewis seconded the motion to accept the low bid from Talbot Brothers Contracting Company in the amount of \$189,974.10 for construction of a box culvert on Tulane Road based on the recommendation of the County Consulting Engineer. The motion passed by a unanimous vote. **See Exhibit G.10.c**

11. Department of Road Management

a. Road Report and Work Schedule

b. Road Bond Report

At the recommendation of the County Road Manager Russell Dorris, Supervisor Eugene Thach made the motion and Supervisor Bill Russell seconded the motion to approve the County Road Report and Work Schedule and the Road Bond Report as presented by the Road Manager. The motion passed by a unanimous vote. **See Exhibit G.11.a,b**

c. School Bus Turnarounds

The Board of Supervisors acknowledged receipt of a request from the Superintendent of Education for work, and in accordance with Section 19-3-42, Mississippi Code of 1972 as amended, for various school bus turnarounds, Supervisor Bill Russell made the motion to maintain and improve the properties in the Superintendent's letter dated April 3, 2006, and directed the County Road Manager to carry out this order of this Board forthwith, acknowledging receipt of the minutes from the Board of Education. Supervisor Jessie Medlin seconded the motion for the following list:

UNKNOWN	1415 Baldwin Road	Lake Cormorant	
Faith Galbreath	10187 Holly Springs Road	Hernando	901-387-9388
UNKNOWN	Dunn Lane North	Olive Branch	
Debbie Veillon	Oak Grove Rd. West	Hernando	662-429-1916
Marva Dunn	2170 E. Parkway	Hernando	662-404-1437

See Exhibit G.11.c

d. Approval to Advertise for Starlanding Underpass

County Engineer Andy Swims said that they met last week with Engineering Associates about the Starlanding Underpass. He said we are still lacking certification on the right of ways and utility easements. They estimate construction time on the project to be 15 months.

Supervisor Bill Russell asked if the road will be closed the entire 15 months. Mr. Swims said that they are working now to minimize the length of time that the road will be closed however the road should be closed a large portion of the construction time. Mr. Swims said they are requesting approval to go out to bid for the project so that when all of the other steps are concluded there will be no delays in getting the bids out.

Supervisor Allen Latimer made the motion and Supervisor Eugene Thach seconded the motion to approve advertising for the construction of the Starlanding Underpass contingent on getting the certifications needed before the bid is let. The motion passed by a unanimous vote.

I. OTHER ISSUES

1. Walls Volunteer Fire Department

Supervisor Bill Russell said that the Walls Fire Department has moved to a new location and

requested that the County pave the parking area and build a concrete apron where they can wash the trucks and equipment. Supervisor said that the Board Attorney has determined that it is legal to do work on the Volunteer Fire Department property. Supervisor Russell said he does not think the County should pay the total cost of concreting the apron. He said the Walls Fire Department has agreed to pay \$10,000 toward the concrete apron. Supervisor Russell said that as a courtesy to the Fire Department he got two quotes for the concrete work. One quote is for \$17,000 and the second one is for \$15,000. Supervisor Russell said that the Town of Walls has agreed to pay ½ of the remaining balance after the Fire Department's \$10,000 is expended for the concrete. He said he would like for the County to pay the other \$2,500.

Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to approve an allocation of \$2,500 from the District 3 Park Fund to concrete the apron on the Walls Fire Department and contingent on the Town of Walls paying \$2,500. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene C. Thach-----NO
Supervisor Bill Russell-----YES
Supervisor Allen Latimer-----YES
Supervisor Tommy Lewis-----YES

After discussing the issue, Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to reconsider the previous motion. The motion passed by a unanimous vote.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to rescind the previous order. The motion passed by a unanimous vote.

Supervisor Bill Russell made the motion for the County to pave the parking lot and construct the concrete apron at the Walls Fire Department and take \$2,500 from the District 3 Park Fund contingent on the Town of Walls paying \$2,500 and with approval of the Board Attorney for the Walls Fire Department to pay \$10,000 to the County for the work. After discussing the issue further, the motion was withdrawn.

The Board of Supervisors held this item over until Wednesday, November 8, 2006.

2. Sheriff's Department – Approval to Hire Transcriber

At the request of the Sheriff's Department, Supervisor Allen Latimer made the motion and Supervisor Jessie seconded the motion to hire Lori Cushing to provide transcribing services to the DeSoto County Sheriff's Department at \$2.00 per page for typing and \$4.00 for audio transcription services as needed by the Sheriff's Department. The motion passed by a unanimous vote.

3. Solid Waste - Disposal

Board Attorney Tony Nowak said the Attorney General has opined that there cannot be fuel adjustment charges on the solid waste contract. Mr. Nowak said that he got a copy of the contract on which this A G opinion was based and it includes a fuel surcharge rather than the fuel adjustment charge, therefore, he feels the language was used interchangeably in the opinion.

At the recommendation of the Board Attorney, Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to authorize the Smith Phillips Mitchell Scott and Nowak Law Firm to write for an Attorney General's opinion to clarify the issue. The motion passed by a unanimous vote.

4. Solid Waste - Collection

Mr. Garriga said he met with Gerry Burke and Jim Bearden last week regarding the solid waste

collection contracts. He said there is a dispute concerning users with multiple containers and they are reverting back to the contract documents to settle the issue.

5. Appointment – Fire Investigator

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to reappoint Mike Hancock as Arson Investigator for DeSoto County. The motion passed by a unanimous vote. **See Exhibit I.5**

H. EXECUTIVE SESSION

The executive session portion of these minutes is recorded under the portion of the minutes called "Executive Session".

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to recess the meeting until November 8, 2006 at 9:00 a.m. The motion passed by a unanimous vote.

THIS the 6th day of November 2006, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Jessie Medlin, President
DeSoto County Board of Supervisors