

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

**BILL RUSSELL, PRESIDENT 2010 PRESIDING**

**April 7, 2010**

**A. CALL TO ORDER**

The April 7, 2010, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Bill Russell, Board President.

Sheriff Bill Rasco 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 Absent
- Tony Nowak -----Board Attorney
- Sheriff Bill Rasco-----Sheriff

**B. INVOCATION**

Deputy Carl Hurt presented the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. PLANNING COMMISSION AGENDA**

**DeSoto County Board of Supervisors**

**Planning Agenda**

**April 7, 2010**

**PUBLIC HEARING**

**Zoning Ordinance Amendment - The DeSoto County Board of Supervisors will consider adopting amendments to Article XVI of the DeSoto County Zoning Ordinance regarding the Board of Adjustment. Specifically, they will consider making procedural changes to the processing of applications for Variances and Conditional Uses.**

Supervisor Thach made a Motion to open the Public Hearing to consider adopting amendments to Article XVI of the DeSoto County Zoning Ordinance regarding the Board of Adjustment. Specifically, to consider making procedural changes to the processing of applications for Variances and Conditional Uses.  
Supervisor Latimer seconded the Motion.

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

- FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN YES
- SECOND DISTRICT SUPERVISOR, EUGENE THACH YES
- THIRD DISTRICT SUPERVISOR, BILL RUSSELL YES
- FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER YES
- FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS YES

Mr. McDougal gave a brief presentation on the Board of Adjustment activities of the previous year and the process of Variance and Conditional Use reviews. He stated applications for Variances and Conditional Uses were substantially down in 2009 and that majority of the cases were setback issues and mobile home issues. Mr. McDougal stated he recommends the Board of Adjustment become an advisory board to the Board of Supervisors on matters of Variance and Conditional Use applications due to the change in nature and complexity of the cases before the Board of Adjustment.

Supervisor Thach stated he tries to make sure his appointee to the Board of Adjustment for his District is more than qualified to make decisions on the matters of the Variance and Conditional Use applications. He also stated he feels there is no need to bog down the Board of Supervisors with this additional case load.

Supervisor Medlin asked for clarification of how the process would work if these cases were heard by the Board of Supervisors, more specifically at which Board of Supervisors meeting would the cases be heard each month. Mr. McDougal stated the applications would be heard by the Board of Supervisors during the Planning portion of the Board of Supervisors agenda at the beginning of the month. Supervisor Medlin stated that could cause a person wishing to build a fence or put a mobile home on their property to have to wait an additional three weeks at least to begin work on their project. He also stated there would be no appeal process for decisions made on Variance and Conditional Use applications under the proposed change to the process. Supervisor Russell asked if the cases could be heard at the mid-month Board of Supervisors meeting the Monday following the Board of Adjustment meeting. Ms. Tynan stated there would not be sufficient time to notice the item to meet public notice requirements in order to be heard at the mid-month meeting.

Supervisor Latimer asked what if there is an emergency situation such as a house fire and the applicant needs to place a mobile home on the property while rebuilding the home. Mr. McDougal stated he has been given authority by the Board of Supervisors to bring emergency cases to the next scheduled Board of Supervisors meeting. In these cases, where there is an urgent need for action, the Board of Supervisors can hear them immediately.

Supervisor Thach stated the current process has worked for many years and he does not see the need for the Board of Supervisors to hear every application brought before the Board of Adjustment.

Supervisor Medlin made a Motion to close the Public Hearing. Supervisor Latimer seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN YES  
SECOND DISTRICT SUPERVISOR, EUGENE THACH YES  
THIRD DISTRICT SUPERVISOR, BILL RUSSELL YES  
FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER YES  
FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS YES

Supervisor Russell made a Motion to adopt amendments to Article XVI of the DeSoto County Zoning Ordinance regarding the Board of Adjustment making the Board of Adjustment an advisory board to the Board of Supervisors. Supervisor Latimer seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN NO  
SECOND DISTRICT SUPERVISOR, EUGENE THACH NO  
THIRD DISTRICT SUPERVISOR, BILL RUSSELL YES  
FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER YES  
FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS NO

Supervisor Russell stated he does not feel that making applicants wait on a decision on a Variance or Conditional Use application is that big of a concern. Supervisor Russell stated that his main concern with the current process is that he doesn't feel that a sufficient number of neighbors are getting notice of what is going on in their community. Supervisor Lewis asked if the concern for the number of neighbors being notified could be addressed by expanding the public notice area. Supervisor Russell stated he does not feel there is a formula that will include enough people in the public notice. Supervisor Lewis stated he is concerned lengthening the time it will take County residents to have an application processed for a Variance or Conditional Use.

Mr. McDougal stated he is concerned that if the notice area increased, small items like a fence variance within a subdivision could require notice to over four hundred people.

Supervisor Lewis suggested all cases going to the Board of Adjustment and the cases that tend to be more controversial, will automatically be reviewed by the Board of Supervisors.

Supervisor Lewis made a Motion to have Mr. Jim McDougal, Director of Planning, to compile a list of types of cases heard by the Board of Adjustment that should have an automatic review by the Board of Supervisors due to their more controversial nature and to hold a public hearing on May 5, 2010. Supervisor Russell seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN NO  
SECOND DISTRICT SUPERVISOR, EUGENE THACH YES  
THIRD DISTRICT SUPERVISOR, BILL RUSSELL YES  
FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER YES

FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS      YES

**CONSENT AGENDA**

**Minor Lots**

***District 4***

**Revised Glenworth Minor Lot (6787)** - Application is for vacation of the Glenworth Minor Lot (6636) and final subdivision approval of three (3) lots of 2 acres each, one (1) lot of 2.04 acres and one (1) lot of 3 acres out of 11.04 acres. Subject property is located on the east side of Tulane Road and south of Starlanding Road in Sections 21 and 22, Township 2, Range 8 and is zoned Agricultural-Residential (A-R). (District 4)

**Teuscher Minor Lot (6788)** - Application is for final subdivision approval of one (1) lot of 2.29 acres and one (1) lot of 37.71 acres out of 40 acres. Subject property is located on the north side of Days Road and east of Fogg Road in Section 17, Township 2, Range 8 and is zoned Agricultural-Residential (A-R). (District 4)

***District 5***

**Burgess Minor Lot (6789)** - Application is for final subdivision approval of one (1) lot of 5 acres, two (2) lots of 3.63 acres, one (1) lot of 2.5 acres and two (2) lots of 1.5 acres and out of 17.76 acres. Subject property is located on the south side of Ingrams Mill Road and east of Highway 305 South in Section 23, Township 3, Range 6 and is zoned Agricultural (A). (District 5) **\*\*\*MUST BE PLATTED AND RECORDED\*\*\***

**Clint Gowen Minor Lot (6790)** - Application is for final subdivision approval of one (1) lot of 2.1 acres and one (1) lot of 11.2 acres out of 13.3 acres. Subject property is located on the south side of Highway 304 and east of Scott Road in Section 14, Township 3, Range 8 and is zoned Agricultural (A). (District 5)

**Keller Minor Lot (6791)** - Application is for final subdivision approval of one (1) lot of 2 acres. Subject property is located on the east side of Steele Road and north of Myrtle Wood Drive in Section 3, Township 3, Range 7 and is zoned Agricultural (A). (District 5)

**Chris Lamb Minor Lot (6792)** - Application is for final subdivision approval of two (2) lots of 5.32 acres each and one (1) lot of 6.28 acres and out of 16.92 acres. Subject property is located on the south side of Byhalia Road and east of Getwell Road in Section 3, Township 3, Range 7 and is zoned Agricultural (A). (District 5)  
**\*\*\*MUST BE PLATTED AND RECORDED\*\*\***

Mr. McDougal presented the applications above and stated the applications appear to be in compliance with the County's Zoning and Subdivision Ordinances. Mr. McDougal stated both Burgess Minor Lot and Chris Lamb Minor Lot will need waivers for the length of the access easements and both items will need to be platted and recorded.

Supervisor Latimer asked how the property will be accessed for the Teuscher Minor Lot. Ms. Gina Tynan stated the lot has direct access on Days Road.

Supervisor Latimer made a Motion to approve the Consent Agenda for the applications in District 4 subject to and conditioned upon staff recommendations and required dedication of public road right-of-way and Health Department approvals and including the vacating of the Glenworth Minor Lot (6636) subdivision in Sections 21 and 22, Township 2, Range 8. Supervisor Lewis seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN      YES  
SECOND DISTRICT SUPERVISOR, EUGENE THACH YES  
THIRD DISTRICT SUPERVISOR, BILL RUSSELL      YES  
FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER YES  
FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS      YES

Supervisor Lewis asked for clarification of whether the easement for Burgess Minor Lot is part of lot 4. Mr. McDougal clarified that the access easement for Burgess Minor Lot will service lots 2, 3, and 4.

Supervisor Lewis made a Motion to approve the Consent Agenda for the applications in District 5 subject to and conditioned upon staff recommendations and required dedication of public road right-of-way and Health Department approvals and to waive the maximum length requirement of the access easements for Burgess Minor Lot and Chris Lamb Minor Lot. Supervisor Thach seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN      YES  
SECOND DISTRICT SUPERVISOR, EUGENE THACH YES  
THIRD DISTRICT SUPERVISOR, BILL RUSSELL      YES  
FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER YES  
FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS      YES

**Other Items:**

**1. Countywide Spring Clean-Up**

Mr. Jimmy Bearden gave a presentation to the Board on the Countywide Spring Clean-up event. Mr. Bearden stated citizens of DeSoto County will be able to bring tree limbs, furniture, carpet, etc. to locations through out the County, as listed in the handout from May 1, 2010 through May 8, 2010.

Supervisor Medlin made a Motion to Approve the dates of May 1, 2010 through May 8, 2010 for the DeSoto Countywide Spring Clean-up event. Supervisor Lewis seconded the Motion.

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

- FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN YES
- SECOND DISTRICT SUPERVISOR, EUGENE THACH YES
- THIRD DISTRICT SUPERVISOR, BILL RUSSELL YES
- FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER YES
- FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS YES

**2. Request for Surplus - Ford Bronco**

Mr. McDougal stated E-911 gave the Planning Commission office a 1995 Ford Bronco several years ago. He stated the Planning Commission office is asking the Board of Supervisors for permission to list the Bronco for sale on www.govdeals.com.

Supervisor Russell asked if there were any objections to seeing if the Town of Walls would be interested in the Ford Bronco. There were no objections.

Mr. McDougal withdrew his request to post the Ford Bronco on www.govdeals.com.

**3. Fees for Hot Water Heater Replacement**

Mr. McDougal stated he would like to carry this item for Fees for Hot Water Heater Replacement over until a later date.

Supervisor Medlin and Supervisor Latimer both stated they have received calls from citizens stating Lowe’s has charged them a \$40 fee for a County permit when purchasing a hot water heater. Mr. McDougal clarified the fee charged were for city permits, not a county permit.

Mr. McDougal stated the concern is that if the hot water heater is gas, or being replaced with a gas hot water heater, it needs to be inspected.

Supervisor Thach made a Motion to Carry Over this item until future notice. Supervisor Latimer seconded the Motion.

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

- FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN YES
- SECOND DISTRICT SUPERVISOR, EUGENE THACH YES
- THIRD DISTRICT SUPERVISOR, BILL RUSSELL YES
- FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER YES
- FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS YES

**4. I-69/I-269 International Trade Corridor Study – Update**

Mr. McDougal stated he has not received any information on the status of the EDA grant application submitted as of yet, but has began to do internal work to be prepared for the study.

Supervisor Russell asked what the status is of Memphis joining into the corridor study. Mr. McDougal stated the Memphis MPO will bring up this matter at next month’s MPO meeting.

Mr. McDougal went over a handout concerning recently published Census information. He stated according to the new information DeSoto County has gained 51,000 residents in the last nine years. Mr. McDougal then stated DeSoto County has retained its ranking as 33<sup>rd</sup> fastest growing county in the nation. He stated DeSoto County’s population increase accounts for almost 50% of the entire population growth within the state of Mississippi.

Supervisor Latimer stated the handout shows that 36,000 people moved out of Mississippi and asked if that could be because of Hurricane Katrina. Mr. McDougal stated it is possible that the large number of people who have moved out of the coastal counties could be due to Hurricane Katrina.

**See Exhibit D**

**E. CONSENT**

The Board of Supervisors considered the items on the Consent Agenda.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve the Consent Agenda and the reports and actions set forth therein as follows:

**1. Purchasing: Solicit Bids for Janitorial Supplies**

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-----YES

**See Exhibit E**

**F. OLD BUSINESS**

**1. Redistricting Update**

County Administrator Michael Garriga said he has been talking to firms regarding a price and scope of services for redistricting. Mr. Garriga asked that the item be held over until April 19<sup>th</sup>. The Board of Supervisors agreed to hold the item over.

**2. Renovation of Old Health Dept. and DHS Building**

County Administrator Michael Garriga said that Region IV Mental Health looked at the facilities and feel like it would meet their short term needs. Mr. Garriga said, in terms of the jail expansion as it relates to the renovation of these facilities long term, if the county does not use the property for the jail expansion, the county can still have use for the property. He said the Sheriff’s Department and other offices need space and they could use this space when Region IV no longer has use for it. Mr. Garriga said he felt the county will be getting their money’s worth from the renovations.

Supervisor Jessie Medlin said he was hoping that Region IV could use the property in its current condition.

Supervisor Allen Latimer asked if the buildings to be renovated are structurally sound and if all that needs to be done is cosmetic work. Mr. Garriga said ceilings need to be replaced as well as light fixtures, walls need to be painted and a few other things need to be done to make the property functional. Supervisor Latimer said the jail will probably not be started for some time.

Supervisor Bill Russell said he does not want to vote to spend \$50,000 on the renovation until the jail committee makes a decision. Supervisor Tommy Lewis said he thinks the jail committee will be ready to make a recommendation after the next meeting, but the Board of Supervisors has the final vote on the jail site.

Supervisor Medlin asked why Region IV cannot use these building in its present condition if the Health Department and Economic Assistance were functioning in those buildings. Sheriff Bill Rasco said, if you go and look at the building, it is deteriorated beyond use.

**G. NEW BUSINESS**

**1. Hernando Chamber of Commerce – Courthouse Lawn Use**

Director of the Hernando Chamber Commerce, Angie Hick, presented the new Front Porch Magazine to the Board of Supervisors. Ms. Hick said this magazine was an effort on behalf of the Chamber of Commerce. She said the Chamber also wants to bring music to the Hernando Court Square every Thursday night during the month of June from 7:00 p.m. to 9:00 p.m. Ms. Hick said they are asking permission from the Board to start setting up the bands at 6:30 p.m. on

the Courthouse steps and porch facing Highway 51. Ms. Hick said the event is free for families and is non-alcoholic.

Supervisor Allen Latimer asked if the streets will be blocked. Ms. Hick said they are not blocking the streets. Supervisor Latimer asked the Chamber's plans for food vendors to locate on the Highway 51 side of the Square and how the resident restaurants feel about that. Ms. Hick said she thinks the businesses will be in favor of it. She said they worked with the merchants during the Christmas Open House and they were excited to have any events on the Square.

Supervisor Tommy Lewis asked if the street vendors for the event will be competition to the resident restaurants. Ms. Hick said she has not heard of any opposition from the restaurants, but she will check with them to make sure they approve of the plan.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to approve the Chamber of Commerce using county property around the Courthouse Square in Hernando and the porch and steps of the courthouse for a band set up every Thursday during the month of June from 6:30 p.m. until 9:00 p.m. 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-----YES

## **2. Desoto, Mustang and Centerhill Roads**

Supervisor Allen Latimer recused himself from discussion and motion on this issue.

Ken Reid, Assistant Superintendent of Business for the Board of Education, and School Board Attorney Keith Treadway appeared before the Board of Supervisors regarding Desoto, Mustang and Centerhill Roads. Mr. Treadway said they were appearing to talk about the roads around Centerhill High School. He said the school is involved in a lawsuit concerning a bridge that was built on the roads. The only issue preventing the lawsuit being settled is to have the roads taken in by DeSoto County. Mr. Treadway said we have talked about entering into an agreement which will state that the School Board will do all of the necessary repairs on the roads as required by the county. Mr. Treadway said the school board would like to have the roads accepted so they can stop defending the lawsuit. He said they want the county to take the roads and the school board will do the repairs.

Supervisor Bill Russell asked if the county will take on the lawsuit when they accept the roads. Mr. Treadway said in the negotiations the other party will release the county of any liability for the roads.

Supervisor Eugene Thach asked the Road Manager and the Board Attorney if they agreed with this request. Road Manager Russell Dorris said he does not know whether the school board can agree to hold the county harmless. Board Attorney Tony Nowak said they are looking at the developer holding the county harmless. He said the traveling public would be different.

Supervisor Russell asked the difference in the Board of Education having the roads and the county having the roads by entering into an MOU. Mr. Treadway said that would stop the lawsuit and the School Board could stop spending taxpayer money on the lawsuit.

Supervisor Jessie Medlin asked how this will make the problem go away. Supervisor Medlin said he heard the problem was potential flooding due to the construction of the bridge. Mr. Treadway said the bridge issue is being defended by the person who designed the bridge. Supervisor Medlin asked about the other people who have a dispute with the Board of Education on the roads. Mr. Treadway said the School Board is in the process of resolving that issue as well. He said all the School Board is asking of the county is to accept the property that is owned by the Dunavants. He said the School Board is not asking DeSoto County to do anything with the other part of the road. He said they are talking about the new part of the road and not the one that was widened.

Supervisor Thach asked if the Board Attorney approves of such action. Mr. Nowak said the Board of Supervisors has the ability to accept these roads, but they may want to require they do certain improvements before the county will accept maintenance of the roads.

Supervisor Medlin said this has been going on for two to three years. He asked why the work the county provided to the School Board to get the roads into condition for the Board to accept not been completed. Mr Treadway said that they would say, according to the contract with their developer, they have done all they need to do.

Supervisor Russell said until a road is brought up to county standards, the county does not accept them. He said if the Board approves the MOU, the School Board could use that to stop their lawsuit. He asked the Road Manager's opinion of this action. Mr. Dorris said he would be more comfortable if the roads were brought up to standards before the county accepted them. He said it would be better for the traveling public if the roads were brought up to county standards very quickly. He asked if the Board is agreeable to say the county can take over the roads when they are brought up to standards.

Supervisor Medlin said we have always said we would accept the roads when they are brought up to standards.

Ken Reid, Assistant Superintendent of Business for the Board of Education, advised the Board they have an estimate of the work that must be done on Mr. Dorris' list, but the estimate is greater than the amount they can do without an engineer being involved. He said the Board of Education is working on that now. He said they hope to establish specifications within 2-3 weeks. He said it would be easier to close the roads after school is out for the summer.

Supervisor Medlin asked if Mr. Reid thinks the road work can be completed within 5 months. Mr. Reid said absolutely.

Supervisor Medlin said people currently using that road could use Kirk Road during the construction time if they need to have access to the school during the summer. Mr. Reid said 80% use Kirk Road to access the school anyway.

Supervisor Medlin asked if the School Board plans to repair the items on the punch list that are not in the area they are asking the county to accept. Mr. Reid said is it his understanding they are working on the entire punch list.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve an MOU with the DeSoto County Board of Education that will take in sections of DeSoto, Mustang and Centerhill Roads, with the execution of the MOU to be contingent upon all the work on the county punch list being completed within five months and having those improvements inspected and approved by the County Road Manager and Engineer. The motion passed by a vote as follows:

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

### 3. Veterans of WWII Event

County Veterans Officer Steve Powell recommended holding an event planned to honor WWII Veterans that will encompass "Victory in Europe Day" which was May 8, 1945 and "Victory in Japan Day" which was August 15, 1945. Mr. Powell said this is the sixty fifth anniversary of both events, and he would recommend holding an event honoring these veterans on June 26, 2010. He said we will hold a meeting on April 19, 2010, at 7:00 p.m. to notify the public of the county's efforts to identify every WWII Veteran, deceased or alive from DeSoto County.

Vanessa Lynchard said we want to involve the community in planning the event. She said it will be a challenge to get all of the names of DeSoto County WWII Veterans, but they are working with many entities to do so.

Mr. Powell said he has already talked to the newspaper and gave them his phone number, he has visited nursing homes, VFW's and many other people who may be able to help make this a success for our veterans.

Vanessa said many of the veterans may be in nursing homes and we want to provide transportation for them to attend the event if they are able. She said they are talking to North Delta about using their buses to transport vets who have no transportation to the celebration. We want to have every vet represented by someone if they cannot attend or are deceased.

Supervisor Jessie Medlin said stickers could be handed out. Supervisor Tommy Lewis asked if there will be a parade. Vanessa said those are great suggestions. She said the event is still in the planning stage and there will be a meeting and invite the community to attend to plan the event.

Supervisor Medlin said, if there needs to be funding, the Board can consider using Advertising County Resources. Vanessa said she is sure we can find uses for the money but, would like to find donors around the county so they have the opportunity to contribute to the event and further show the veterans how much they mean to us.

Supervisor Allen Latimer said he thinks it is a wonderful event to honor the veterans that are still living. They deserve the recognition of appreciation they did not receive from the federal government in a lot of cases.

Supervisor Allen Latimer said he thinks it is a wonderful thing to recognize the WWII Vets, but he wants to make sure that it is for all veterans and not just WWII. Mr. Powell said it is for all veterans in the county, with a focus on WWII since it is the 65<sup>th</sup> anniversary of the end of that war. A lot of them are deceased and others will not be here much longer. We want to recognize them now.

Supervisor Medlin asked if they know how many vets live in the county. Mr. Powell said they are trying to get a number. Vanessa said getting the number is a big challenge too. She said Supervisor Latimer brought this idea to her attention and she is excited to be working on the event with Mr. Powell for the veterans of DeSoto County. She said they wanted to get approval from the Board before they actually publicized the event. She said the Genealogy Society can help with providing information as well.

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to approve the use of the Courthouse and lawn on June 26, 2010 from 10:00 a.m. until 11:30 a.m. to honor WWII Veterans and our military. 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-----YES

Mr. Powell thanked the Board for their support and asked them to let him know if they have ideas or know any vets in the county. Supervisor Latimer said the newspapers can help get the word out. Vanessa said they have already set up a time to talk with the newspapers.

#### 4. District 4 Park Fund

Supervisor Allen Latimer made the motion and Supervisor Jessie Medlin seconded the motion to transfer \$15,000 from the District 4 Park Fund to the City of Horn Lake and to transfer \$5,000 from the District 4 Park Fund to the City of Southaven for their parks programs which serve so many people in DeSoto County. 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-----YES

**5. Purchasing**

**a. Bids Under Advisement-Lawn Care and Landscaping**

Vanessa Lynchard and Kenny Evans presented bids for lawn care and landscaping services in the county. She said every firm that was interested in doing business with the county received a bid package. Vanessa said they had 2 pre-bid meetings and 6 firms participated. She said that bonding and licensing prevented many firms from bidding for the project. Vanessa said there were 4 companies represented at the bid opening but only one bid was received. The bid was from Affinity LawnScapes LLC in the amount of \$53,970.00 with an \$85 per hour fee for irrigation maintenance as follows:

<b>Bidder</b>	<b>Total Bid Price</b>	<b>Irrigation Maintenance (Irrigation inspection included in bid price)</b>
Michael Hatcher & Associates	No Bid	No Bid
Affinity LawnScapes LLC	\$53,970.00	\$85.00 per hour

Vanessa said that Mr. Evans is comfortable with Affinity providing the service because they have provided lawn service for the county in the past.

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to approve the bid presented by Affinity LawnScapes LLC for lawn care and landscaping in the county at a cost of \$53,970.00 with an \$85 per hour bid for irrigation maintenance. 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-----YES

**See Exhibit G.5.a**

**b. Consideration to Modify Purchase Clerk Spending Limit**

Purchase Clerk Vanessa Lynchard said the state law has changed to allow purchase clerks to spend up to \$50,000 without advertising instead of a maximum of \$25,000 contingent upon approval by the Board of Supervisors. Vanessa said, currently the purchase clerk’s approval limit is at \$25,000. She said she has not asked for approval to spend \$50,000 even though the Legislature approved the limit last July.

County Administrator Michael Garriga said the Board always has the discretion of setting spending limits as long as it adheres to state law. Vanessa said the Purchasing Department strictly adheres to state law without challenging the departmental needs.

Supervisor Tommy Lewis said he thinks we should keep closer tabs and look at this again on a later date.

Vanessa said there are some quotes coming in the near future and if the department heads know the rules about quotes, they can manage the timing more effectively.

Supervisor Allen Latimer made the motion and Supervisor Eugene Thach seconded the motion to keep the spending limit under the authority of the Purchasing Clerk at an upper limit of \$25,000 and to bring quotes between \$25,000 and \$50,000. 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-----YES

See Exhibit G.5.b

**6. Building Proposals for ACI and Love Fire Departments**

Kenny Evans, director of facilities management, said he has worked with the fire departments to get their requests for renovations of the ACI and Love Fire Departments. Mr. Evans presented quotes from C & M Builders and TDL Contractors for a 40’ x 40’ x 12’ metal building plus a few extras. These quotes are for one building for each location and are as follows:

	<b>ACI</b>		<b>Love</b>
C & M Builders	Southaven, MS	C & M Builders	Southaven, MS
40’ x 40’ x 12’	\$71,500	40’ x 40’ x 12’	\$71,500
Roof/Wall Insulation	<u>\$ 1,835</u>	Roof/Wall Insulation	<u>\$ 1,835</u>
	\$73,335		\$73,335
TDL Contractors	Southaven, MS	TDL Contractors	Southaven, MS
40’ x 40’ x 12’	\$43,868	40’ x 40’ x 12’	\$43,868
	<u>\$ 1,255</u>		<u>\$ 1,255</u>
	\$45,123		\$45,123

Mr. Evans said the buildings at Love are not attached and there will be a breeze way between them. He would like permission to help build some of the walls and other aspects of the renovation using county employees. Mr. Evans would like for them to do some of the plumbing, electricity and rough in some of the work.

Supervisor Bill Russell asked if this includes the type of paint that Marvin Johnson recommends on these types of metal buildings. Mr. Evans said yes. He said the roof has a twenty year guarantee.

Supervisor Tommy Lewis asked if there is enough room in the building for a firetruck. Mr. Evans said originally they did not want to put firetrucks in the building. He said the fire chief at ACI asked about it and he told them they can turn the building in a different direction and it would accommodate the firetruck.

Supervisor Thach asked if the money for this project is fire insurance money. Mr. Evans said no. County Administrator said this money was budgeted for the project.

Mr. Evans said if ACI wants to change their plans, we may have to come back to the Board.

Supervisor Tommy Lewis made the motion and Supervisor Allen Latimer seconded the motion to approve the low bid from TDL Contractors at a quoted cost of \$45,123 per building for ACI and Love Fire Departments, and to prepare budget amendments as necessary to accomplish the work. 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-----YES

See Exhibit G.6

**7. Road Department: Hernando Civic Center (Old Business)**

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to approve an estimated expense of \$9,554.56 from the District 5 Park Fund for the Road Department to install 200 tons of 610 crushed limestone and 100 tons of select materials (dirt, sand etc.) at the Hernando Civic Center. 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-----YES

See Exhibit G.7

**8. Appointment: Horn Lake Interceptor Sewer District 2**

This item was held over.

**H. EXECUTIVE SESSION**

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

**I. OTHER ISSUES**

**1. Senator Allen Nunnelee**

State Senator Allen Nunnelee appeared before the Board of Supervisors to express his candidacy as a representative of this district for the U.S. Congress.

**2. Board of Supervisors – Travel**

Supervisor Bill Russell said currently there are three matters that have been brought to the attention of the Board that need to be addressed in Washington, D.C. Supervisor Russell said one is the work on Holly Springs Road which needs to be done. The estimated cost is \$10 million; \$3 million has been allocated and we are asking Congress for \$2 million in additional money for the project. He said that project is very important to the county and it is vital that the county receives that money for the project.

Supervisor Russell said the second issue is that MDOT is ready to expand Starlanding Road at Highway 51. He said it would make sense to continue widening the road to the railroad all at one time which is about one half mile, but the county will need money for that work.

Supervisor Russell said also, Senator Wicker has expressed interest in planning for earthquake preparedness.

Supervisor Russell said it has been suggested that it would be advantageous to travel to Washington to notify our national officials of these projects and their importance to DeSoto County. He recommended anyone on the Board of Supervisors wishing to go to Washington and any staff members needing to go to be authorized to travel to Washington around April 26<sup>th</sup>.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to authorize any member of the Board of Supervisors and any necessary staff members to travel to Washington, D.C. to talk about several issues which will require assistance and/or funding in DeSoto County, and incur travel expenses as necessary for the trip. The motion passed by a vote as follows:

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

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to recess the meeting until April 19, 2010, at 9:00 a.m. The motion passed by a vote as follows:

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

THIS the 7th day of April, 2010, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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Bill Russell, President  
DeSoto County Board of Supervisors