

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

ALLEN LATIMER, PRESIDENT 2008 PRESIDING

December 15, 2008

A. CALL TO ORDER

The December 15, 2008 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Allen Latimer, 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 ABSENT
W. E. Sluggo Davis-----Chancery Clerk
Michael Garriga-----County Administrator
Tony Nowak -----Board Attorney
Deputy Carl Hurt-----DeSoto County Sheriff’s Dept.

B. INVOCATION

Supervisor Eugene Thach presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. CONSENT

Supervisor Jessie Medlin asked if the contract with DCRUA can be for a longer term. Board Attorney Tony Nowak said the Board can do a longer term contract, but this is the term DCRUA requested.

The Board of Supervisors considered the items presented on the Consent Agenda. Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to approve the Consent Agenda and the reports and actions set forth therein as follows:

1. Accounting

a. Pay Deductible for DCAOP Van \$2,000

b. Approval for Interfund Loan

From:	General County Fund	001-000-054	\$35,000.00
To:	2004 22 Million Bonds I & S	222-000-149	\$35,000.00

2. Chancery Clerk Allowance (2) - \$2,066.66 \$1,500.00

3. Safety Officer’s Reports (2)

4. Department of Road Management

a. Additions to Official DeSoto County Road Map and Register

b. School Bus Turnarounds

Blane Clark	1505 Starlanding Rd.	Southaven, MS	901-494-6198
Larry Young	515 Tchulahoma Rd.	Hernando, MS	429-2299
Belinda Rines	290 Hwy. 301	Hernando, MS	901-896-7145

- 5. Make Part of Minutes
 - a. Contract with DCRUA for Assignment of Employee
 - b. MOU for Stewartshire Subdivision
 - c. Agreement Between Sheriff’s Dept. and NWCC
 - d. Bonds for Deputy Clerks - Ronnie Pollard & Jason Mitchell

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 D

E. OLD BUSINESS

1. Board Attorney

a. Health & Wellness Center

Board Attorney Tony Nowak said he has prepared a resolution that will allow the Board of Supervisors to contribute up to \$50,000 annually to the Health and Wellness Center and the amount would be at the Board’s discretion.

Supervisor Jessie Medlin said he gets confused why people who go the Health and Wellness Center cannot go to the Health Department.

County Administrator Michael Garriga said the people who go to the Health and Wellness Center cannot go to the Health Department. He said the Health Department mainly does preventive medicine and the Health and Wellness Center treats ill patients who have no medical coverage and do not qualify for Medicare or Medicaid.

Supervisor Medlin said that Byhalia, MS has a clinic that can treat people that need a certain level of medical care and he would like to know more about what that clinic offers to see if they provide a higher level of service. He said the Board may want to explore the possibility of providing such a clinic in DeSoto County.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve sending the resolution for the Health and Wellness Center to the Legislature and authorize the Board President to sign the resolution. 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 E.1.a

- b. Scenic Hollow Estates
- c. Celia Bonner Property

Board Attorney Tony Nowak said, in December, Code Enforcement Officer Steve Powell requested authority to take steps to clean property in Scenic Hollow belonging to Celia Bonner. He said the cost of cleaning the property in Scenic Hollow is \$750 and the cost of cleaning the Bonner property was \$110. Mr. Nowak said the next appropriate step for the Board is to pass an order adding those costs to the property as liens and to allow the Tax Collector to collect those fees.

Supervisor Bill Russell asked if Jim McDougal is familiar with the properties across the street. Supervisor Russell said he would like to give Steve Powell authority to contact the appropriate people in Florida about cleaning that property. He said, in recent attempts to contact the people, they have agreed to clean the property but have taken no action. Mr. Nowak advised the Board on the appropriate steps to take to get the property cleaned.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve putting a lien on the property at Scenic Hollow and the Cecelia Bonner property, for the costs of cleaning, which costs are found to be reasonable and appropriate, and to have the Tax Collector Joey Treadway collect the money against the liens. 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

d. Tchulahoma/I-269

Board Attorney Tony Nowak said, at the last Board Meeting, the Board talked about committing to MDOT to build Tchulahoma Road so that MDOT would consider building a bridge with five lanes and I-269. He said he as prepared that resolution and it commits the County to build the road with construction starting by December, 2011 and to be completed by June, 2012.

Supervisor Jessie Medlin asked from where the road will be built. Mr. Nowak said from the intersection of Jaybird Road and Byhalia Road to Lester Road. Supervisor Medlin asked from where the money will come. Supervisor Bill Russell asked if this is a firm commitment to build the road. Mr. Nowak said it is a pretty firm commitment. Supervisor Russell said it appears that the County has no choice.

Supervisor Eugene Thach said, if we put all of the County’s money into that road, the rest of the County will get a tax increase.

Supervisor Medlin asked why MDOT would care whether the County had a two lane road or a five lane road. Supervisor Russell said that MDOT says they must have the commitment because every county would want a five lane bridge and MDOT could not afford to do that.

Supervisor Allen Latimer asked if the cost of building the road has been determined. Road Manager Russell Dorris it will probably cost \$2.5 million.

Supervisor Medlin said MDOT will go over a road like this that is not out there, but they are not building I-269 over existing roads.

After discussing the issue, Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to hold this item over until December 23rd to get a firmer estimate on the cost to build this roadway. 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 E.1.d

2. Road Dept. – Joyner Road

Road Manager Russell Dorris said that Joyner Road has been maintained by the County for many years. He said the road was maintained prior to 1999. In 1999, DBST was added to the road. Mr. Dorris said, when the Road Map and Road Register was adopted, Joyner Road was omitted in error from the list of roads. Mr. Dorris recommended this item be added to the Road Map and Register as a road that was inadvertently omitted from the ordered approval of the list.

Supervisor Bill Russell asked if this approval process supersedes the need to appoint an inspection committee.

Board Attorney Tony Nowak said it appears the road was previously dedicated to the County and it was a clerical error that was not put on the Road Map and Register.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to add Joyner Road to the Road Map and Road Register due to the fact that it was left off of the Road Map and Road Register in error and determining it has dedicated to the County, as demonstrated by the fact that it has been maintained since before 1999. 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 E.2

F. NEW BUSINESS

1. Letter of Recommendation for MAS Director

County Administrator Michael Garriga said that Joey Yelverton asked for a letter of recommendation in his effort to move to MAS Director. Mr. Garriga said he prepared a letter for the Board’s review in support of Mr. Yelverton.

Supervisor Bill Russell said this could be a very important step for the County in efforts to gain support of MAS. He said the letter does not take a strong position, so he would support sending the letter.

Supervisor Eugene Thach said he has served with Mr. Yelverton for years and before he recommends him, he would like to know who the other candidates are. He said the County has not received support from Mr. Yelverton in the past.

Supervisor Jessie Medlin said this morning is the first time he has heard about the letter.

Mr. Garriga said one of the candidates works for Farm Bureau and his father is a Yalabusha County Supervisor. Mr. Garriga said he does not remember the name of the other candidate.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to approve sending a letter of support as MAS Director. 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-----ABSENT

2. NRCS

NRCS Director Scott Griffith appeared before the Board of Supervisors and explained that NRCS needs to make an amendment to increase the contract for overruns for the NRCS projects that were previously approved in DeSoto County. He said they want to add \$23,807 to the contract. He said they feel like the weather during the construction of these projects may create overruns.

Mr. Griffith said, while he is before the Board, he wants to take an opportunity to thank Scott Young and Andy Swims for pushing this project through to obtain right of ways, engineering and other details that made the project possible.

Supervisor Jessie Medlin said he is concerned about the grass not growing in the project areas during this time of year. Mr. Griffith said they can get an extension because of weather issues if necessary.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to approve a contract amendment to add an additional \$23,807 to the NRCS projects that were recently approved. Approve amendment 1.) to project agreement and NRCS and the DeSoto County Board of Supervisors for the Camp and Hurricane Creek Watersheds Amendment 2.) to adjust the amount of the agreement to cover a cost of project at \$476,146 plus 5% for overruns making the total project amount \$499,953. 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

3. Home Grant – Administrator’s Contract and Modification

Grant Administrator Joyce Herring appeared before the Board of Supervisors to present the documentation on the Home Grant Program Administration application requirements. Ms. Herring stated the State had placed some additional requirements on the grant process and the County has complied with their requirements to choose a grant administrator. Ms. Herring asked the Board to approve the contract submitted by Fred Griffin, Housing & Finance Services, LLC, based on the proposal submitted and the recommendation of the selection committee. Ms. Herring stated that a budget modification was required for the expenses of the Administration of the Grant, which would be paid by the grant, and he requested the approval by the Board of Supervisors.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the Budget Modification and the Contract with Fred Griffin, Housing & Finance Services, LLC for the Home Grant Program Application with the State, based on the recommendation of the Selection Committee and the Board Attorney’s review of the contract. 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

Exhibit F.3

4. Supplemental Claims Docket

Supervisor Jessie Medlin recused himself from approval of the Claims Docket. Comptroller Tom Arnold presented claims to be paid on December 15, 2009. Supervisor Allen Latimer questioned page 23 of the docket for the election expense. Mr. explained that one payment was omitted from the previous docket because the election worker had not yet signed their form. This payment was to pay that election worker.

Supervisor Latimer asked about the payment on the jail contract for medical review. He asked if this payment is on the contract that negotiates our fees with the hospital. County Administrator Michael Garriga said that is a request for fund to pay the bills themselves. He said the contractor’s fees are based on the inmate population. Supervisor Latimer asked if the County Administrator knows how much the County is saving yet. Mr. Garriga said yes; it appears the County is saving about 20% over last year at this time.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code annotated, Supervisor Eugene Thach made the motion and Supervisor Bill Russell 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-----RECUSED
Supervisor Eugene C. Thach-----YES
Supervisor Bill Russell-----YES
Supervisor Allen Latimer-----YES
Supervisor Tommy Lewis-----ABSENT

See Exhibit F.4

5. Preliminary Inventory Dispositions

a. Building and Grounds

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the preliminary inventory dispositions as follows:

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary
31807	1142581	Lexmark 2380 Printer	Broken	Bldg & Grnds

b. Metro Narcotics

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary
34399	10P323D01	Kyocera Cell Phone	Lost	Unknown/affidavit attached
34192	KCKEA54309730	Kodak EasyShare Camera	Broken	DCMN
34248	410KCUX305850	LG Cell Phone	Obsolete	DCMN
34398	7060071100	UT Starcom Cell Phone	Broken	DCMN
39349	25C7AFC3	Nokia Cell Phone	Broken	DCMN
34412	1A421C90	Nokia Cell Phone	Broken	DCMN
34410	1A421DEC	Nokia Cell Phone	Broken	DCMN
34887	CN63JC30XM	HP Photo Smart Camera	Broken	DCMN
34191	KCKEA54309729	KODAK Easy Share Camera	Broken	DCMN
32652	421518	SONY MAVICA CAMERA	Obsolete	DCMN
30313	81001243	MINOLTA CAMERA	Broken	DCMN
33270	460354	SONY MAVICA CAMERA	Broken	DCMN
33389	479838	SONY MAVICA CAMERA	Broken	DCMN
31681	2921282-001	MICRON PC AND MONITOR	Broken	DCMN
39209	CNC4251GZG	HP MONITOR	Broken	DCMN
33260	81171801	PHILIPS MONITOR	Broken	DCMN
0031665	No serial #	Emerson Television	Obsolete	DCMN
33246	No serial #	ASUS COMPUTER	Broken	DCMN
33250	No serial #	ASUS COMPUTER	Broken	DCMN

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 F

6. Planning Commission

a. Request by City of Olive Branch - Waiver of Permit Fees

Planning Director Jim McDougal said the City of Olive Branch is working on a gas pipeline south of the city. He said they are making a request for the County to waive permit fees in the estimated amount of \$100 for the building and \$200 for the electrical permit.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to approve waving the permit fees for the City of Olive Branch for the ANR Gatehouse project. The motion passed by a vote as follows:

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

See Exhibit F.6.a

b. MDOT ROW Maps – I-69/269

Planning Director Jim McDougal said, about a week ago, he received right of way maps for I-269 between Interstate 55 and Highway 305. He said those maps are available for inspection in his office. Mr. McDougal said he has requested maps of I-269 from Highway 305 east.

Chancery Clerk Sluggo Davis requested that maps be available in his office for public review.

c. Corridor Study – I-69/269

Planning Director Jim McDougal said 2009 will probably be a slow year for building permits. He said the Planning Commission can devote time to the I-69 / 269 Corridor study. He asked that the Board of Supervisors appoint the Planning Commission as a Steering Committee for the I-69 / 269 project.

Supervisor Bill Russell asked if Mr. McDougal is suggesting that the Planning Commission would do the study. Mr. McDougal said no. They would be the committee where the people doing the study would report. The Planning Commission would make recommendations to the Board of Supervisors regarding the study.

Supervisor Allen Latimer said he liked the idea of the interplay with the Planning Commission office regarding the corridor study.

Supervisor Jessie Medlin asked how much Mr. McDougal thought the corridor study would cost. Mr. McDougal he did not know. He said when the money was with the MPO, it was \$300,000. He said, by comparison, the Houston Levee study in Memphis, cost \$150,000. Supervisor Medlin said this is a bigger study than the Houston Levee study.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to appoint the Planning Commission as the steering committee for the I-69 / 269 corridor study. 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 F.6.c

d. Wilson Hills Subdivision – Scrivener’s Error

Planning Director Jim McDougal said he received a call from Greg Russell regarding an error on the plat for Wilson Hills Subdivision.

Supervisor Bill Russell and Supervisor Jessie Medlin seconded the motion to approve correcting a scrivener’s error on the final plat for Wilson Hills Subdivision located in plat book 107, page 10 in the Chancery Clerk’s Office, to correctly say that the labels for the tie distance incorrectly calls for the northwest corner of Section 25 and the correct label should be the northwest quarter of the southwest quarter of Section 25. The motion includes modifying the existing record for Wilson Hills Subdivision, plat book 107, page 10. 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 F.6.d

7. County Administrator

a. Group Insurance Health Update

County Administrator Michael Garriga presented an update on County health insurance. He reminded the Board that the County decreased the premiums during the last budget. Mr. Garriga said he met with Humana and they have concerns about pharmacy costs being higher and a couple of other areas of the contract as well. He said, although the fund balance is still healthy, our costs have been on the rise and Humana is addressing that issue. Mr. Garriga said they believe the County can do a few things to address issues that are driving the increase. He said Humana would like to come before the Board in the next couple of months to address those issues. He said, among the things they may present, is a three tiered pharmacy plan.

Supervisor Allen Latimer asked for a report on the exact level of the current fund balance at the December 23rd meeting.

b. Donation of Leave Policy

County Administrator Michael Garriga said a couple Supervisors brought up the donation of leave policy regarding issues they have received questions about from County employees. Mr. Garriga said the County policy basically mirrors the policy of the State of Mississippi. He said the statute regarding donation of leave only applies to state employees and not County employees. He said the County can enact the policy under their guidelines. He said, currently, the policy only allows for the donation of leave for a catastrophic illness only.

Supervisor Jessie Medlin said he would like for it to apply to family members.

The Board of Supervisors asked the County Administrator to look into the policy for donating leave. Mr. Garriga said the Board should be careful to prevent abuse of the policy. He said another issue with the policy is that sometimes employees can pressure other employees to donate leave.

Supervisor Eugene Thach said the federal government said you can accumulate leave and apply it to your retirement.

c. Mental Health

County Administrator Michael Garriga said, when there is an indigent individual with mental health issues who cannot provide for themselves, they are put in the jail. He said the County has had a few severe cases where mental health issues were concerned. He said we sent those individuals to Parkwood Hospital or to Batesville because the jail cannot handle a certain level of mental health care. Mr. Garriga said these facilities said they will manage these patients. Mr. Garriga said he would like to look at using those facilities in extreme cases. Mr. Garriga said, in the last year, we have had some severe cases. He said, if we had a standard contract, the County could address those future cases.

Supervisor Bill Russell asked who would have authority to send an individual to one of the facilities. Mr. Garriga said that would need to be a combination of the Board, the Sheriff and the attorney or some such combination that would make that decision.

Supervisor Jessie Medlin asked what happens when there is a mental health need at night. Board Attorney Tony Nowak said a writ is issued and a series of evaluations are necessary in the process of hearing the lunacy case.

Mr. Garriga said we have to have some kind of control or limit on any plan that is established that would limit their stay in a hospital.

Mr. Nowak said, when we talked to Parkwood Hospital last year, we negotiated a rate that was one third to one half of their standard fee, but that administrator is no longer at the hospital.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to authorize the County Administrator to negotiate mental health care with available facilities to use in extreme mental health cases. 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

8. Board Attorney

a. Road Maintenance Interlocal Agreement with Walls

Board Attorney Tony Nowak said the interlocal agreement for road maintenance with Walls expires the end of December. He said Walls asked that the agreement be renewed and made a change that the County would have to give notice of ninety days to stop maintaining the roads.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve an interlocal agreement with the Town of Walls for road maintenance and to authorize the Board President to sign the agreement. 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 F.8.a

b. Agreement with Olive Branch for Pleasant Hill Road

Board Attorney Tony Nowak said, after the last meeting, he prepared an agreement for the cost share of Pleasant Hill Road and sent that to the Mayor of Olive Branch. The Mayor returned the agreement and asked the County to fund the first \$650,000 of the widening of the road 100%.

He said, in the agreement the County sent to Olive Branch, the County would split the cost of improvements to Pleasant Hill Road up to \$650,000 after MPO funds had been applied.

Supervisor Bill Russell asked if the County can get a guarantee from the City, that if the final project does not add up to \$650,000 being half of the total cost after MPO funds are applied, the City would reimburse the County.

Supervisor Allen Latimer said, his problem is that we are sending the City MPO funds plus half the cost of the project.

Supervisor Russell said he agrees that one half of the project should be funded after MPO funds have been applied to the cost of the project.

Supervisor Eugene Thach said he has concerns about voting on the project because it passes by his house. He asked the Board Attorney to let him know if there are any issues concerning his voting on this project.

Mr. Nowak said an email he received from Mayor Rikard says that his goal is that MPO money and the County money should fund the road from Nail Rd. to Highway 302.

No motions were made nor votes taken on this issue.

9. Purchasing – Bids Under Advisement

a. Steel Culverts

Purchase Clerk Vanessa Lynchard explained that no bids were received for steel culverts. She said, last year, no steel culverts were purchased but the Road Department felt it was appropriate to secure a price in case the need for steel culverts came up. **See Exhibit F.9.a**

b. Polyethylene Culverts

Vanessa Lynchard presented a bid tabulation to the Board of Supervisors for polyethylene culverts. She said that Advanced Drainage Systems had submitted a bid covering G & O Supply and Williams Equipment. She recommended awarding the bid to Advanced Drainage Systems doing business through G & O Supply and Williams Equipment.

Board Attorney Tony Nowak explained that may not be appropriate and suggested the bid be awarded to the lowest and best bidder since all bids received were the same amount.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to award the bid for polyethylene culverts to G & O Supply who is located closer to the County than the other bidders making access to the culverts easier, and delivery times quicker, thereby making it the lowest and best bid. 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 F.9.b

c. Slurry Seal & Micro Seal

Vanessa Lynchard explained that only one bid was received for slurry seal and micro seal and that was from Vance Brothers as follows:

BID TABULATION							
Equipment: Slurry Seal & Micro Seal							
Bid Opening: 10:00 a.m.							
BID ITEM	VANCE BROTHER INC.						
	BID PRICE BEFORE JULY 1, 2009	BID PRICE AFTER JULY 1, 2009					
SLURRY SEAL PROJECT REQUIRING							
0-50,000 SQUARE YARDS	\$2.25	\$2.34					
51,000 - 100,000 SQUARE YARDS	\$2.15	\$2.24					
GREATER THAN 100,000 SQ YD	\$2.12	\$2.21					
MICRO SEAL PROJECT REQUIRING							
0-50,000 SQUARE YARDS	\$2.41	\$2.50					
51,000 - 100,000 SQUARE YARDS	\$2.31	\$2.40					
GREATER THAN 100,000 SQ YD	2.28	2.36					
	Bid Price BEFORE JULY 1, 2009	Bid Price AFTER JULY 1, 2009					
						\$Spent based on FY08 Usage	
SLURRY SEAL PROJECT REQUIRING			USAGE	\$ Per Yard	\$ Spent	Before 1-Jul-09	After July 1, 2009
0-50,000 SQUARE YARDS	2.25	2.34	0	0	0		
51,000 - 100,000 SQUARE YARDS	2.15	2.24	0	0	0		
GREATER THAN 100,000 SQ YD	2.12	2.21	0	0	0		
MICRO SEAL PROJECT REQUIRING							
0-50,000 SQUARE YARDS	2.41	2.5	0	0	0		
51,000 - 100,000 SQUARE YARDS	2.31	2.4	0	0	0		
GREATER THAN 100,000 SQ YD	2.28	2.36	345505	1.26	435336.3	787754.4	815391.8
Comparison based on 100% before July 1, 2009		80.95% Increase					
Comparison based on 100% after July 1, 2009		87.30% Increase					

Road Manager Russell Dorris said that slurry seal and micro seal are only provided by one vendor. Vanessa explained there was no recorded usage for the slurry seal and micro seal last year. Mr. Dorris challenged that usage did occur last year for the slurry seal and micro seal.

Supervisor Eugene Thach made the motion and Supervisor Bill Russell seconded the motion to award the bid for slurry seal and micro seal to Vance Brothers, it being found to be the lowest and best bid, who submitted a price before July 1, 2009 and after July 1, 2009. 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 F.9.c

d. Corrugated Metal Culverts 8” - 48”

Vanessa Lynchard presented a bid tabulation for corrugated metal culverts, size eight inches to forty eight inch, to the Board of Supervisors for review. She said that Hanson Pipes and Precast was the low bidder on all of the pipes except for the eight and ten inch pipes. She recommended awarding the bid of the eight and ten inch pipes to Contech who was the low bidder on those pipes. She said this year the bids were obtained on the County picking up the pipes versus receiving delivery on the pipes. Vanessa said, in the past, the bids have been obtained with an overall price and the County often assumes the expense of picking up the pipes. She said the

bid tabulation came in with a .05% increase including the delivery of the pipes and a 4.81% decrease when the County picks up the pipes based on FY 08 usage.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to award the bid to Hanson Pipes and Precast for all pipes greater than ten inches to forty eight inches and to award the eight and ten inch pipes to Contech each of whom were the low bidders on those pipes. 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 F.10.d

10. Tax Exemptions

a. New Breed Logistics – Freeport

Attorney Mark Aquadro and a representative from New Breed Logistics appeared before the Board of Supervisors. The company representative explained that this is a third party logistics company that opened in July in Olive Branch. He said they do business for Logitech. He said they have 28 full time hourly employees. Some employees are from temporary agencies. He said they employ through a temp to hire agency after a 60 day observation program.

Supervisor Jessie Medlin asked how many trailer rigs come in and out of the business location. The company representative said they use Yellow Freight and other trucking companies, but often the customers arrange for the freight pickup, so many different vendor are used.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the Freeport Warehouse exemption for New Breed Logistics as fully described in Exhibit F.10.a. 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 F.10.a

b. Helmet House South – Freeport

Jim Flanagan, President and CEO of DeSoto County Economic Development Council, said that Helmet House has purchased the School Specialty building across from the Civic Center. He said Helmet House is an import distributor and the company is 40 years old. The company representative said they have operated a warehouse in Memphis and have expanded twice. He said they shopped around and decided to buy the building in Southaven. He said Helmut House has 25 full time employees and are not sure how many of those employees will transfer when they move from Memphis to DeSoto County. He said they expect lose 10 or more employees. He said they are working with the WinJob Center for job placement and training. The plans are to try to hire from DeSoto County. He said they have three employees who live in DeSoto County who will be moving with the company. Joe Hampton, another company representative, said they are working with ProLogistics and Ranstaad in DeSoto County for employment. Supervisor Bill Russell asked the company’s contribution to medical benefits. Mr. Hampton said 50% with Blue Cross Blue Shield. He said the employees can choose the level of insurance for which they want to participate.

Supervisor Allen Latimer made the motion and Supervisor Eugene Thach seconded the motion to approve a Freeport tax exemption for Helmet House South as further described in Exhibit F.10.b 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 F.10.b

c. Diamond Comic Distributors – Freeport

Shawn Hamrick with Diamond Comic Distributors appeared before the Board of Supervisors with Mr. Flanagan requesting a Freeport Warehouse exemption. Mr. Hamrick said Diamond Comic is world’s largest distributor of English reading comic books. He said they have been in the Memphis area for seven years and was in three different locations and have outgrown those locations. He said Diamond Comic uses In Staff Temporary Agency in Southaven to hire employees. Mr. Hamrick said they are not sure how many employees they will lose when they move from Memphis but they do plan to hire from DeSoto County when possible. He said they offer benefits and the company pays 60% of the insurance. He said they have a lease on their building.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve a Freeport Warehouse exemption for Diamond Comic Distributors as fully described in Exhibit F.10.c. 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

Later in the meeting, after discussing the fact that the wages of Diamond Comic Distributors did not meet the County’s established criteria, Supervisor Eugene Thach made the motion and Supervisor Bill Russell seconded the motion to reconsider approval of the Freeport Warehouse Exemption for Diamond Comic Distributors. 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

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to deny the application and carry the item over until December 23, 2008. 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 F.10.c

d. A & B Distributing – Real & Personal

James Lunsford, President of A & B Distributing, appeared before the Board of Supervisors requesting a real and personal property exemption for A & B Distributing. He explained the business. Mr. Lunsford said growth has been good for them and they add about 700,000 cases per year. In the past two years, it has slowed to about a two to two and one half percent growth rate.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve a real and personal property tax exemption for A & B Distributing for 10 years for real property and 5 years for personal property. 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 F.10.d

e. ProLogis – Building 5

Brian George and Joe McLaughlin of Prologis appeared before the Board of Supervisors requesting a real property tax exemption. Mr. Flanagan said they have fully leased the building. Mr. George said they are a national company based in Denver, CO. They explained the companies who will occupy this building. Supervisor Eugene Thach expressed concern on the lack of information for the number of jobs that will be created by this exemption.

After discussing the company who will occupy the building, Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve a 10 year real property exemption for Prologis as fully explained in Exhibit F.10.e 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 F.10.e

f. Synnex Corp. – Freeport

President and CEO of DeSoto County Economic Development Council Jim Flanagan introduced Teresa Acree of Synnex Corporation. Ms. Acree said that Synnex Corporation will bring a traffic signal to the area which has been needed for some time. She said Synnex Corporation does wholesale distribution of general computer parts. Synnex relocated from Memphis to Olive Branch and employee 73 people and will add 10 people next year. She said they will acquire those people from other locations. Ms. Acree has 10 employees who already live in DeSoto County. She said 100% of employee medical coverage is paid by Synnex. They have dental, life insurance and profit sharing. They own the building which is 340,000 square feet.

Supervisor Eugene Thach made the motion and Supervisor Bill Russell seconded the motion to hold this item over until December 23rd to consider the Freeport Warehouse exemption request. 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 F.10.f

g. ASI Computer Technologies - Freeport

Vince Tartalia with ASI Computer Technologies appeared before the Board of Supervisors requesting a Freeport Warehouse tax exemption. He said they are located in the Airways Distribution Center. ASI Computer Technologies is twenty two years old and their headquarters is in California. Mr. Tartalia said they have twenty employees and employee through Ranstaad Temporary Agency. He said one third of their workforce lives in DeSoto County. They are working through churches to find people who have been laid off from their jobs to hire at ASI. He said they have a five year lease and occupy two thirds of the building.

Supervisor Eugene Thach made the motion and Supervisor Bill Russell seconded the motion to approve a Freeport Warehouse exemption for ASI Computer Technologies as fully described in Exhibit F.10.g. 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 F.10.g

G. EXECUTIVE SESSION

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

H. OTHER ISSUES

1. TREX

Board Attorney Tony Nowak said TREX has moved past their twelve month benchmark for being out of business and that is the time the Board can consider rescinding their ad valorem tax exemption. Mr. Nowak said he will bring back a resolution to remove the tax exemption, it its found to be appropriate to the next meeting. He said, when they begin their operation again, they can apply for an additional exemption.

2. Personnel – Human Resources

County Administrator Michael Garriga introduced Janna Rogers to the Board of Supervisors who will be the new Director of the Human Resource Office.

3. Parks – Robinson Donald Park

Board Attorney Tony Nowak said the Mississippi Shockers and the County are entering into a management agreement for Robinson Donald Park. It was determined that the agreement needed to be updated and it has been done. The updated agreement says the Association can use money for the Park or the children in any way they determined necessary.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to approve the management agreement with Mississippi Shockers for Robinson Donald Park as fully described in Exhibit H.3. 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 H.3

4. Roads – Stateline

Board Attorney Tony Nowak explained that in 1989 the Roche’ family donated property for right of way to the County. They intended to donate a forty foot strip for Stateline Road. The paperwork indicated that they donated a total of six acres of land to the County. The County never spent money on the property in excess of the forty feet. It appears to be an error on the conveyance deed. County Consulting Engineer Daniel Murphy has looked at the area and he and the Road Department agree that this was an error in the deed when the property was transferred. The property has never been improved and the County has never spent money on the property. No public funds were ever spent on this land. According to law, the Board of Supervisors can convey this property back to the landowners acknowledging the error.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve returning by conveyance the property donated to DeSoto County on Stateline Road by the Roche’ family in 1989 after having determined that no public money has been spent and no improvements have been made to the property, less and accept a forty foot strip that was used for right of way on Stateline Road. 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

5. Veteran’s Officer

Supervisor Bill Russell said he has received a resume’ from Bill Johnson and he thinks he would be a good addition to the County as a Veteran’s Officer.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to nominate Bill Johnson as DeSoto County Veteran’s Officer.

Supervisor Jessie Medlin said that normally nominations are made from the floor in such a situation. He said he would like to nominate Don Brown as DeSoto County Veteran’s Officer.

Supervisor Eugene Thach said he thought the County Administrator’s Office was going to be reviewing the applicants and making a recommendation on the Veteran’s Officer position.

Supervisor Allen Latimer said that James Chapman was interested in the position but withdrew his name because he has become an officer in the VFW and that consumes too much of his time to be able to handle this work.

Supervisor Medlin said he thinks that Supervisor Lewis has someone he would like to nominate. Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to hold this item over until December 23rd. The motion passed by a vote as follows:

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

6. Jail – Construction

Supervisor Bill Russell said he would like for the committee on the jail expansion to meet quickly. He said, from what he understands, the jail population has decreased since cities are paying for their prisoners. He said a major component of the jail complex that was being considered was the relocation of a justice complex. He said he is not sure we need to commit \$16 to \$25 million now to anything that is not essential. Supervisor Russell said he would like to get a feel for the court room situation in DeSoto County. Supervisor Russell said he is not sure if we should consider not talking about the jail situation now. Supervisor Russell if we have started the research on infrastructure issues. Mr. Garriga said not yet. He said we are waiting on an Attorney General's opinion on whether we can build outside the county seat.

Mr. Garriga said we do not need to stop planning for future facilities. He said we need to always keep focusing on future needs.

Supervisor Russell said we are going to have to reorganize the current jail if we do not build a new one.

Mr. Garriga said he does not think we should stop planning because of the economy. He said, traditionally, crime goes up during a bad economy. He said Irb Benjamin is working with the Sheriff regularly to reduce costs at the jail. Mr. Garriga said there have been improvements in management the areas of food, medical and personnel and so forth.

Supervisor Eugene Thach said he thinks we need a professional to see where we are and where we need to go. He said this guy runs a jail and is not an engineer. Supervisor Thach said he would like to hear from a professional.

Supervisor Jessie Medlin said he understood on the reassessment, that only the land was included, and next year buildings will be added. Supervisor Medlin said the Board needs to be in a position to know what revenues will do in the coming years.

The Board of Supervisors directed the County Administrator to put a space consultant on the Agenda for December 23rd for consideration.

7. Tax Assessor – Reassessment

Tax Assessor Parker Pickle joined the meeting. Supervisor Bill Russell asked what has been reevaluated for assessments. Mr. Pickle said the Tax Assessor's office has not touched land prices in 20 years. He said this year, land assessments were added on the roll. He said, before they turn over the land values next year. The Tax Assessor's office will do land ratio index study. All houses will be altered by a percentage. He said, next year, taxes will be changed by the amount of money reflected in the tax ratio study.

Mr. Pickle said that most of the calls their office receives, are from people who are 65 years old and older. He said they are not taxed at all on the value up to \$75,000. He said people want to know how taxes went up when the market went down. He said you remember we applied for an extension on reassessment which saved our people two years of increased taxes.

8. Chancery Clerk – Space Needs

Chancery Clerk Sluggo Davis said that on November 30th he had 15 work stations. Now he has seven inquiry spaces. He said that County Administrator Michael Garriga took the election Commissioner's office and moved it to the inquiry room and shut the inquiry room down. Mr. Davis said he understands there is a new County Court Judge in DeSoto County starting in January. In 2012 an additional Circuit Judge will begin. He said Judge Lynchard increased court weeks in DeSoto County to 39 weeks. He said that is not including lunacies and other settings. Mr. Davis presented a Board Order from July, 2001, which addressed space in the court house. He said, if we do not have room and we have to make room. The County could rent space.

Supervisor Bill Russell asked if Chancery and Circuit can be in another building. Mr. Davis said, in Corinth, the County bought a bank to use as the Chancery Building. The inquiry room is used for more than Chancery. He said inquiries are made on Circuit, County and other areas. Mr. Davis said the County Administrator said this was a temporary solution and he hopes that is true.

Supervisor Jessie Medlin asked how being out of the court house will affect the Election Commissioners. Mr. Garriga said the Election Commissioners told him they would be okay if we have trucks available on Election Day.

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to authorize the County Administrator to hire someone who is an expert on space issues to make a recommendation to the Board of Supervisors for long term special needs. The motion failed by a vote as follows:

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

Supervisor Thach said that he has been sitting on the Board for seventeen years. Everybody is looking out for their space. We know we need space. We need to know what we need for the County offices as a whole. He said we need someone with training in that area to make recommendations to the Board.

Supervisor Russell said he is not sure we do not have enough expertise in the room to make those recommendations for our own offices.

Mr. Davis said he has tried to look at other offices as well.

Supervisor Russell said he is not opposed to hiring a consultant but he is not sure one is necessary. He said he would like for the County Administrator to sit down with office holders and determine what we need.

Mr. Garriga said that the decision to turn the inquiry room was based on information and dialogue with every judge and every elected office in the court house. He said we need a long term facilities plan.

Mr. Davis said we need a long term vision for the County.

9. Property Cleanup

Supervisor Bill Russell requested authority to clean up properties located at 6929 Poplar Corner Road, 7303 Goodman Road, 7725 Goodman Road and 7327 Goodman Road. He said the Board Attorney Tony Nowak said there first must be a Public Hearing regarding the property.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to schedule a Public Hearing on January 7, 2009 regarding cleaning the properties located at 6929 Poplar Corner Road, 7303 Goodman Road, 7725 Goodman Road and 7327 Goodman Road. 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

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to recess the meeting until December 23, 2008, 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-----YES
Supervisor Tommy Lewis-----ABSENT

THIS the 15th day of December 2008, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Allen Latimer, President
DeSoto County Board of Supervisors