

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

BILL RUSSELL, PRESIDENT 2010 PRESIDING

February 3, 2010

A. CALL TO ORDER

The February 3, 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
- Tony Nowak -----Board Attorney
- Sheriff Bill Rasco-----Sheriff

B. INVOCATION

Supervisor Eugene Thach presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. PLANNING COMMISSION AGENDA

**DeSoto County Board of Supervisors
Planning Agenda
February 3, 2010**

PUBLIC HEARINGS

Ordinance Amendments

2010 Zoning Map Update - The Board of Supervisors will consider adopting an update to the DeSoto County Zoning Map to include all Rezonings approved by the Board of Supervisors in the year 2009.

Supervisor Medlin made a Motion to open the Public Hearing to consider adopting an update to the DeSoto County Zoning Map to include all Rezonings approved by the Board of Supervisors in the year 2009 and to open the Public Hearing to consider amending Article V, Paragraph 2.C (11) and Article V, Paragraph 2.c(12), of the DeSoto County Zoning Ordinance regarding mobile homes and regarding extraction of minerals including sand and gravel, respectively, to change the dates to read December 31, 2010. Supervisor Latimer seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

Mr. McDougal presented the 2010 DeSoto County Zoning Map. He stated there were four rezonings in 2009 as reflected on the map.

Zoning Ordinance Amendment – The DeSoto County Board of Supervisors will consider amending Article V, Paragraph 2.C (11) and Article V, Paragraph 2.c(12), of the DeSoto County Zoning Ordinance regarding mobile homes and regarding extraction of minerals including sand and gravel, respectively, to change the dates to read December 31, 2010.

Mr. McDougal presented the above item and stated it is an amendment to the DeSoto County Zoning Ordinance text related to Conditional Uses in the Agricultural-Residential (A-R) zone regarding mobile homes and regarding extraction of minerals including sand and gravel, respectively, to change the dates to read December 31, 2010. He stated the date is renewed year by year.

Supervisor Russell asked if anyone was present to speak for or against the applications. No one was present.

See Exhibit D

E. CONSENT

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

Supervisor Tommy Lewis questioned the State Tax Commissions Approval of Land Roll. Chancery Clerk Sluggo Davis said he received an approval from the state for the land roll.

Supervisor Tommy Lewis 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. Approve Board President to Sign:

a. Days Water Annual Performance Bond

b. Bond for Constable Shirley Holmes

c. Grant: EMA for Maintenance Agreement for GIS Equipment

2. Chancery Clerk Allowance (1) - \$1,650.00

3. State Tax Commission: Approval of Land Roll – Board President to Sign

4. Approve to Bid for Depositories

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. Dept. of Road Management: Approve Official Road Map System and Road Register

Assistant County Engineer Scott Young presented a revised Official Map System and Road Register for the Board’s approval. Mr. Young said the original map showed State Aid Roads. It has been determined those roads should be removed from the official county map. Mr. Young said he made other changes as noted by the Board.

In accordance with Section 65-7-4 the Board of Supervisors previously adopted a County Road Map and Register. This action is according to Section (4) of this code which states all subsequent proceedings and changes to the county road system shall be recorded in the county road system register as is reasonably possible. The county road system register, as it is periodically revised, shall be kept on file in the office of the Clerk of the Board of Supervisors where it shall be available for public inspection.

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to approve the Official Road Map and Register for DeSoto County as presented. 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 F.1

G. NEW BUSINESS

H. EXECUTIVE SESSION

The Board of Supervisors determined there was no business before the Board appropriate for an "Executive Session".

I. OTHER ISSUES

1. Constable Appointment

Supervisor Bill Russell said the statute requires that the Secretary of State be notified by the county within five days of the appointment of the interim constable. Board Attorney Tony Nowak said the resolution is completed and we will be notifying the Secretary of State as well as the Election Commission of the appointment so they can add it to the next election.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to adopt a resolution appointing Shirley Holmes of Constable according to state law for the unexpired term for the position previously held by Joe Holmes for District II. 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 I.1

2. Board Attorney-Reeves Williams

Board Attorney Tony Nowak said when property is foreclosed, the debts that are liens on the property will be paid in order of priority. The only way to protect the county is for the county to purchase the property at the foreclosure sale and he does not recommend the county to do so do the debt payoff to value ratio. It is possible the county may lose the personal property tax judgments on this particular foreclosure.

3. Cable Company-Comcast

County Administrator Michael Garriga said he looked into an issue with Comcast on the Public Broadcast channel and Comcast has no intention of abandoning the Public Broadcast channel. He said Comcast is having issues with the operator of the channel and that may change.

4. Roads-City of Hernando

Road Manager Russell Dorris said the City of Hernando has requested the county to do some road maintenance. The City will reimburse the County for materials and other costs associated with the road improvements. He said, in particular, they are talking about Vaiden Road. He said the Road Department will not let this work delay any work in the county.

Mr. Dorris said, in the past, the Board has given him authority to do work in the city as he sees fit.

Board Attorney Tony Nowak said the statute says we should have an agreement in place to work with the City, but approval of the Board in the minutes should suffice for this work.

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to approve a request from the City of Hernando for the Road Department to do maintenance work on Vaiden Road with the City of Hernando reimbursing the county for the expense of materials and other costs. 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

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to recess the meeting until February 16, 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-----YES
Supervisor Tommy Lewis-----YES

THIS the 3rd day of February, 2010, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Bill Russell, President
DeSoto County Board of Supervisors