

Supervisor Russell said he would like to know how to get a cemetery declared to be historical.

Supervisor Medlin said a lot of the markers in the cemetery are broken.

Supervisor Lewis suggested talking to the landowner to get information about what they will allow and what they want from the county.

Supervisor Medlin said we are always getting into a situation for paupers needing cemeteries. He said, if the landowners would not have a problem with paupers being buried there, he would support the county maintaining and handling the cemetery.

Mr. Nowak said the Department of Archives and History may not allow additional burials in a historic cemetery.

No motions were made nor votes taken on this issue.

2. Resolution of Intent – 2008 Capital Improvements Plan

Board Attorney Tony Nowak said Demery Grubbs and Sam Keyes spoke to the Board about the next GO Bonds. He said the county has two resolutions before them for consideration. One is an Intent Resolution for a sum not to exceed \$45 million in bond revenue. He said that is a maximum amount and the county is not obligated to issue any bonds under this Resolution of Intent. He said the county has two years to issue the bonds and the county can draw multiple issues on the bonds.

Mr. Nowak said the second resolution before the Board is an Engagement Resolution to hire Butler Snow Law Firm, Demery Grubbs and the Smith Phillips Mitchell Scott and Nowak Law Firm to act on behalf of the county in issuing the GO Bonds.

Supervisor Allen Latimer verified that the county is not obligated to issue any bonds under this Intent Resolution. Mr. Nowak said that is right.

Supervisor Thach said we do not have to issue that amount. County Administrator Michael Garriga said that is right. Mr. Garriga said we have compiled a list that totals \$49 million in potential projects. Some of those projects would not make the list for the county's consideration but there are many projects on the list that the Board has expressed an interest in completing. He said that the county can retire \$2.7 million in bond principal on the existing debt to free up this money to be able to issue a large bond.

Supervisor Latimer said he understands there will be no millage increase. Mr. Garriga said that is the goal.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve the Intent Resolution to issue bonds in an amount not to exceed \$45 million and to approve an Engagement Resolution for the Butler Snow Law firm, Demery Grubbs and the Smith Phillips Mitchell Scott and Nowak Law Firm to represent the county in the bond issue and to authorize a no protest hearing on the bond to allow the public to give comments on May 19, 2008 and to authorize the Board President to sign the document. 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

3. Sheriff's Department Radios

County Administrator Michael Garriga said he had several conversations with the Sheriff and members of his staff about recent discussions of the lease purchase of radios. Mr. Garriga said they began to proceed with the lease agreement with a financing company and the Board approved the lease. He said, after we further investigated the lease purchase, we discovered that it did not make sense to lease the radios. Mr. Garriga said that it may be more appropriate to purchase the radios. He said, under the lease purchase, the county would be paying for the cost of financing and interest charges in excess of \$31,000. He said the Sheriff has \$109,000 in his budget. Sheriff Bill Rasco said he has no problem with purchasing the radios instead of a lease purchase. Mr. Garriga said, with the \$109,000 from the Sheriff, it will take a commitment from the Board for additional money to purchase the radios.

The Board discussed that under the state contract, the state has indicated the radios may cost less under the new state contract number 3429 rather than the previous state contract number 3485.

Supervisor Bill Russell said he appreciates the Sheriff's patience with this issue. He said he knows the Sheriff understands the Board is trying to save money. He asked if the Sheriff can wait for another month before purchasing the radios. Sheriff Rasco said yes.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the purchase of the radios for the Sheriff's Department at an estimated cost of \$236,000 with an amount not to exceed \$110,000 coming from the General Fund other budgeting sources. The motion passed by a unanimous vote.

F. NEW BUSINESS

1. Renewal of County's General Liability Coverage

Rex Haynes, Sarah Edmiston and Donita Chambers appeared before the Board of Supervisors regarding the renewal of the county's general liability coverage. Mr. Haynes said they are kicking off the safety meetings this month. He said DeSoto County employees have done a good job on safety issues this year. He presented a history showing changes on insurance premiums in the past five years. Mr. Haynes said he recommends renewing the insurance with Travelers. He presented quotes and explained that because the county's assets have increased, that adds to the cost of insurance. He said property values are up from \$800,000 to \$900,000.

Supervisor Jessie Medlin asked if the new Tax Collector's Building is included in the quotes. Mr. Haynes said yes.

Supervisor Tommy Lewis said we have \$10 million in earthquake insurance. He asked if that is 10% per building or \$10 million total. Mr. Haynes said it would be a total of \$10 million and the county would have to decide where to use the money if there was more than \$10 million in damage.

Supervisor Allen Latimer thanked the employees for their efforts to reduce accidents.

Supervisor Eugene Thach made the motion and Supervisor Bill Russell seconded the motion to approve renewing the general liability coverage with Travelers Insurance as detailed in Exhibit F.1. The motion passed by a unanimous vote. **See Exhibit F.1**

2. Mental Health in DeSoto County

Troy Collins, Jim Franks and Dr. Andy Mayo, CEO of Parkwood Hospital, appeared before the Board of Supervisors to discuss mental health in DeSoto County. Dr. Mayo said that the volume of cases for lunacies has increased in DeSoto County. He said last year they did 152

commitments from Baptist DeSoto Hospital alone. Dr. Mayo said that so far this year, they have committed 55 from Baptist Hospital. Commitments are growing at a rate of 20% for this year. The duration of holding patients in the jail is less than one week if you are a juvenile; adults can be in jail for two or more weeks before being transferred to the state hospital. This wait has caused increased costs at the jail. The jail was not built or staffed to house this type of person. He said this causes the county risk and liability issues. He said, back in the summer, representatives from the county, state and Baptist Hospitals met to discuss the issue. It became clear that this is a financial issue and not about doing the right thing. It is about whether we can afford to do the right thing. He said it does not seem like the state will offer any financial assistance for lunacies. Dr. Mayo said there are opportunities to build your own facility rather than contracting care for lunacy patients. He said it is more expensive to operate your own facility. He said the programs are already lacking funds. Dr. Mayo said that every party involved is committed and desires to do the right thing for lunacy patients, but to make adequate changes to the program will cost money. He said the Board of Supervisors has done a good job in guarding resources.

Dr. Mayo explained the commitment process. First the affidavit is presented. If the person is ruled to be ill, a writ is issued for commitment and the person can appear before a judge. He said that Parkwood is already providing treatment if the patient is at Parkwood. He said the county may have to transport the patient four to six times under the current system. The patient is shackled and transported to and from the doctor for evaluation and to court. He said the county's expense for transport is very high. Dr. Mayo said there is video conference technology available.

Dr. Mayo said the cost for adult care in Parkwood Hospital is \$782 per day. He said he is going to offer the county care at \$400 per day in addition to \$65 for physicians. He said the number of patients that go to Parkwood for care is up to the county. He said the county can send whoever they want to Parkwood. Dr. Mayo said they could limit the treatment to stabilization only in order to reduce the number of days a person is hospitalized.

Supervisor Bill Russell asked once a patient is stabilized if you can send them home. Dr. Mayo said the medical doctor can send them home. He said 70% to 75% or more can go home from Parkwood's facility.

County Administrator Michael Garriga said there may be an opportunity with the state mental health in this situation because we are taking care of people in our backyard. They may be willing to help us with some of these costs.

Supervisor Russell said he would like to know if there is a way to get a commitment from the state. He said he does not like the picking and choosing for which patients would go to Parkwood. Supervisor Russell said, if we cut out lunacies in the jail, how much money the Sheriff can give us from his budget. He said we will need a financial analysis in this situation.

Dr. Mayo said, if someone is violent, Parkwood may ask the jail to take that person. He said we would like to find a way to use this system when it would benefit the county. Sheriff Rasco said that we have people who go to jail because they are not taking their medication. Supervisor Russell asked if private hospitals have a better opportunity to get people to the state facility. Dr. Mayo said the county has a much better chance of placing a patient than Parkwood does. He said there is grant money available. He said video conferencing is also available. He said we are putting people in jail for drug and alcohol issues and he does not understand that. Dr. Mayo said commitment proceedings happen when the person is a danger to himself, others or to property. He asked that we would educate people regarding alcohol and drug use. He said most of those people need outpatient care as opposed to inpatient care and commitments.

Sheriff Bill Rasco said when someone goes to Baptist DeSoto Hospital and is asked if they have thought about suicide, they do not always need to be committed, Dr. Mayo said, regardless of what we want to believe, if they have thought about suicide, they have no choice to commit them because of the liability of the hospital. He said it is up to the individual situation as to whether those are committed. He said if the Board approves his

offer, the county can send two per year or everyone. Dr. Mayo said he would like to see the county give Parkwood a chance in order to limit the county's exposure.

Supervisor Russell asked how to identify that. Dr. Mayo said there are professionals in the jail that can assess risk.

Dr. Mayo said, if the county chooses to work with Parkwood, the county would need to hold Parkwood accountable. He said Parkwood needs to track the people who come back to the jail more than one time to assure their treatment option is effective.

Supervisor Allen Latimer asked Sheriff Rasco if he has a rough estimate of people currently at the jail who have mental issues. Sheriff Rasco said the number is in the lower twenties.

Supervisor Tommy Lewis asked how many of the patients at the jail are off of their meds. Dr. Mayo said, based on the number of people in their facility, he would say five to seven percent per year. He said there are new medications that are now available. Dr. Mayo said there are new injections that are time released and can be given every 30 days.

Supervisor Lewis asked how many of the patients can afford to buy their meds. Dr. Mayo said there are facilities where people can get medication.

Attorney Jim Franks said that many of the lunacy patients do not take their meds because they do not like the side effects. He said the ones at the jail have a higher percentage of not taking their meds than those in Parkwood. He said he estimates 20% to 30% in the jail are there because of not taking their medication. He said he has been trying to get the state to set up a parole system for mental patients but has not been successful.

Mr. Garriga said there are several grant opportunities designed for the county to help reduce recidivism. He said the grants are real money and some are in excess of \$250,000.

Supervisor Latimer asked if insurance is applied to the bill. Dr. Mayo said that Parkwood will use insurance before billing the county. Mr. Franks said that process is already in place at Parkwood.

Supervisor Lewis asked, of the 152 commitments in 2007, how many of those have insurance. Mr. Franks said less than 10%.

Supervisor Russell said there are two types of patients and it is wrong to keep certain cases in the jail even if the situation is not ideal.

Mr. Franks said he would send them to Parkwood first. He said Parkwood can regulate their meds. Mr. Franks that Baptist has to pay \$705 for every person they commit. He said \$500 goes to Jim Franks and \$205 goes to the Chancery Clerk for the county.

Supervisor Russell asked if our physician is in a position to do the evaluation. Mr. Franks said that all the evaluations occur on the same night. He said, before the person can be moved from the jail to Parkwood, the Chancery Court must make a decision.

Supervisor Russell asked if it is obvious that a person should be in the state facility, why can't the state give that person a bed. Mr. Franks said he has not had a problem with the state leaving people in a private facility and the state not taking them. They discussed a particular lunacy patient in the jail and determined it was a Circuit case. Mr. Franks said that a Circuit case is completely different and not included in this discussion.

Supervisor Jessie Medlin said that some patients live outside DeSoto County and in a different state and are in Baptist DeSoto Hospital. He asked if we get help from the state of Tennessee. Mr. Franks said we can charge the county where the person resides but authority does not cross the state line. He said we can usually get people stabilized and in and out of Parkwood before they go to the state hospital.

Supervisor Latimer asked the Sheriff if he has money in his budget for this service. Sheriff Rasco said they have in the past but they will have to change that. He said these people are probably costing us \$40 per day. He said they do commitments for cities, counties, hospitals, Youth Court and Justice Court. Mr. Franks said he did three commitments for juveniles last Thursday. He said we can get them out quickly which is very important. He said this is a national problem and not a local problem. Mr. Franks said the senior Chancery Judge does not have an objection to teleconferencing to help expedite care and reduce costs. Mr. Franks said he disagrees with Dr. Mayo's assessment of drug and alcohol commitments. He said most of those are private commitments. He said most the time those have failed at outpatient commitments and those generally get out faster than mental illness patients.

Supervisor Latimer asked if it is a function of county government to treat mental patients or to hold mental patients until they can receive treatment. Mr. Franks said it is the county's responsibility to hold them until they can find a place that can treat them. He said the state is not doing anything about that.

Supervisor Latimer said, when they go to Parkwood, are we paying for their treatment. Mr. Franks said yes. Supervisor Latimer asked if the county can do that. Mr. Franks said, if the state is not doing it, the county can do it. Board Attorney Tony Nowak agreed.

Mr. Garriga said he feels the county does have more responsibility. Some counties address this issue by building facilities. He said that Harrison County operates a one million dollar facility.

Supervisor Russell said we know the state has responsibility for these prisoners but they are not doing their job so DeSoto County has to do it. He said he would like the cities to participate in this expense.

Dr. Mayo said he will present this to whoever the county wants to talk to. He said he is passionate about this issue. He would like for the county to put this process in place.

Chancery Clerk Sluggo Davis asked what other counties Parkwood has contracts with. Dr. Mayo said Montgomery and one other county.

Mr. Franks said that Communicare is overwhelmed with seeing patients. They do not have the staff necessary to take care of lunacy patients. He said there is too much for Communicare to do. He said they can do the job but they do not have the time. He said if they are doing treatments at Parkwood, they should do the follow-up. Supervisor Russell said the taxpayers will pay for this burden whether they pay for it through the county or the state.

Mr. Garriga said the next Council of Governments Meeting is on May 30th. The Board discussed presenting the option to the cities at that meeting. **See Exhibit F.2**

3. Relocation of Aviation Unit

County Administrator Michael Garriga said he had a number of conversations with the Sheriff about relocating the aviation unit. They also discussed the options with an Aviation Department member. He said they discovered an option to move the facility to the property of the National Guard Armory. He said the county owns that property where the National Guard Armory is located. Mr. Garriga said he talked to the Director of Facilities Management of the National Guard. He said the lease with the National Guard was entered into in 1955 and is a ninety nine year lease. The National Guard said they have no issues with the county relocating their aviation unit there. He said they are currently erecting a storage unit and once they get a site plan, they will give it to the county to make sure there are no conflicts. Apparently, Marvin Johnson designed a hangar in the past, and the county decided not to move the aviation unit at that time. He already has specifications on file. Mr. Garriga said we can incorporate that design to plan a new hangar on the National Guard property. He said we are going out to bid any day for the Health Department Building and the hangar can be added to the specifications. Supervisor Bill Russell asked if the National Guard would participate in the cost of the building.

Supervisor Eugene Thach asked where the money will come from for the building for the aviation unit.

No motions were made nor votes taken on this issue.

4. County Wide Spring Clean-up

Operations and Compliance Director Jim Bearden said the Spring Clean-up is one week later than usual. He said 14 different locations and 17 roll off dumpsters will be part of the Spring Clean-up. He said he would like to suggest the dates of May 3rd and May 10th for the Spring Clean-up. He said we will have to move from the Walls Fire Department to north of the ball park. Walls asked that we go back to the old City Hall from the new Walls Fire Department. Mr. Bearden said that most of the other locations will be at schools and fire departments.

Supervisor Bill Russell asked if the dumpsters will be emptied throughout the week. Mr. Bearden said yes, each dumpster is to be monitored and emptied as needed. Supervisor Russell asked if it would be possible to designate an area for tires. Mr. Bearden said there are already places in DeSoto County for tires. Supervisor Russell said we could say that tires could be placed in a different area. Mr. Bearden explained issues with tires during the last spring clean-up.

Supervisor Allen Latimer thanked Mr. Bearden and his office for their efforts to organize the roadside clean-up.

Supervisor Russell asked the date of Household Hazardous Waste Day. Mr. Bearden said April 19 was Southaven's Household Hazardous Waste Day clean-up and the county's will be in October.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve May 3rd and May 10th as the County Wide Spring Clean-up Days. The motion passed by a unanimous vote.

5. Teen Pregnancy Prevention Awareness Month – May, 2008

Grants Administrator Joyce Herring said the Department of Human Services has asked the Board of Supervisors to declare the month of May as Teen Pregnancy Prevention Awareness Month. She said this month recognizes the cost to children, adolescents, teens and society when teen pregnancy occurs.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to declare the month of May, 2008 as Teen Pregnancy Prevention Awareness Month. The motion passed by a unanimous vote. **See Exhibit F.5**

6. Accounting: Supplemental Claims Docket

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code annotated, Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Comptroller with the hotel fees for the Board of Supervisors and the County Administrator's Office to be decreased to an amount not to exceed the claims as presented on the docket. The motion passed by a unanimous vote. **See Exhibit F.6**

7. Benefits Management Systems/First Choice Medical

County Administrator Michael Garriga said this is an organization that previously met with the Board to discuss handling of prisoner medical claims. They provide inmate medical

oversight. He said they have a program in place to handle prison medical claims but there is no claims management on the provider side. He said that First Choice Medical has offered a significant savings package through Baptist DeSoto Hospital.

Mr. Garriga explained that if an inmate is booked into the jail, he would receive a card for medical purposes. Because this is considered a group package, First Choice has negotiated rates for certain savings with different providers. They have negotiated a 35% savings with Baptist DeSoto Hospital. Mr. Garriga said there a lot of issues to work through first. He said there will be a certificate process on any inmate that will be handled the same as insurance is handled. Because of the way claims will be handled, they will give invoices with diagnosis codes. He said, as the jail population grows and medical expenses rise, it is imperative to have oversight of the claims. This will be a benefit to the county.

Mr. Garriga said we will have a contract with a 30 day out. If the contract does not save money, we can discontinue the contract. He said the cost includes billing for the inmates at \$15 per inmate. He said the cost is \$13.75 per inmate without state inmates. He said the new physician at the jail has privileges with Baptist East and he is working on getting privileges at Baptist DeSoto then he can manage the care of the prisoners at Baptist DeSoto. Mr. Garriga said the physician's contract will need to be modified for the extra work.

8. National Day of Prayer – May 1, 2008

Supervisor Allen Latimer introduced Lee Ashcraft, Tina Taylor, Carol Little and Ann Ashcraft who had contacted him regarding the Board supporting the National Day of Prayer on May 1, 2008.

Mr. Ashcraft said they encourage people to observe the National Day of Prayer everyday. He said, it has been said, that prayer is the bridge that connects our touch with God's hands. This is the 57th year that the National Day of Prayer has been celebrated throughout the nation. It was adopted and put into effect by the Continental Congress and is observed the first Thursday in May each year.

Tina Tatum read the proclamation as follows:

DeSoto County, Mississippi Proclamation

WHEREAS, The National Day of Prayer is a tradition first proclaimed by the Continental Congress in 1775 and is eminently fitting and proper that this day be observed as a period when all may express gratitude to God for freedom we enjoy and also to pray that this country and its people will continue to be blessed and made stronger in our moral values; and

WHEREAS, Leaders of our nation have relied upon the power of prayer throughout American history; and

WHEREAS, This year's National Day of Prayer theme is "Prayer! America's Strength and Shield"; and

WHEREAS, We are at a time in our nation's history when the power of prayer is needed more than ever and it is appropriate that we acknowledge God as sovereign and call upon Him in prayer; and

WHEREAS, By the unanimous action of both Houses of the United States Congress, the President signed a Bill establishing the first Thursday of May as the National Day of Prayer; and

WHEREAS, This year marks the 57th consecutive annual National Day of Prayer which will be celebrated throughout the nation.

NOW, THEREFORE, We, the DeSoto County Board of Supervisors, do hereby proclaim May 1, 2008 as:

NATIONAL DAY OF PRAYER

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to adopt a proclamation proclaiming May 1, 2008 as National Day of Prayer and to have a ceremony on the courthouse lawn. The motion passed by a unanimous vote.

See Exhibit F.8

9. Animal Services – Approval to Declare Vehicle Surplus and Auction

Vanessa Lynchard said that an Animal Services vehicle was recently wrecked and the lowest estimate to repair the vehicle is \$7,100. She said the Animal Services Director Larry Houston and Comptroller Tom Arnold ran the value of the vehicle through Kelley Blue Book and it was valued at \$7,875 and both endorsed declaring the vehicle as surplus and selling the vehicle and using the insurance money to purchase a new vehicle since this truck has 118,000 miles.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to declare the 2004 GMC Sierra 1500 long bed pickup truck as surplus in the Animal Services Department and sell the vehicle at auction. The motion passed by a unanimous vote. **See Exhibit F.9**

10. Bids Under Advisement - Janitorial Supplies

Vanessa Lynchard explained the bid tabulation for janitorial supplies. She said that Category A includes a list of items that we order on a regular basis, bids for alternates at a lesser cost and those on state contract. Vanessa said that NOI was the lowest bidder and she recommended that the county accept that bid. She also recommended that on Category A Action Chemical and Magnolia Paper be approved as an alternate on some of the items on Category A Alternate.

Vanessa said that after the bidders were identified, she and Purchasing held a meeting with the department heads to make sure we were taking care of their requests and needs. She said the meeting went very well and they were able to answer questions as well as learn more about departmental concerns and requests.

Vanessa explained Category B. She said this category was for specific items and some bids were rejected. She recommended items 5 and 7 to be purchased from NOI because of the best price, item 1 was no bid and to reject items 2,3,4,6 and 8.

Vanessa said that page 21 is a list of times and prices for 2007 as compared to 2008. She said that by choosing the recommendations for 2008, the county is saving 26% over 2007. She said that page 22 lists the items the county will buy from state contract instead of vendors in 2008 and will save 38.5%.

Vanessa said that after the list was compiled and recommendations made, they had another meeting with the department heads to make sure they were getting products they wanted and to make the specifications better. She said that the department heads were to be commended. The department heads all strongly agreed to make sure the county saves money while meeting the needs of their departments. She thanked them for their input into the process to make improvements and save money for the county for supplying janitorial supplies.

Supervisor Eugene Thach made the motion and Supervisor Bill Russell seconded the motion to approve the recommendation from Vanessa Lynchard and the Purchasing Department to use the low bid from NOI for janitorial supplies with exceptions listed in the bid tabulation as further described in Exhibit F.10. The motion passed by a unanimous vote.

See Exhibit F.10

11. Department of Road Management

a. Belmor Lakes – Driveway Culverts

County Engineer Andy Swims reminded the Board that they had allowed the county to replace a driveway culvert that was undersized to allow water to travel. He said the county sent notices to homeowners and others have asked that the county replace their culverts as well. He said a lot of blame for the flooding that is occurring in the homeowners' yards and

roads can be blamed on the subdivision on the north side of College Road that is flooding into Belmor Lakes. He said about four and one half acres drains from that subdivision. On lot 116 the water almost gets inside their house. They asked that the county increase the size of the culverts on lots 115 and 116 as well.

Supervisor Allen Latimer asked if we are able to remove the water from these lots by increasing the size of the culverts, will water be increased down stream. Mr. Swims said he does not think so. He presented pictures showing the flooding.

Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion, that after determining the size of the driveway culverts is creating flooding and endangering the health, safety and welfare of the people traveling on the streets in Belmor Subdivision, to approve the recommendation of the Road Manager and County Engineer on lots 114, 115 and 116. The motion passed by a unanimous vote.

Supervisor Tommy Lewis said he thought the building inspectors were signing off on pipes when they were installed. Planning Director Jim McDougal said no, they are not inspecting them. County Administrator Michael Garriga said they used to check to make sure they use the size of the pipe on the plat. Mr. Dorris said, when the building inspectors see the driveway, it is already built. It is the subdivision inspector's responsibility.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to make sure the proper size culvert is put into developments and to make the process part of the building inspectors' responsibility during their inspection process. The motion passed by a unanimous vote. **See Exhibit F.11.a**

Supervisor Lewis said he thinks the county should look at every culvert during the planning stage and make a note on the ticket if the culvert is not the right size.

b. Approval of 5 Potential NRCS Projects

Assistant County Engineer Scott Young said, sometimes the rain causes flooding and occasionally the county is awarded federal dollars to repair the damage. He said, in the case of the recent flooding, we qualify for \$578,600 on a 25% cost share. He said, if the county does engineering on projects that qualify for this money, we would save 10% on the county's 25% match. He said the locations of the projects are as follows:

1. Nail Rd at the Bluff
2. Craft Rd: South of College Rd & North of Dunn Lane
3. Dean Rd: At bridge East of Tulane
4. Watson-DeSoto Rd: North of Holly Springs & South of Denman Rd
5. Holly Springs Rd: West of Williams Rd

Road Manager Russell Dorris said there is funding available in the Department of Road Management to pay for the county match.

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to approve the projects known as:

1. Nail Rd at the Bluff
2. Craft Rd: South of College Rd & North of Dunn Lane
3. Dean Rd: At bridge East of Tulane
4. Watson-DeSoto Rd: North of Holly Springs & South of Denman Rd
5. Holly Springs Rd: West of Williams Rd

The motion includes the county handling the engineering, and paying for the project out of funds in the Department of Road Management, to hire the Smith Phillips Mitchell Scott and Nowak Law Firm to take all steps necessary to get right of way and other legal steps necessary to bring the matter to a legal conclusion including appraisals and any other items necessary to complete this project. The motion passed by a unanimous vote.

See Exhibit H.11.b

c. Bramble Lane

Road Manager Russell Dorris presented facts about a drainage issue on Bramble Lane. Mr. Dorris said he estimates the project to cost approximately \$1,861.84 for labor, equipment and materials.

At the recommendation of the Road Manager, Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to accept the Road Manager's opinion that this is a hazardous situation on Bramble Lane and should be addressed and to authorize spending \$1,861.84 to correct a drainage problem at 6859 Bramble Lane. The motion passed by a unanimous vote. **See Exhibit H.11.c**

12. Planning Commission

a. Application for Waiver of Permit Fees for Junior River Kings

Planning Director Jim McDougal presented a request to waive permit fees on behalf of the Junior River Kings. He said they can use the money for necessary equipment for the function of the sport. He said it operates entirely on contributions.

At the recommendation of the Planning Director, Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to approve the application to waive permit fees for the Junior River Kings. The motion passed by a unanimous vote.
See Exhibit H.12.a

b. Draft Development Agreement

Planning Director Jim McDougal said that the Draft Development Agreement should be completed by May.

Supervisor Allen Latimer said he hoped the committee would be completed with the agreement by mid April. Mr. McDougal said they should have it completed and ready for approval on the May 7th Board Meeting.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to hold this item over until May 7th, 2008. The motion passed by a unanimous vote.

G. EXECUTIVE SESSION

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

H. OTHER

1. Libraries – Olive Branch and Southaven

Board Attorney Tony Nowak said he has been working on agreements to revert ownership of the libraries in Olive Branch and Southaven back to those cities. He said the City of Olive Branch has determined they do not want to own the Olive Branch Library. They would rather the county retain ownership of the facility. He explained that the Board previously approved an agreement regarding the ownership of the library but the agreement has been updated and he asked the Board for consideration for approval of the revised agreement.

Mr. Nowak also presented an agreement deeding the library in Southaven to the City of Southaven.

At the recommendation of the Board Attorney, Supervisor Eugene Thach made the motion and Supervisor Bill Russell seconded the motion to approve the Resolution Voiding Agreements for the Reversionary Interest of the City of Olive Branch as to the B.J. Chain Public Library and to approve deeding the Southaven Library to the City of Southaven and to

formalize plans from a previous Board agreeing to deed the property to the City when the bond was paid. The motion passed by a unanimous vote. **See Exhibit H.1**

2. Poplar Corner Road

Supervisor Bill Russell said while Board Attorney Tony Nowak was looking at the Poplar Corner drainage issue, he found that some of the county ordinances may not be enforceable as they are written. Mr. Nowak said he wants to check it and possibly get an Attorney General's opinion on the agreements.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to allow the Board Attorney to get an Attorney General's opinion if necessary, to determine the county's enforcement powers relating to the stormwater ordinance. 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. Railroads – Nail Road

Supervisor Allen Latimer asked if it is possible to get a traffic count at the railroad tracks on Nail Road. Road Manager Russell Dorris said he would be happy to get the traffic count and report back with the information.

4. Chancery Clerk – Refund to County

Chancery Clerk Sluggo Davis said every year any excess money that the Chancery Clerk's office handles and is not spent is returned to the county. This year he presented payment of \$376,831.26. Mr. Davis said he tries to run the Chancery Clerk's office like it is his own money. He told the Board he could spend the money under his authority as Chancery Clerk. He said, while still returning the largest portion in the state, he has kept his office updated. He said the county's GIS program has helped the Chancery Clerk's office and he is proud of the team that is working for the county.

County Administrator Michael Garriga said they embrace digital imaging and document preservation. Such an event as Hurricane Katrina or tornadoes could destroy records. Now the county will not be in a position of losing valuable county information.

5. Veterans Officer

Supervisor Allen Latimer said previously the Board discussed whether the county needs two veterans' officers. Supervisor Bill Russell said he has had conversations with Floyd Robertson, the county's current Veteran's Officer. Mr. Robertson told Supervisor Russell that the work load is sufficient for there to be one Veteran's Officer in the county.

6. Roads

Highway 302 and Craft - County Consulting Engineer Daniel Murphy discussed going out for a separate contract for traffic signals at Highway 302 and Craft Road. He said we discussed getting a change order under the contract for the signals. He said there will be a temporary and a permanent signal involved for a total cost of \$99,689. Mr. Murphy said the Road Manager said he has money in his budget for this work.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve a change order to accomplish a traffic signal at Highway 302 and Craft Road at an estimated total cost of \$99,689 with Olive Branch paying half of the cost of the signal. The motion passed by a unanimous vote.

Church and Craft – Supervisor Tommy Lewis asked the status with Church and Craft Roads. The County Consulting Engineer said he does not know. He does know that Florence and Hutchison did a signal warrant analysis on the intersection. Road Manager Russell Dorris said results of the analysis show the signal is warranted. They recommend extending the poles out and running swing wires.

Hamilton – Supervisor Jessie Medlin asked what was decided about signalization at Hamilton Circle. Road Manager Russell Dorris said there is no warrant there now but the engineers agree there probably will be after the road is open.

7. Legislature

Vanessa Lynchard said that Senator Doug Davis has offered for the delegation to come before the Board to give an update on the Legislative Session if the Board would like them to do so. The Board agreed that would be a great report to get.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to adjourn the meeting until May 5, 2008 at 9:00 a.m. The motion passed by a unanimous vote.

THIS the 21st day of April 2008, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Allen Latimer, President
DeSoto County Board of Supervisors