

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

ALLEN LATIMER, PRESIDENT 2008 PRESIDING

May 19, 2008

A. CALL TO ORDER

The May 19, 2008, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Eugene Thach, Board Vice 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 Absent
- 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

Deputy Carl Hurt presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. LEGISLATIVE ISSUES

1. Legislator’s Report 2008

Supervisor Jessie Medlin said that Representative Tommy Woods could not be here this morning because of a scheduling conflict.

Senator Doug Davis, Senator Merle Flowers, Representative John Mayo and Representative Forrest Hamilton appeared before the Board of Supervisors to give a legislative update for the 2008 Session.

Senator Davis said that

- 1.) Senate Bill 2209 authorized the new County Court Judge position. He said this is authorized to be on the November election ballot and to take office in January.
- 2.) Senate Bill 2285 authorized increasing the amount of expenditure to \$75,000 and \$150,000 for a registered engineer or architect who is involved in county construction projects.
- 3.) Senate Bill 3057 – Local and Private Legislation authorizing the county to give \$10,000 to the Hernando Civic Center and Youth Sports.
- 4.) Senate Bill 2063 passed Homestead Reimbursement to the counties. He said the bill passed in the Senate but failed in the House. Senator Davis also mentioned several other legislative acts involving requests from the Civic Center and other jurisdictions. Senator

Davis said the Legislators are scheduled to go back into session this week. Senator Davis recognized the county staff for their help with the Legislators. He said that Mr. Nowak does a good job of getting resolutions that are necessary for legislation to take place. Senator Davis said it is a pleasure to work with the DeSoto County Supervisors and their Representatives to pass legislation beneficial to DeSoto County.

Supervisor Jessie Medlin said the state took DeSoto County out of the Beaver Control Program. He said we still need help with controlling beavers in DeSoto County. He said the counties received a survey regarding interest in the program. He explained that counties are capped for contributions to the BCAP Program at \$4,000. Road Manager Russell Dorris said the BCAP Program is available to the county at a price tag of \$7,000. He said, because the county is capped at \$4,000 in funding, we will have to go outside to other areas for the balance of the project.

Supervisor Tommy Lewis thanked the Delegation for their hard work for DeSoto County.

Supervisor Eugene Thach said the Board appreciates the work of the Legislators and acknowledged that the Legislators have been very good to DeSoto County.

Supervisor Bill Russell said we have a wonderful Delegation and we appreciate the work that they do. He asked if the Legislators have any idea about the legislation change that said the county no longer will own the streets, but instead, the residents will own the road to the center line of the highway in a subdivision. Representative John Mayo said there are a lot of details in bills that sometimes get past the verbal interpretations that the Legislators get. He said none of the Delegation knew about any such provision.

Board Attorney Tony Nowak said this legislation amends Section 17-1-25 of the Mississippi Code.

Sheriff Bill Rasco asked about the bill for using radar in the county. Senator Davis said the Senate has passed the bill two or three times, but it never passes in the House.

Senator Merle Flowers said, in the case of radar, the bill got loaded up to where people without law enforcement authority were going to be allowed to use radar and that caused the House to reject the bill.

Senator Flowers said, regarding casinos, our county has voted gaming down several times. He said we are hoping DeSoto County can be taken out of a bill that would keep counties without gaming from ever getting gaming. He said the Governor's plan would be to keep gaming only where it exists now. He said there are some counties who will have three years to vote it up or down before the opportunity is gone forever.

Senator Flowers said that they were able to secure four grants for the county. Senator Flowers said that a \$50,000 grant for the Olive Branch YMCA, \$10,000 for the Tourism Committee for ball tournaments in Southaven, \$10,000 for Olive Branch Old Town revitalization and the Historic DeSoto Museum for a \$25,000 grant were approved.

Supervisor Tommy Lewis said, in the casino debate, is there any provision for sharing the casino revenues. Senator Flowers said he does not see that as a real possibility.

Supervisor Medlin asked if Methodist Hospital is feeling differently about their hospital application. Senator Flowers said the Delegation was united on the hospital legislation. He said the last certificate of need was issued by the state in 1986. The certificate of need process does not consider people from DeSoto County going to Tennessee for health care or people from Tennessee coming to DeSoto County for health care and it includes a large territory outside of the DeSoto County health care area. Until that changes we will never be able to get a hospital. He said Methodist is not asking for money from the county or state. Supervisor Medlin said the Board appreciates Senator Flowers' work on the hospital. Supervisor Thach said the Board of Supervisors has been supportive of a new hospital for years.

Supervisor Bill Russell said he has been hearing that Arkansas is talking about adding a lottery. He asked if there is any talk about Mississippi getting a lottery. Representative Mayo said he has introduced it many times, but the Legislators do not anticipate a lottery in Mississippi.

Representative John Mayo discussed with the Board the legislative activity. He said that he has introduced the radar bill through many different avenues. The one thing he can suggest is for the Supervisors to talk to Warner McBride who is on the House side about that legislative effort. He said legislators on the House side introduced this legislation and it has not passed yet and he doubts it will pass in the coming year.

Representative Mayo said the Board is familiar with the MOST initiative. He said the House started passing local and private bills to accomplish the MOST authority. He said they passed all of the bills except for one that was introduced to the House. He was told by Percy Watson that MOST will be getting a hearing before the committee. He said the Board might want to consider a local and private for MOST in DeSoto County.

Representative Forrest Hamilton addressed the Board of Supervisors about the Legislative Session. He said that Representative Jennings called and said she was unable to be at the meeting today because she had twisted her ankle. Representative Hamilton said that Representative Mayo has an advantage because he is a Democrat in the House where the majority is controlled by Democrats. He said John Mayo is a friend to DeSoto County. He is a worker. He said the DeSoto County Delegation has to use Representative Mayo as the ramrod in the House. He said DeSoto County is not likely to get any good committee appointments. He said he has supported radar use for counties in the House. He is on the Medicaid Committee and Public Health as well. He said he voted for all of the MOST bills. Representative Hamilton complimented Jim Flanagan and said there are 67 Legislators coming to DeSoto County for the Legislative Weekend. He said this gives us an opportunity to promote DeSoto County. Representative Hamilton said he has been a liaison between Baptist and Methodist Hospitals.

Supervisor Russell said the Board talked to Commissioner Epps about putting DeSoto County on the list of counties approved to build a jail and he agreed to help DeSoto County in that effort. He said the Legislature has to pass and approve it before that happens.

Senator Flowers said DeSoto County was poised to have 300 inmates from the state. That would pay the payment on the building. He said it started out with three counties to have this opportunity. He said it was such a good idea that 15 counties wanted it and were added to the bill. He said, after it got loaded up, it died. He said maybe next year, we can go at the effort because DeSoto County is a high growth area.

The Board of Supervisors thanked the Delegation for their work and support of legislation in DeSoto County.

2. Legislative Weekend Update – June 6th, 7th, & 8th

Bill Renovich, Greg Ryan and Jim Flanagan appeared before the Board of Supervisors to discuss the Legislative Weekend which will be held June 6th, 7th and 8th. He said they would like to encourage the Board of Supervisors to attend the event. He said the committee has been working with the Sheriffs Office on the event. He said there are 74 people participating in the event. Greg Ryan explained that the committee will attempt to promote and show DeSoto County's stewardship during the Legislative Weekend. He presented a map of the county and indicated areas that will be showcased. **See Exhibit D.2**

E. CONSENT AGENDA

Supervisor Jessie Medlin questioned the interlocal agreement with the City of Olive Branch for the drainage study. Board Attorney Tony Nowak explained that this agreement is being made part of the minutes.

Supervisor Medlin asked about the school bus turnarounds being sent in so late. Road Manager Russell Dorris explained that the school bus turnarounds were approved by the Board of Education in February, but we are just now receiving the paperwork.

The Board of Supervisors considered approval of the Consent Agenda as presented. Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to approve the Consent Agenda as follows:

1. Accounting:

a. Travel Advance and Reimbursement – Sheriff’s Department – Scott Sanko – Dallas, TX- Law Enforcement Training – June 23 thru June 27, 2008 – Meals for six days - \$276.00

b. Request to Repay Interfund Loan

From:	Civic Center Tourism Building	\$40,000.00	(384-000-149)
To:	General County Fund	\$40,000.00	(001-000-054)

c. Interfund Loan

From:	General County Fund	001-000-054	\$65,000.00
To:	2004 Bond Construction Fund	380-000-149	\$65,000.00

2. Interlocal Agreement With the City of Olive Branch for Cost Sharing of Drainage Study

3. Grant – Accept Contract with MAC Tire Recyclers, Inc. for Waste Tires

4. Chancery Clerk Allowance - \$2,516.66

5. Circuit Clerk Allowance (2)

- (1.) May 13, 2008 Special Congressional Election Run Off Election - \$9,000.00
- (2.) Order of Allowances - \$5,471.00

6. Publication of Board Proceedings

7. Safety Officers Report (1)

8. Road Department:

a. School Bus Turnarounds (2)

(1.)			
R.G. Moore	8841 Baker Rd.	Lake Cormorant	781-2112
Inell Massey	3770 Dean Rd.	Hernando	901-212-0711
Jimmy R. Nelson	7600 Payne Lane	Olive Branch	895-6481
(2.)			
Dreyel Johnson	1100 Gaines Rd.	Hernando	429-5006
Victor Hinton	14470 DeSoto Rd.	Olive Branch	895-6186

b. State Aid - Annual Maintenance Inspection Report

c. Additions to Official DeSoto County Road Map and Register

ROAD	LOCATION	LENGTH
Encore Parkway	Encore “A” subdivision	.015
Harmony Cove	Encore “A” subdivision	.02
Rhapsody Cove	Encore “A” subdivision	.13
Plantation Oaks Drive	Plantation Oaks “A “ & “B” subdivision	.53
Commissary Cove	Plantation Oaks “A “ & “B” subdivision	.10
Commissary Road	Plantation Oaks “A “ & “B” subdivision	.17
Bonnie Blue Cove	Plantation Oaks “A “ & “B” subdivision	.06
Bonnie Blue Lane	Plantation Oaks “A “ & “B” subdivision	.13

9. Purchasing – Authorization for Vanessa Lynchard to Sign Purchase Orders

10. Re-activate Previously Disposed Vehicles for Sheriff’s Dept.

2FAHP71W15X121371
 2FAHP71W55X127075
 2FAHP71WX5X127086
 2FAHP71W35S127091
 2FAHP71W65X144385
 2FAHP71W55X152669
 2FAHP71W05X127081
 2FAHP71WX5X161626

11. Approval to Add Assistant Receiving Clerks:

a. Road Management – Amy Cooper

b. Adult Drug Court – Melinda Chamberlain

12. Updates to Authorizations to Sign Purchase Requisitions

EMPLOYEES DESIGNATED BY THE BOARD OF SUPERVISORS TO SIGN PURCHASE REQUISITIONS

DEPARTMENT	APPROVED TO SIGN	DATE APPROVED	DATE REMOVED
Accounting	Sarah Clenney	6/17/2005	
	Tom Arnold	3/17/2003	
Animal Services	Larry Houston	2/17/2004	
Board of Supervisors	Vanessa Lynchard	1/18/2005	
Building & Grounds	Kenny Evans	10/4/2004	
	Shawn Houston	5/19/2008	
Chancery Court	Mitchell Lundy		
	Melanie Wells		
	Vicki Cobb		
	Paoli Banchetti		
	Percy Lynchard		
	Linda Stinson	11/5/2007	
Chancery Court (Land & Court)	Joyce Sims	3/7/2001	
	Misty Heffner	1/3/2007	
Chancery Court Administrator	Percy Lynchard	1/18/2005	
	Linda Stinson	3/29/1999	
Circuit Clerk Office	Dale Thompson	5/19/2008	
Circuit Court Administration	Sally Garriga	1/18/2005	
	Bobby Chamberlin	1/18/2005	
	Jimmy McClure	11/5/2007	
	Andy Baker	6/13/2001	
Circuit Adult Drug Court	Craig Sheley	8/7/2006	
Constables	Michael Garriga	1/18/2005	
	Joe Holmes	4/5/2004	
Coroner	Jeff Pounders	5/19/1988	
County Administrator	Michael Garriga	1/18/2005	
	Vanessa Lynchard	3/16/1998	
County Court Judge	Allen Couch	1/16/2007	
County Court Administrator			
County Attorney	Craig Treadway	10/30/2000	
County Engineer	Andy Swims	1/7/2002	
DCAOP	Jeff Barnes	5/19/2008	

Dept. of Human Services	Kennette Hill	5/19/88 & 10/16/2000 & 10/16/00 & 6/24/02 & 6/2/03 & 12/5/05 & 12/17/07 & 3/5/07 & 6/4/07	
	Derrick Crawford	3/5/2007	
	Jeannie Weathers	12/17/2007 & 6/4/07	
Dept. of Road Management	Stanley Rochell	7/22/2002	
	Andrea Black	5/19/08	
	Russell Dorris	2/11/2002	
	Jimmy Cox	11/16/1998	
	Kim Northcutt - drainage acct.	10/21/2002	
DEPARTMENT	APPROVED TO SIGN	DATE APPROVED	DATE REMOVED
District Attorney's Office			
E-911	Jesse Kennedy	8/8/2001	
Elections	Marla Treadway 180 & 181	10/1/2001	
Election Commissioners	Tina Hill	3/21/2005	
	Paul Beale	3/21/2005	
Emergency Management Services	Bobby Storey	5/19/2008	
Emergency Medical Services	Bobby Storey	1/3/2003	
Extension Service	Sandy Slocum	5/5/2004	5/19/2008
	Carol Sicilia	5/19/2008	
Family & Children Services	Mary Vernon	11/5/2007	
	Carrie Munson	7/2/2001	
	John Reynolds	3/13/2001	
Fire Coordinator	Bobby Storey	1/3/2003	
GIS	Matt Hanks	10/15/2007	
Grants	Joyce Herring	2/15/2005	
Information Systems Technology	Larry Wood	5/19/2008	
Justice Court	Teresa Johnson	1/18/2005	6/2/2008
	Barbara Porter	1/28/2002	6/2/2008
	Debbie Rutherford	5/4/2005	
	Shirley Beshears	7/6/2005	
Justice Court Judges	Ken Adams	10/2/2006	
Juvenile Drug Court	Sammy Webb	5/19/2008	
Metro Narcotics	Charles Lanphere	7/17/2006	
	David Mitchell	2/21/2006	
	Mark Blackson	3/3/2003	
Operations & Transportation	Amy Henley	11/4/2002	
PBX	Vanessa Lynchard	1/18/2003	
Planning Commission	Jim McDougal	6/19/2006	
	Connie Scott	5/19/2008	
Purchasing Dept.	Jeannine Ruby	3/16/1998	
	Vanessa Lynchard	5/19/2008	
Sheriff's Dept.	Bill Rasco	1/7/2008	
	April Box	1/2/2007	
	Donna Ford 200, 201, 202, 220, 222, 223, 225	9/29/2003	
Tax Assessor	Linda White		
	Deanna Turner	5/19/2008	
Tax Collector	Carol Carpenter	9/25/2003	
	Elizabeth Riley	5/6/2002	
Youth Services	Sammy Webb	10/1/2007	
	Stephanie Davis	1/3/2007	5/19/2008
	Allen Couch	10/15/2007	

The motion passed by a vote as follows:

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

See Exhibit E

F. OLD BUSINESS

1. Inmate Medical Program - Contract

Board Attorney Tony Nowak said we have been working with a company regarding an inmate medical program. He said he needs to sit down with the company to develop an agreement for the county because, in the past, they have been passing sample agreements back and forth that have had many issues.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve and authorize the Board Attorney to work on a contract for inmate medical services at the DeSoto County Jail for consideration of approval by the Board of Supervisors. The motion passed by a vote as follows:

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

2. Kyles Creek

Planning Director Jim McDougal said, in May we considered a request to deny sidewalks in Kyles Creek Subdivision. The Board voted no at that time, but did discuss the possibility of changing the placement of the sidewalks. They only have a requirement for sidewalks on one side of the street. The County Engineer said five feet from the edge of the pavement will work fine for the placement of the sidewalks. The Board discussed the location of the sidewalks. Mr. McDougal said the County Engineer usually determines the placement of the sidewalks.

Supervisor Tommy Lewis suggested making it clear in the minutes that the County Engineer has authority to determine the placement of sidewalks in subdivisions. The Board of Supervisors agreed that he has that authority.

G. NEW BUSINESS

1. Olive Branch High School – Request for Assistance

Olive Branch High School Coach Scott Samsel and alumni Doug Hollowell appeared before the Board of Supervisors to ask for assistance to put down artificial turf on their football field.

Doug Hollowell said there is a big need in DeSoto County. He said Olive Branch High School is landlocked from supporting our athletics. He said a private effort has begun to change the turf on the football field. He said it is a totally supported project by all sports in

Olive Branch High School who use the football field. The turf that they are considering installing is a year round playing surface.

Mr. Hollowell said Olive Branch's first football game is in Miami and the team will be flown to Miami, FL. In October, when we play South Panola, the game will be televised on ESPN as a Friday Night Lights Game.

Supervisor Eugene Thach asked if the group has discussed the project with the School Board. Coach Samsel said the building of the new surface was approved by the Board. He said the Board will not put any money into the project but will maintain it after it is built. He said, last year, the Board of Education studied Olive Branch High School's athletic needs and came up with improvement needs of \$1.2 million. They had to put that aside to address educational needs. Coach Samsel said that Olive Branch High School is one of 30 Spotlight Teams that Nike has selected. He said the South Panola game will be on Friday Night Lights on national television. He said they approved a deal with Mayor Rikard and the City of Olive Branch for youth football to play on the surface. Youth football is for ages 5 thru 12. He said they talked about making the field available for other events as well. He said that a few years ago the school had eight sports; it now supports 18 sports. Coach Samsel said the group supporting the project will pay \$760,000 of the \$820,000 needed through fund raising and donations. He said the group is hoping to ask the Board of Supervisors for help with an eight inch limestone replacement and dirt work. He said they certainly could use the county's help with this project.

Mr. Hollowell said they would have the DeSoto County logo on the sign to the field and the field would support all sports in Olive Branch. He said the football program at Olive Branch funds 17 of the 18 sports in the school.

Sheriff Bill Rasco asked how long it will take to install the new surface. Coach Samsel said it will take eight weeks and we need to start by the end of the month in order to make the next season.

Mr. Hollowell said they met with bankers this month to ask for a joint effort in the future of DeSoto County.

Coach Samsel said the estimated cost on the initial dirt work is \$19,165. He said the estimated cost of the limestone and hauling of the limestone is \$79,279.

Supervisor Jessie Medlin asked where they will put the dirt. Coach Samsel said it will be put beside the football field and baseball field. Supervisor Medlin said he thinks it is a good effort for the school and the area. He said he would like to help the effort. He said if the county can do the dirt work and if they could use the county bid, it would save them money on the cost of the limestone.

Board Attorney Tony Nowak said they would have to enter into an agreement in order to use our bid.

Road Manager Russell Dorris said that Vulcan and Lehman Roberts have agreed to sell the limestone directly to the school or group doing the work for the county's price.

Supervisor Thach asked if the Road Department would have time to do the work. He said it is his understanding that the Road Department could not spare that much time off of county road projects. Mr. Dorris said that is correct. He said the county is not equipped to do that work in a timely manner. He said he has talked to a contractor about giving a price to do the work. He said they can move the dirt faster than the county because they have equipment.

Supervisor Russell said he has money in his Park Fund. He asked if the Third District can give money toward the effort. Mr. Nowak said the Board cannot give money from the Park Funds. He said you can do the work but the Attorney General has said the county cannot give money directly to schools for athletic field improvements. Supervisor Russell asked if this would fall under Advertising County Resources. Mr. Nowak said is not sure, but will

investigate this opinion. He said there is some discretion but like to review that option before recommending doing that.

Supervisor Medlin said, if the Road Department did this work, can it be reimbursed from the Park Funds. Mr. Garriga said you cannot move money from the General Fund to the Road Fund.

Supervisor Medlin asked if they rent the dirt pan, can we furnish a driver. Later Mr. Nowak said he was of the opinion the county could supply a driver if the school provided the equipment.

Supervisor Russell said he was raised in the county and he supports what the group is trying to do. He said he has become more aware of county issues since becoming involved in politics and he applauds the efforts of this group. He said we are struggling with many issues in the county right now but citizenship is at all time high.

Coach Samsel said there is no greater opportunity than athletics to get the schools and the community together.

Supervisor Russell asked if we can donate money to the city and let them donate it to the school. Mr. Nowak said he thinks they would be obligated to use it on city parks. He said the City of Olive Branch made a \$50,000 donation.

No motions were made nor votes taken on this issue.

2. National Guard Presentation

Sergeant Beasley and SFC Dennis Adams appeared before the Board of Supervisors to discuss National Guard concerns in DeSoto County. County Administrator Michael Garriga introduced Sergeant Beasley and SFC Adams and said there is an opportunity for the National Guard to get a grant that is matched 100%. He said, for any work the county does for the National Guard, the Federal Government will match the value of the work and send the National Guard the money.

Supervisor Bill Russell asked the status of the relocation of the aviation unit to the National Guard property. Mr. Garriga said it was looking good but they recently did a site survey with architect Marvin Johnson and a county representative and there was not enough space available on the property. Mr. Garriga said they wanted to build an additional facility and perhaps find another location for the National Guard. He said the city and county are very interested in working with the National Guard to build a new facility. He said the National Guard has requested the county's help to find property for a new building. Sergeant Beasley said the National Guard does not have a problem with the county's aviation building being at the National Guard location. They need ten acres for a new facility.

Supervisor Russell asked if the property can be sold and still allow the National Guard to stay on the property until the new building is completed. Mr. Garriga said yes, that may be possible.

Supervisor Russell asked what time line we are under for the aviation unit to move. Mr. Garriga said we can find a temporary home for the aviation unit until a permanent move can be made. Sergeant Beasley said they can adjust their fence for a temporary facility for aviation. He said they have five vehicles there and are trying to find a building for another vehicle.

SFC Adams said they would not have a problem with the Sheriff's office being in the same building with the National Guard. He said we have done that in other areas. He said that The Guard may get more in kind contributions and maintenance reimbursements. He said they want to be a more visible presence in the county. SFC Adams said they rent the Armory as much as possible but they need to have funding at a greater level than is available now. He said the City of Hernando gives the Armory \$300 per quarter. He asked if the county can

give money to the Armory as well. Sergeant Beasley said the building was built in 1972. He said our hands are tied because of a lack of funding. He said some air conditioners and heaters in the building do not work. He said some windows do not open. He said if they can get a work order with the value of work attached showing where the county maintained the building, the Federal Government will match that amount and return it to the National Guard. He said they are not asking for a lot of money, but some financial help to keep things going with the building. He said they doing the best they can with what they have.

Supervisor Thach asked if the county can help the National Guard. Mr. Nowak said that Section 33-1-3 of the Mississippi Code allows the county to give such funding.

Mr. Garriga said he recommends getting with Kenny Evans to see what kind of maintenance support the county can provide and the county can amend our landscape contract to add the Armory. He said maybe we can work a financial contribution into the FY 09 budget. Supervisor Medlin said he would like to see how much work we will do before we make monetary contributions. Mr. Garriga presented a list of work needs for the Armory to the Board of Supervisors. He said we can put a dollar figure on that list. Sergeant Beasley notified the Board of Supervisors that the National Guard will be mobilized again next year.

3. Old Road Store

Jon Williams, co-owner of the Old Road Store, appeared before the Board of Supervisors regarding the county's beer sales. Mr. Williams said he lives in Beuna Vista Subdivision and has been the co-owner of the store for three years. He was recently informed that beer cannot be sold before 1:00 p.m. on Sunday. He said we are in compliance with that law after he realized it was the law. He said, in the City of Hernando, beer is being sold at 7:00 a.m. He said he is losing business, as are other stores in the unincorporated county. He said what is hurting him, is people coming through to fish or boat on Sunday mornings. He said he sells fishing supplies and food and he is losing those sales as well. He said the city recently changed their ordinance to sell beer from 7:00 a.m. to 1:00 a.m. seven days a week and also to sell alcohol after 1:00 p.m. on Sunday.

Supervisor Russell asked if Mr. Williams is asking to change the ordinance in the entire county and if other counties allow beer sales outside the city limits. Supervisor Jessie Medlin asked if this is a state law. Mr. Nowak said the hours of beer sales on Sunday mornings in the unincorporated areas of DeSoto County.

Supervisor Russell made the motion and Supervisor Tommy Lewis seconded the motion to advertise for a Public Hearing to discuss the matter of beer sales on Sunday mornings in the unincorporated areas of DeSoto County. The motion failed by a vote as follows:

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

Supervisor Russell said he thinks the county should give the public a chance to give input about the matter. Supervisor Medlin said the people may not want the beer if they can buy it legally.

4. Accounting: Supplemental Claims Docket

Stephanie Hanks presented the claims docket to be paid for the various departments.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code annotated, Supervisor Bill Russell made the motion and Supervisor Tommy Lewis 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 vote as follows:

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

See Exhibit G.4

5. Voting Change – Pleasant Hill North

Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to accept the notice from New Beginnings Baptist Church that the church is longer available as a voting precinct in the Pleasant Hill North voting area and making the notice a part of the minutes. The motion passed by a vote as follows:

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

See Exhibit G.5

6. Adult Drug Court - Lease Agreement for Copier

Vanessa Lynchard explained that the Adult Drug Court has a need for a copy machine after they moved to the Gale Center. She tried negotiating a contract through many different avenues and found the most cost effective to be a four year contract with Copyplus Inc, to provide a copier for the Adult Drug Court that will expire at the same time the other county contracts expire after the next term. The motion passed by a vote as follows:

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

See Exhibit G.6

7. Board Attorney

a. Hearing for 2008 General Obligation Bond Issue/No Protest Resolution

Financial Advisor Demery Grubbs reminded the Board that this is the date of the No Protest Hearing on the county bonds. He asked for anyone to come forward with any protests. No one came forward.

Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to approve a resolution finding and determining that the Resolution Declaring the Intention of the DeSoto County Board of Supervisors to issue General Obligation Bonds Series 2008 of DeSoto County, Mississippi, In the Maximum Principal Not to Exceed Forty Five Million Dollars Adopted on This the 21st Day of April, 2008, Was Duly Published as Required By Law That No Sufficient Protest Against the Issuance of the Bonds Described in the Resolution has Been Filed by the Qualified Electors and Authorized the Issuance of the Bonds. The motion passed by a vote as follows:

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

Mr. Grubbs said the Board has 24 months to issue the bonds up to forty five million dollars.

See Exhibit G.7.a

b. MDB Pool Loan – Document Approvals

Financial Advisor Demery Grubbs reminded the Board that they had requested money from the Mississippi State Development Bank. He presented documents for approval for the county to obtain money through the Bank and the Board President to sign documents as needed up to five million dollars. Mr. Grubbs said once the Board approves these documents, he will carry them before the State Development Bank Board.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the resolution, loan agreement, the note, the intercept agreement, the request for advance form and the and the loan for the Mississippi Development Bank and authorize the Board President to sign the agreements and other necessary documents to complete the securing and processing of the loan. The motion passed by a vote as follows:

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

c. Approval of Fire Protection Agreements

Board Attorney Tony Nowak presented Fire Protection Agreements to the Board of Supervisors for their approval.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve Rural Fire Protection Agreements between the county and the

- 1.) ACI Volunteer Fire Department and the Board of Directors of the ACI Volunteer Fire Department
- 2.) Bridgetown Volunteer Fire Department and Board of Directors of the Bridgetown Volunteer Fire Department
- 3.) Eudora Volunteer Fire Department and the Board of Commissioners of the Eudora Volunteer Fire District
- 4.) Fairhaven Volunteer Fire Department and the Board of Directors of the Fairhaven Volunteer Fire Department
- 5.) Lewisburg Volunteer Fire Department and the Board of Commissioners of the Lewisburg Volunteer Fire District
- 6.) Love Volunteer Fire Department and the Board of Directors of the Love Volunteer Fire Department
- 7.) Nesbit Volunteer Fire Department and the Board of Directors of the Nesbit Volunteer Fire Department
- 8.) Summershill Volunteer Fire Department and the Board of Directors of the Summershill Volunteer Fire District
- 9.) Walls Volunteer Fire Department and the Board of Commissioners of the Walls Volunteer Fire District.

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Eugene C. Thach-----YES
 Supervisor Bill Russell-----YES

No motions were made nor votes taken on this issue. **See Exhibit G.9.a**

b. Victoria Drive

Road Manager Russell Dorris said that underground storm drainage located at 4780 Victoria Drive is failing in the Bridgetown Subdivision. He said this has already created a dangerous situation in many areas of the subdivision and this is included in that designation. He said the drainage has become disjointed and erosion has taken place. The deterioration of the pipes has caused several large holes to appear on the property and it is creating a hazardous situation that needs repair.

Mr. Dorris said, in his opinion, that the public health, safety and welfare of the citizens of DeSoto County are being jeopardized by this situation and he presented photographs of evidence of that claim. He said it will take two days to repair the damage at a cost of approximately \$3,837.90 for labor, equipment and materials. He asked the Board's direction in making this repair.

At the recommendation of the Road Manager, Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to approve the Road Department making repairs on Victoria Drive in the Bridgetown Subdivision, based on the Road Manager's assessment that the current situation affecting the health, safety and welfare of the citizens of DeSoto County and to acknowledge that the estimated cost of repair will be \$3,837.90 for labor, equipment and materials. The motion passed by a vote as follows:

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

See Exhibit G.9.b

c. Jaybird Road

Road Manager Russell Dorris made the Board of Supervisors aware of a situation at 2150 Jaybird Road. He said the culvert is off the driveway and on private property. He said the matter was before the Board of Supervisors on April 18, 2005 and May 2, 2005, approval was given to remove debris from the ditch on Jaybird Road and the aforementioned culvert because it was affecting the roadway at that time. Mr. Dorris said it is no longer affecting the roadway, but the property owner has asked for assistance.

The Board of Supervisors acknowledged there is nothing that they have legal authority to do to help in this situation. **See Exhibit G.9.c**

H. EXECUTIVE SESSION

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

I. OTHER

1. Greenway Symposium

Supervisor Bill Russell said there will be a Greenway Symposium from 8:30 until 3:30 on June 12th at the DeSoto Civic Center. He encouraged the Board members to attend the symposium.

2. Ordinance – Open Container Law

Supervisor Bill Russell reminded the Board of Supervisors that the county does not have an ordinance on open containers. He asked Sheriff Bill Rasco if he feels like this is important enough issue to act on. Sheriff Rasco said yes.

Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to advertise for a Public Hearing for an ordinance relating to open containers in DeSoto County. The motion passed by a vote as follows:

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

3. Board of Education – School Bond

Supervisor Jessie Medlin said he wanted everyone to understand that there is confusion about where voters will vote on the school bond issue. He said the Board of Supervisors did not have anything to do with moving the polling places. Supervisor Medlin said he is afraid people will miss the opportunity to vote tomorrow because of the change in polling places.

4. Travel

Vanessa Lynchard explained that she and Karen McNeil need to go to Jackson for certification training for Purchasing. She said most of the county employees went for training today but because there was a Board meeting and because the two Purchasing employees could not be gone at the same time, it will be necessary to travel to Jackson for the training.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to authorize the Clerk to write checks for lodging, registration and other expenses associated with travel to certification training. The motion passed by a vote as follows:

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

5. Roads – I-269

Supervisor Jessie Medlin asked what is the next step in the development of the I-269 bond. He said after the county approved that bonds for the roadway, the state has been unwilling to work with the county. Mr. Grubbs said he will follow up with MDOT on that issue.

6. BOS Meeting – June 16

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to set the third Board of Supervisors meeting in June, to June 13, 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-----ABSENT
Supervisor Tommy Lewis-----YES

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to adjourn the meeting until June 2, 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-----ABSENT
Supervisor Tommy Lewis-----YES

THIS the 19th day of May 2008, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Allen Latimer, President
DeSoto County Board of Supervisors