

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

BILL RUSSELL, PRESIDENT 2007 PRESIDING

December 17, 2007

A. CALL TO ORDER

The December 17, 2007, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Bill Russell, Board President.

Chief Deputy Charlie Brown 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 James Albert Riley-----Sheriff’s Department

B. INVOCATION

Supervisor Allen Latimer presented the invocation.

C. PLEDGE OF ALLEGIANCE

Sheriff James Albert Riley said he has enjoyed his association with the Board of Supervisors and appreciated the Board’s help throughout the years. Sheriff Riley said he has enjoyed serving the Board and the people for the last 24 years as Sheriff of Desoto County. Sheriff Riley said that he will assist Sheriff-elect Rasco in any way he can and he supports Sheriff Rasco one hundred percent and wishes him the best in his service as Sheriff of Desoto County. The Board of Supervisors acknowledged Sheriff Riley and thanked him for the exemplary way he has served the people of DeSoto County as Sheriff and thanked him for the spirit in which he has worked with the Board.

D. CONSENT AGENDA

1. **Approval of Chancery Clerk Allowance** - \$2,366.66
2. **Approval of Circuit Court Clerk Allowance** - \$1,152.00
3. **Accounting**

a. Repay Interfund Loan

From:	Sigma Supply	\$51,000.00	(055-000-149)
To:	General County Fund	\$51,000.00	(001-000-054)

b. Approval for Interfund Loan

From:	General County Fund	\$110,000.00	(001-000-054)
To:	2004 22 Million Bonds I&S	\$110,000.00	(212-000-149)

c. Approval of Late Payment – UASI Grant Invoices

PO#	Vendor	Fund#	PO Date	Amount
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96903	Lab Safety	273	Oct-07	\$ 4,691.60
96825	Lowes	273	Oct-07	\$ 4,969.75
96586	Pro Fire	273	Oct-07	\$ 23,930.91
96885	RSC	273	Oct-07	\$ 4,819.96
96886	RSC	273	Oct-07	\$ 42.96
96904	Safety Systems	273	Oct-07	\$ 749.85
				\$ 39,205.03

4. **Safety Officers Report (2)**

5. **Animal Services – Declare Surplus and Auction 2003 Dodge Pickup Truck**

Asset #	VIN #	Description
32448	1D7HA18N33J573291	2003 Dodge Ram 1500 Pickup Truck

6. **DHS**

a. **Approval to Sign Purchase Requisitions – Kennette Hill, Director and Jeanie Weathers, Supervisor**

b. **Approval to Sign Receiving Reports – Rhonda Newell and Livia Harris, Supervisor**

7. **Grant**

a. **Accept Household Hazardous Waste Grant and Authorized Board President to Sign**
\$28,125.00 Expiration Date – December 31, 2008

b. **FY07 Cooperative Agreement and Authorize Supervisors to Sign**

Homeland Security program Fiscal Year 2007

Total Award: \$125,000.00

(2.5% allowable for maintenance and administrative costs.) (\$3,125.00)

8. **Make Documents Part of the Minutes**

a. **Cap Loan for Desoto County Tourism Building**

b. **Interlocal Agreement with the CVB (Tourism Building)**

c. **MOU - Miller's Station Subdivision**

d. **Interlocal Agreement – Metro Narcotics – City of Hernando**

e. **Tax Assessor and Collector – Agreement with Cities**

(1.) **Tax Assessor** - Order of the Desoto County Board of Supervisors Approving Payment of Additional Compensation To the Desoto County Tax Assessor, for Collecting the Taxes of the Cities of Hernando, Horn Lake, Olive Branch, Southaven and the Town of Walls

(2.) **Tax Collector** - Order of the Desoto County Board of Supervisors Approving Payment of Additional Compensation To the Desoto County Tax Collector, for Collecting the Taxes of the Cities of Hernando, Horn Lake, Olive Branch, Southaven and the Town of Walls

f. **Hernando Civic Center**

(1.) **Resolution Regarding Lease and Regulations**

(2.) **Management Agreement**

(3.) **Lease Agreement**

g. **Contract for Services With the Desoto County Circuit Court Clerk for Voting Machines**

9. **Approval to Travel – Supervisor Orientation Workshop – December 19, 2007**

Supervisors and other county employees or elected officials as necessary.

10. **Department of Road Management**

a. **School Bus Turn Arounds**

Amanda Waddle	14333 French Rd.	Olive Branch	662-501-0335
Angela Mayoza-Sanders	4087 Hwy 305 S.	Hernando	662-233-2333 hm. 662-209-6000 cell
Leslie Brant	3289/3295 Hunter Rd. N	Southaven	429-3222
Robert Smith	End of Michael Drive	Lake Cormorant	901-848-1936 cell 429-0044 hm

b. **Approval to Bid Equipment and authorize Opening Bids**

One or more:

Motorgrader

Track Excavator

Loader/tool carrier w/optional equipment, 4-wheel drive, rubber tire

Rubber tire Backhoe/Loader

Utility dump trucks (1 ton, 2 yards)

Tandem dump trucks (17 yards)

Knuckle boom loader (boom truck)

Tractor w/mechanical batwing mower

Tractor w/hydraulic batwing mower

Tractor w/boom mower

Mechanical Street Sweeper
Pick up truck, ½ ton, 2 wheel drive, extended cab
Pick up truck, ½ ton, 2 wheel drive, crew cab
Pick up truck, ½ ton, 4 wheel drive, extended cab
Pick up truck, ½ ton, 4 wheel drive, crew cab
Pick up truck, ¾ ton, 4 wheel drive, extended cab
Pick up truck, ¾ ton, 4 wheel drive, crew cab
Pick up truck, ¾ ton, 2 wheel drive, extended cab
Pick up truck, ¾ ton, 2 wheel drive, crew cab

Regarding Item 2. – Approval of Circuit Court Clerk Allowance

Vanessa Lynchard notified the Board of Supervisors that Circuit Clerk Dale Thompson stated that this item should be removed from the Agenda as it will be handled through the claims process.

Regarding Item 3.c - Approval of Late Payment – UASI Grant Invoices

Supervisor Jessie Medlin asked if there is a list of items for which they will spend the UASI grant money. He said categories are listed on the paperwork enclosed but he would like to know what they are going to buy. County Administrator Michael Garriga said he is not sure, but he will get that information and report back to the Board.

Later in the meeting Grants Administrator Joyce Herring and Deputy Director of Emergency Management Agency Tim Curtis joined the meeting. They presented copies of the purchase orders showing the list of equipment and items that were ordered with the grant money. They explained that if the invoice is not paid today the county will not be reimbursed for the expenses. Supervisor Bill Russell asked if any of these tools can be used on a daily basis for other reasons. Mr. Curtis said, they can be used, but it is preferred that they be kept together to be used in case of an emergency.

Regarding Item 8.c – MOU – Miller’s Station Subdivision

Supervisor Jessie Medlin asked who will do the work in the agreement: the developer, the county or the owner. Board Attorney Tony Nowak said the developer is responsible for doing the work. He said the county will not do the work. Supervisor Medlin said that Mr. Loftin said he would like for his contractor to do the work because the contractor would be responsible.

Regarding item 8.e – Tax Assessor and Collector – Agreement with Cities

Supervisor Jessie Medlin said he understood Mr. Treadway to say that these figures were the same as previously agreed which was fifty cents per parcel. He asked if the fees quoted are different. Board Attorney Tony Nowak said yes; they are negotiated fees between the Tax Collector and the cities. Supervisor Medlin clarified that all of this money will come into the county and be paid by the county. Mr. Nowak and County Administrator Michael Garriga said that is correct. Supervisor Medlin clarified that the \$2,500 fee comes out of the \$100,000 cap. Mr. Nowak and Mr. Garriga said that is correct.

Supervisor Allen Latimer made the motion and Supervisor Tommy Lewis seconded the motion to approve the Consent Agenda items with the exception of the Circuit Court Clerk Allowance which will be removed at the request of the Circuit Clerk. The motion passed by a unanimous vote.

See Exhibit D

E. OLD BUSINESS

F. NEW BUSINESS

1. Levee Board – FEMA Maps

Kelly Greenwood, CEO, Chief Engineer of the Yazoo Mississippi Delta Levee Board, and Robert Sayle appeared before the Board of Supervisors to discuss the Yazoo Mississippi Delta Levee Board's reaction to the updated FEMA Maps. Mr. Greenwood said that Mr. Robert Sayle is going into his thirty-second year on the Yazoo Mississippi Delta Levee Board. Mr. Greenwood said that Mr. Sayle's family has been on the Levee Board since 1921 and he is an active member on the Board as was evident by his presence at the Board meeting.

Mr. Greenwood said that FEMA put a warning on the updated FEMA Maps that has caused a problem. The warning is as follows:

“WARNING! This area is shown as being protected from the 1-percent-annual-chance flood hazard by levee, dike, or other structure. Overtopping or failure of this structure is possible, which could result in destructive flood elevations and high velocity floodwaters. There is a chance that the large floods will occur that are greater than the level of protection provided by the levee. Communities should issue evacuation plans and encourage property owners behind these structures to purchase flood insurance even if the structure is currently shown as providing protection for the 1-percent-annual-chance-flood.”

Supervisor Bill Russell said, other than the warning, are the maps okay. Mr. Greenwood said some areas have changed zones. He said that FEMA admitted they did not use scientific data in all areas of the map revisions. He said that is an issue for the Levee Board.

Mr. Greenwood said that the Yazoo Mississippi Delta Levee Board is associated with several national and regional associations. He said as soon as the Levee Board found out about the issues with the maps, they put FEMA on notice that they were going to file a complaint summary. Mr. Greenwood explained that this action would formally address issues the Levee Board has with the maps.

Mr. Greenwood said that forty one percent of the United States drains into the Mississippi River. He presented a chart of the contributors into the Mississippi River drainage.

Mr. Greenwood explained that FEMA shows two hundred eighteen feet to be the one hundred year flood stage at the Bass Landing area. He said it is an issue for the Levee Board that FEMA gave zero credit for the flood banks that were built by the Levee Board.

Mr. Greenwood said that FEMA sells flood insurance and they are in debt. He said the warning statement has caused lending institutions to require flood insurance and that flood insurance is usually purchased from FEMA.

Supervisor Bill Russell asked if the warning statement on the map is true. Mr. Greenwood said yes, partially. Mr. Greenwood said FEMA is lumping our river system in with the rest of the levees and the Yazoo Mississippi Delta Levees are in substantially better shape than many of the other levee districts. Mr. Greenwood presented a proposed amendment to change the warning statement on the maps. He said the new language has already passed Congress. It is in committee in the Senate now.

Mr. Greenwood said that FEMA took the one hundred year flood and treated the Mississippi like a regular waterway like the Coldwater River. He said the Mississippi River is unique and the floodway spans hundreds of miles. He said the study did not reflect that.

Supervisor Allen Latimer asked if the Levee Board has talked to the Delta Regional Authority. Mr. Greenwood said no. Mr. Greenwood explained that some levees are not well kept. He said the Yazoo Mississippi Delta Levee Board has won the levee award for forty years in a row.

Supervisor Bill Russell clarified that financial institutions are requiring flood insurance. Mr. Greenwood said the maps are not out for most areas. He said Desoto County was an early area to be studied.

Supervisor Latimer asked who is responsible for contacting them. Mr. Greenwood said that the Yazoo Mississippi Delta Levee Board is a flood control agency on the Mississippi River. He said he would like the Delta Regional Authority to contact them. Supervisor Latimer said it would be a good idea for the Levee Board to contact the Delta Regional Authority. Mr. Greenwood said yes.

Mr. Greenwood said it would be good for the county to encourage the Senators to support the bill to change the language on the maps. He said FEMA did not use scientific data when they added the warning on the maps. Mr. Greenwood said he just wants people in the Delta to make a decision on whether to get flood insurance.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to have the County Administrator talk to the Senators in Washington and to draft a letter or resolution to support the Yazoo Mississippi Delta Levee Board's request based on the recommendation of the Levee Board. The motion passed by a unanimous vote.
See Exhibit F.1

2. Baptist Hospital

Jim Ainsworth addressed the Board of Supervisors and said he is the Vice President of Operations of Baptist Hospital outside of the Memphis area. Mr. Ainsworth said he is not responsible for metropolitan Memphis. Mr. Ainsworth said in preparing for the next legislative session, the hospital has been having meetings with our elected officials. He said we have covered issues that affect Desoto County. He said they are facing issues with a manpower shortage in addition to issues mandated by funding. Mr. Ainsworth said the baby boomers are supposed to overpower the amount of health care professionals in coming years. He said they are also battling the Certificate of Need process. Mr. Ainsworth said that Senator Davis said there are concerns about the Certificate of Need process from the Board of Supervisors. Mr. Ainsworth said he called his Supervisor, Tommy Lewis, about the Certificate of Need process and he asked Mr. Ainsworth to come before the Board today. Mr. Ainsworth said that what he will be showing the Board is information generated by the state agency in Mississippi.

In explaining the Certificate of Need process, Mr. Ainsworth said, in 1945 Congress enacted the Hill Burton Act. In 1946, Mississippi created the Commission on Healthcare. In the 1970's, Congress ordered and the Mississippi Legislature approved, the Certificate of Need law. In the 1990's, the Mississippi Legislature transferred the Certificate of Need responsibilities to the Department of Health. Mr. Ainsworth showed a map that indicated which states are required to have a Certificate of Need process. He said the purpose of the Certificate of Need process was to prevent unnecessary duplication of health resources.

Supervisor Bill Russell asked why is competition different in the hospital industry than any other industry. Mr. Ainsworth said, if a patron enters any other industry to make a purchase of goods or services, they must pay at the time the purchase is rendered. He said, in any other industry, payment is made when services are rendered. He said, in healthcare, the provider must provide services, regardless of the patient's ability to pay. He said a hospital has to take a person whether they can pay the bill or not. Mr. Ainsworth said that one out of every six people entering hospital is indigent with no ability to pay their bill. He said one out of eight is covered by Medicaid, and Medicaid only covers about thirty percent of the cost of healthcare. Mr. Ainsworth said that Medicare covers slightly over sixty percent of the hospital's cost and that is true all over the state. He said people who can pay their bill cover the cost of the people who cannot pay their bill. Mr. Ainsworth presented a map that showed where hospitals are not available. The Certificate of Need process considers that hospitals serve people outside their county. He said the boundary can be changed by the governor or

by the legislature with approval by the governor. He said their hospital service area includes Marshall, Tate and Panola Counties plus Tunica.

In 2005 the Mississippi Hospital Association asked an outside firm to look at the Certificate of Need process. Mr. Ainsworth said Baptist Hospital supports a change but they were not included in the state health plan. He said they invited ten to twelve providers and Baptist Hospital was one that was invited to discuss the issue. Mr. Ainsworth said their organization supports the recommendations for change to the Certificate of Need process. The Department of Health did submit a plan to change the Certificate of Need process.

Supervisor Bill Russell asked what the changed Certificate of Need process will do for Desoto County. Mr. Ainsworth said there are about five or six major issues in the revised plan. It will exempt greater than \$1.5 million hospital expenditures for non health needs such as parking garages. He said if you want to convert a mobile mammography unit to a permanent facility, you can. Mr. Ainsworth explained that we are in a medically underserved area.

Supervisor Russell asked if that shows the need for another hospital. Mr. Ainsworth said, not with the rules that are in place today.

Supervisor Bill Russell asked if they have figures on who uses other facilities outside of Desoto County that live within the Desoto County area. Mr. Ainsworth said that fifty eight percent of patients in the area do not use the Desoto County hospital.

Supervisor Bill Russell asked what is happening in states that do not have a Certificate of Need. Mr. Ainsworth said that in Texas the cost of care is more than any of the states with a Certificate of Need.

Mr. Ainsworth said he appreciates the opportunity to come before the Board of Supervisors to talk about these issues.

Supervisor Bill Russell asked if Mr. Ainsworth and Baptist Hospital support keeping the Certificate of Need process. Mr. Ainsworth said yes, because it controls the cost of healthcare.

Supervisor Allen Latimer said he is sure that Texas has a large immigrant population that could contribute to their escalating cost. He asked if that drives up the cost of healthcare. Mr. Ainsworth said, without a Certificate of Need, the hospital is not required to take care of indigent patients.

Supervisor Bill Russell asked if there are any plans to upgrade trauma care from Level 4 to a higher level. Mr. Ainsworth said that Baptist DeSoto is built to be a Level 3 hospital. The issue is manpower. He said that they are in a critical shortage as we are all across the country. One third of the physicians are greater than fifty five years old. One fourth of the physicians are older than sixty five years of age. The hospital in Jackson, MS admits one hundred ten medical students per year which is the same as the 1980's. He said Baptist Hospital is in negotiations with University Medical Center to fund a faculty position if they will graduate ten additional students.

Supervisor Russell asked if there is a plan for Baptist DeSoto Hospital to go to a Level 3 care. Mr. Ainsworth said that as soon as they can bring additional staff, they will do that.

Supervisor Jessie Medlin asked why they are unable to get doctors from Memphis into Desoto County. He asked why they do not want to practice in Mississippi. Mr. Ainsworth said a Level 3 hospital in Memphis is the same as a Level 4 hospital in Mississippi.

Supervisor Allen Latimer asked why we cannot attract physicians to Baptist DeSoto. Mr. Ainsworth said the quality of life is important to graduates and they are not willing to sacrifice quality of life. He said that greater than fifty percent are female and seventy percent

of medical students are female. He said female employees do not tend to work as long as male employees. **See Exhibit F.2**

3. Accounting

a. Approval of Depository Bids

Comptroller Tom Arnold presented bids for depositories as follows:

RECAP OF COUNTY DEPOSITORY BIDS
(Bids opened 12-6-2007)

VARIABLE RATES AS OF 12/11/07

	Bancorp South (HERNANDO)	First Security Bank (HERNANDO)	Trustmark National Bank (HERNANDO)	DeSoto County Bank (HORN LAKE)	Renasant Bank (HERNANDO)	Sycamore Bank (HERNANDO)	Citizens National Bank (OLIVE BRANCH)
1. Demand Deposit Accounts							
(Non-Interest Checking Accounts)							* SEE NOTE BELOW
Monthly Fee	0	0	0	0	0		0
Debit Fee	0	0	0	0	0		0
Items Deposited Fee	0	0	0	0	0		0
Deposited Items Returned Fee	0	0	0	0	0		0
Other Fees	N/A	0	0	0	0		0
<i>***ACH Debit/Credit</i>							
(Interest Bearing Checking Accounts)							
Monthly Fee	0	0	0	0	0		0
Debit Fee	0	0	0	0	0		0
Items Deposited Fee	0	0	0	0	0		0
Deposited Items Returned Fee	0	0	0	0	0		0
Minimum Balance to Earn Interest	0.00	1.00	0.00	1000.00	0.00		0.00
Interest Rate Bid	Variable- 1 Year-	Variable No 1 Year Bid	Variable- 1 Year-	Variable- 1 Year-	Variable- 1 Year-		Variable- 1 Year-
Fed Funds Rate	Fed Funds Rate		Fed Funds Rate	Fed Funds Rate	Fed Funds Rate	Submitted	Fed Funds Rate
less .25	less .25		less .40	less .50	less .35	Bid for	less 1.00
(Currently 4.00%)			(Currently 3.85%)	(Currently 3.75%)	(Currently 3.90%)	Investment	(Currently 3.25%)
2 Years	2 Years		2 Years	2 Years	2 Years	Purposes Only	2 Years
Fed Funds Rate	Fed Funds Rate	Fed Funds Rate	Fed Funds Rate	Fed Funds Rate	Fed Funds Rate		Fed Funds Rate
less .20	less .20	less .60	less .40	less .50	less .35		less .75

	(Currently 4.05%)	(Currently 3.65%)	(Currently 3.85%)	(Currently 3.75%)	(Currently 3.90%)	(Currently 3.50%)
Is Interest Rate Variable or Fixed (When does it change?)	Variable	Variable	Fixed 1 Year - .50% 2 Years - .25%	Fixed 1 Year - 3.50% 2 Years - 3.50%	Fixed 1 Year - 3.62% 2 Years - 3.234%	Fixed 1 Year - 3.75% 2 Years - 3.50%

Balance required to offset all activity charges	N/A	0	0	0	0	0
Other Fees	N/A	0	0	0	0	0

2. Direct Deposit of Payroll

Set-Up Fee	N/A	0	0	0	0	0
Pre-Notification Fee	N/A	0	0	0	0	0
Transaction Fees						
Debit	0	0	0	0	0	0
Credit	0	0	0	0	0	0
File Fee	N/A	0	0	0	0	0
Returned Item Fee	0	0	0	0	0	0
Other Fees	N/A	0	0	0	0	0

3. Automated Balance Reporting Via PC

Set-up Fee	N/A	0	0	0	0	0
Communications Software	N/A	0	0	0	0	0
Monthly Fee	0	0	0	0	0	0
Covers How Many Accounts	5	ALL		All	0	0
Additional Accounts Fee	0	0	0	0	0	0
Other Fees	N/A	0	0	0	0	0

4. Miscellaneous Bank Services

Cost of Deposit Slips	no charge	0	0	0	0	0
Wire Transfers	no charge	0	0	0	0	0
Stop Payment Fee	no charge	0	0	0	0	0
Additional Account Statements	N/A	0	0	0	0	0
Official Checks	no charge	0	0	0	0	0
Return Deposit Charge	0	0	0	0	0	0
Other Fees	no charge	0	0	0	0	0

FORMS SUBMITTED:

Depository Bid Sheet	yes	yes	yes	no	yes	By letter for investment of surplus funds only	yes
Official Proposal Form	yes	yes	yes	yes	yes		yes
Copy of State Commission	yes	yes	yes	yes	yes	yes	yes

***NOTE: On the Renasant bid, the interest rates offered are for normal deposits. Any bond proceeds or special funds derived from other than tax collections or normal revenues would be at a rate based on market conditions at the time.**

Bancorp South (HERNANDO)	First Security Bank (HERNANDO)	Trustmark National Bank (HERNANDO)	DeSoto County Bank (HORN LAKE)	Renasant Bank (HERNANDO)	Sycamore Bank (HERNANDO)	Citizens National Bank (OLIVE BRANCH)
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5. Sweep Account Using Repurchase Agreement

Comparable Account Rate:
Current interest rate as of _____date(When do rates change?)

10	N/A	N/A	2.85%	N/A	1.775%
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	N/A	N/A	as of 11/28/07	N/A	as of 1/10/06	
Standard rate(How much in relation to this will you pay?)	N/A	N/A	adjustable	N/A		
	N/A	N/A		N/A		
Monthly Sweep Fee	N/A	N/A	150.00	N/A	100	100
Minimum Balance Requirement	N/A	N/A	100,000.00	N/A	0	
Account Charges:						
Monthly Fee	N/A	N/A	0	N/A	17	
Debit Fee	N/A	N/A	0	N/A	0.165	
Items Deposited Fee	N/A	N/A	0	N/A	0.11	
Deposited Items Returned Fee	N/A	N/A	0	N/A	6.5	
Other Fees	N/A	N/A	0	N/A	0.35	

Mr. Arnold recommended to stay with Bancorpsouth on the main account and to designate all of the other facilities for investment purposes.

At the recommendation of the Comptroller, Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to approve Bancorpsouth (Hernando), as the county depository and to accept Bancorpsouth (Hernando), First Security Bank (Hernando), Trustmark National Bank (Hernando), Desoto County Bank (Horn Lake), Renasant Bank (Hernando), Sycamore Bank (Hernando) and Citizens National Bank (Olive Branch) as county depositories for investment purposes. 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 F.3.a

b. Supplemental Claims Docket

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

See Exhibit F.3.b

4. Air Quality Update

The Director of Planning Jim McDougal said there have been discussions recently about air quality in the newspapers. He said that three years ago when designations for attainment and non-attainment came about, Shelby County was in a non-attainment designation but there are different categories for non-attainment. Shelby County was initially designated as moderate. They appealed to EPA and requested they be given three years to become compliant and asked to be designated as marginal. EPA did that and now it is three years later. EPA is talking to Shelby County about changing them back to moderate. Mr. McDougal said he has been in contact with DEQ and DEQ has been in contact with EPA. He said Desoto County is not in any danger of changing to a non-attainment designation. There is talk of a monitoring program for businesses. It would take eighteen months for that to happen.

Supervisor Bill Russell asked if the Memphis numbers have actually come down in the last year. Mr. McDougal said that Shelby County's numbers are coming down but Crittendon County's numbers are going up.

Mr. McDougal said on the five days when the air quality showed an excessive reading on the meter, the wind was out of the north. He said that Selby County has not determined any of their days of bad air quality were due to winds from the south.

Supervisor Russell said, in fairness to Mayor Wharton, we have several plans and programs and a no idling policy for government cars and buses. He asked if we should be stricter on our industries. He said, what we put in the guidelines, determines what our businesses do to

control air quality. Supervisor Russell asked why we should wait until we are mandated to control industry more strictly.

Mr. McDougal said we have seven industries in the county that are precursors to produce emitents. They are all voluntarily participating to restrict emissions. EPA says there is nothing else we can do.

Supervisor Russell asked if we were in non-attainment would those standards change. Mr. McDougal said he does not think so. The whole idea is if we shut DeSoto County down to strictly farm land, it would change our ratings very little.

5. Sustainability Conference

Supervisor Tommy Lewis requested a brief outline of the Sustainability Conference. Mr. McDougal said it is a study sponsored by the cities. He said professional planners and speakers will discuss planning techniques. The conference will be held on January 11, 2008.

Supervisor Bill Russell asked Mr. McDougal what he thought about all of the planning commissioners attending the conference and the county paying for their participation in the conference. Mr. McDougal said that would be a great idea.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to encourage Planning Commissioner appointees to go to the Sustainability Conference and have the county pay for the Planning Commissioners, Board members and county employees as necessary to attend the conference. 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-----YES

6. Request from City of Hernando

a. Oak Grove Road

City of Hernando Engineer, Joe Frank Lauderdale, discussed Oak Grove Road between Highway 51 and Robertson Gin Road with the Board of Supervisors. He said the city is working on the section of roadway now. He requested help to clear the right of way and to haul in dirt. He said we have some people who will donate the dirt and extend some drainage pipes. We are trying to make a three lane road in this section.

Supervisor Jessie Medlin asked how far the dirt is from the job. Mr. Lauderdale said one half mile south of Robertson Gin Road and there is some on Malcolm Harris' property.

Supervisor Jessie Medlin asked the Road Manager Russell Dorris if he has looked at the request. Mr. Dorris said yes, and he does not have any exact numbers because he does not know quantities yet. Supervisor Medlin asked if it will take one or more weeks to complete. Mr. Dorris said he does not know. Mr. Dorris said he can get those numbers and report back to the Supervisors.

Supervisor Medlin said we may be able to fund some of the hauling rather than tie up equipment for a long period of time.

Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to allow the Road Manager Russell Dorris and City of Hernando Engineer, Joe Frank Lauderdale to work up an estimate to determine the cost of the county's

participation in the Oak Grove Road project for cost and time. The motion passed by a unanimous vote.

b. Motor Scooter Drive

City of Hernando Engineer, Joe Frank Lauderdale, said a subdivision was designed which has resulted in water running over the road. He said automobiles keep running off the road into the ditch and that issue should be addressed to protect the public.

Supervisor Bill Russell asked about help to get the telephone company to bury the cable at the EMA office which is also in the area of this work.

Mr. Lauderdale said we need to go out to the area to determine how to do what needs to be done. He said this requires a good bit of underground drainage.

Supervisor Allen Latimer made the motion and Supervisor Tommy Lewis seconded the motion to authorize Road Manager Russell Dorris and City of Hernando Engineer Joe Frank Lauderdale to determine what needs to be done on Motor Scooter Drive and report back to the Board of Supervisors. The motion passed by a unanimous vote.

7. Tax Exemptions

Jim Flanagan the President and CEO of the DeSoto Economic Development Council, appeared before the Board of Supervisors with requests from three companies for tax exemptions.

a. Sigma Supply Inc.

Mr. Flanagan said that Sigma Supply is located on the north on Starlanding Road. He said they distribute and do light assembly. He said that seventy five percent of their employee hospitalization is paid by the company. New hires will come from Desoto County when possible and current employees have relocated with the company so far.

Supervisor Bill Russell asked about what happened about the grant funding with Sigma Supply. County Administrator Michael Garriga said that Sigma Supply has recently paid their contributions toward the overrun.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to approve a tax exemption for Sigma Supply for 10 years for Real and Personal property and a Freeport Warehouse exemption. The motion passed by a unanimous vote. **See Exhibit F.7.a**

b. API (Aerospace Products Int'l Inc.)

Mr. Flanagan said this is a new company relocating to Stateline Industrial Park. James Howell of API explained their business and relocation to Desoto County.

Supervisor Allen Latimer asked that the company consider hiring employees from Desoto County whenever possible because Desoto County residents are bearing the burden of providing roads, fire protection and other services for the company. The company said it has plans to recruit employees in Desoto County.

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to approve a tax exemption for 10 years for Personal property and a Freeport Warehouse exemption for Aerospace Products Int'l Inc. in the amount of \$1,564,034. The motion passed by a unanimous vote. **See Exhibit F.7.b**

c. J.T. Shannon Lumber Co., Inc.

Mr. Flanagan introduced representatives from J.T. Shannon Lumber Co., Inc. Jennie Brown said that J.T. Shannon is a fifth generation business in Desoto County. She said the company saw a great need in the industry to provide plank and strip flooring and they have expanded their company to do that. Ms. Shannon said that the company pays eighty percent of their employees' health insurance and their workforce is very important to the company.

Supervisor Allen Latimer made the motion and Supervisor Eugene Thach seconded the motion to approve a ten year Real Property exemption and a five year Personal property exemption for J.T. Shannon Lumber Co., Inc. The motion passed by a unanimous vote. **See Exhibit F.7.c**

8. Board Attorney

a. Local and Private Legislation – Hernando Civic Center

Mr. Nowak said that he has drafted Local and Private Legislation to allow the county to donate money to the Hernando Civic Center. He suggested waiting until the new term to discuss this issue.

b. Approval of Sole Source – Circuit Court

Board Attorney Tony Nowak said that one of the court reporters needed to order new equipment. He said the quote is \$5,637.99. He presented a letter from the manufacturer stating that they are the only company that can provide this particular equipment. The type of equipment is not a sole source but this particular item being purchased is additional equipment the court reporter needs and it goes with other equipment already being used. Further, this item is the only equipment she can use with her existing equipment, and no one else can sell this item. Therefore, in this instance, it qualifies as a sole source.

Supervisor Allen Latimer asked if we will pay the entire amount of the expenditure for the court reporter. Mr. Garriga said no, the county will pay the entire bill and be reimbursed from the other counties in the district for their proportionate share.

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to approve the expenditure to Stenograph, LLC, in the amount of \$5,637.99 for the circuit court reporter to order equipment and to acknowledge that the equipment is a sole source because it is the only equipment available to work with the court reporter's existing equipment. The motion passed by a unanimous vote. **See Exhibit *.b**

9. Purchasing – Bids – Approval to Accept Striping Bid

At the recommendation of the Road Manager Russell Dorris and the Director of Purchasing, Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to approve the low bids from Anderson Striping for traffic striping on annual bid file number 08-166-001 K for four inch traffic stripe paint and to accept other bids if Anderson Striping is unable to provide services needed. 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. Roads - McIngvale and Commerce Roads

Supervisor Jessie Medlin asked if the city is working on McIngvale and Commerce intersection. City of Hernando Engineer Joe Frank Lauderdale said yes. There is no money appropriated but engineering work is being done.

2. HELP Bonds

The Board of Supervisors discussed the option of using HELP Bonds for working on Desoto County road projects. Board Attorney Tony Nowak said if it is a project where there is no federal funding MDOT will not be interested in using HELP Bonds. Mr. Nowak said he received that information from MDOT and wanted to pass it on to the Board of Supervisors.

Supervisor Allen Latimer made the motion and Supervisor Jessie Medlin seconded the motion to adjourn the meeting until January 7, 2007 at 9:00 a.m. The motion passed by a unanimous vote.

THIS the 17th day of December 2007, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Bill Russell, President
DeSoto County Board of Supervisors