

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

TOMMY LEWIS, PRESIDENT 2009 PRESIDING

August 5, 2009

A. CALL TO ORDER

The August 5, 2009, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Tommy Lewis, Board President.

Deputy Carl Hurt of the DeSoto County Sheriff’s Department, was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

- Supervisor Jessie Medlin-----District 1
- Supervisor Eugene C. Thach-----District 2
- Supervisor Bill Russell-----District 3
- Supervisor Allen Latimer-----District 4
- Supervisor Tommy Lewis-----District 5
- W. E. Sluggo Davis-----Chancery Clerk
- Michael Garriga-----County Administrator
- Tony Nowak -----Board Attorney
- Sheriff Bill Rasco-----Sheriff

B. INVOCATION

Deputy Carl Hurt presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. PLANNING COMMISSION AGENDA

**DeSoto County Board of Supervisors
 Planning Agenda
 August 5, 2009**

NEW BUSINESS

Minor Lots

District 1

Three Place Minor Lot, 1st Revision (6762) – Application is for final subdivision approval of two (2) lots of approximately 1.7 acres each and one (1) lot of fifteen (15) acres out of approximately 18 acres. Subject property is located on the north side of Goodman Road and west of Barton Desoto Road in Section 28, Township 1, Range 5 and is zoned Planned Commercial (C-4) and Agricultural-Residential (A-R). (District 1)
*****MUST BE PLATTED AND RECORDED*****

David Turner Minor Lot (6765) – Application is for final subdivision approval of one (1) lot of approximately 3 acres and one (1) lot of approximately 6.6 acres out of approximately 10 acres. Subject property is located on the north side of Fairview Road and east of Red Banks Road in Section 29, Township 2, Range 5 and is zoned Agricultural (A). (District 1)

District 4

Michael Shaw Minor Lot (6763) – Application is for final subdivision approval of one (1) lot of 2.2 acres. Subject property is located on the south side of Fogg Road and west of Crawford Road in Section 31, Township 3, Range 8 and is zoned Agricultural (A). (District 4)

David Young Minor Lot (6764) – Application is for final subdivision approval of one (1) lot of approximately 6 acres, one (1) lot of 2 acres, and one (1) lot of twelve (12) acres out of approximately 20 acres. Subject property is

located on the south side of Dean Road and east of Mary Carl Road in Section 36, Township 2, Range 9 and is zoned Agricultural-Residential (A-R). (District 4)
*****MUST BE PLATTED AND RECORDED*****

Mr. McDougal presented the applications above and stated the applications appear to be in compliance with the County's Zoning and Subdivision Ordinances. He then stated the applicants of Three Place Minor Lot came before the Planning Commission and Board of Supervisors previously to plat a seven acre lot and rezone the southern portion of the property to C-4 and leaving the remaining acreage as Agricultural-Residential. Mr. McDougal stated the applicants have since purchased an adjacent lot and would now like to combine the lots to make one 15 acre lot.

Supervisor Latimer stated the easement for the Young Minor Lot connects to an existing gravel road (Huling-Davis Road), and asked if this is how the applicants will access their property. Mr. McDougal stated no, the applicant will access the property by way of an existing driveway from Dean Road., but the connection to Huling-Davis Road provides the required legal access.

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

Supervisor Medlin made a Motion to approve the Consent Agenda subject to staff recommendations and required dedication of public road right-of-way and Health Department approvals. Supervisor Latimer seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

Final Subdivision

Love Station, Phase 1 Revision (6761) – Application is for revisions to the final subdivision plat of 24 lots on 40.3 acres. Subject property is located on the north side of Love Road and east of Highway 51 in Section 7, Township 4, Range 7 and is zoned Agricultural (A). (District 5)

Mr. McDougal presented the application for final subdivision approval. He then stated this application is being brought to the Board of Supervisors by request of the applicants, due to it not being heard by the Planning Commission Thursday July 30, 2009 because there was not a quorum. Mr. McDougal stated the plat has not been recorded. He went on to state the property was purchased by SP Capitol Investors from McPhail & Associates. Mr. McDougal stated the main concern the Planning Commission has with the application is the matter of water service. The original presentation of the applicant included representations that Belmont Water Association would service the subdivision.

Mr. McDougal stated he provided the Board with copies of the Subdivision Regulations that specifies how to handle situations such as this where water is available. Mr. McDougal also provided the Board with a copy of the affidavit from the developer as to why he feels it is not economically feasible to connect to the water provided by Belmont Water Association.

Supervisor Medlin stated that according to the letter from Belmont Water Association, given to the Planning Department in October of 2006, the water association was not able to serve 79 lots. Mr. McDougal explained that the letter states they were not able to service that many lots in 2006, but the Planning Office requested the applicant provide a current letter from Belmont Water Association as to whether or not they are now able to service 79 lots since recent upgrades have been made to their lines. Supervisor Russell asked what the Planning Commission expects to hear from Belmont Water Association. Mr. McDougal stated they expect to hear whether or not Belmont has the capacity to service the subdivision at this time. Supervisor Russell asked if Belmont Water Association has provided any figures as to the cost of the subdivision to connect to the waterline. Mr. McDougal stated he had not heard specifically from Belmont Water Association. Supervisor Russell asked if the developer states it is not economically feasible, why must the applicants need to provide proof from Belmont Water Association stating they are capable of providing water. Mr. McDougal explained the DeSoto County Ordinance requires a letter from the water service provider stating whether or not they are capable of providing water. Supervisor Thach asked if central water service is available, isn't the developer required to use the water service. Mr. McDougal clarified that typically the water association is used. Supervisor Medlin stated there are only 24 lots being improved at this time, but there is a potential for 79 lots in the future. Mr. McDougal stated that is correct. Supervisor Medlin stated that based on the estimate provided by the applicant, the majority of the cost of the installation would be to get water to the first 24 lots; after that, it wouldn't be as costly to provide water to the remaining lots once the line was run to the subdivision.

Supervisor Lewis asked if there is anyone present to speak for or against the application.

Mr. Taylor Buntin came forward to speak on behalf of the developer. Mr Buntin stated his understanding is that the applicants have not been able to secure a current letter from Belmont Water Association. The letter the applicants have provided states they would be able to connect to the main water line at Love Road and McCracken Road. He then stated the applicants feel that water is not readily available due to it not being economically feasible to connect to the central waterline at Love Road and McCracken Road. He went on to state that the applicants understood there to be a 4-inch waterline available when they applied for preliminary subdivision in 2006 which meant Belmont Water Association was not capable of providing water at that time. Mr. Buntin stated Mr. Sanders purchased the land with the assumption that central water was not readily available and has priced the lots at a discount due to the lot owners needing to install individual wells. Mr. Buntin stated their reasons for feeling central water is not readily available are Belmont Water Association is not in a position to extend the main line; they would need to bore under the railroad as well as some

streets; and they would need to secure four private easements to get the main water line to a point they would be able to connect to for the subdivision. He went on to state SP Capitol Investors does not have the money readily available to install the necessary lines to connect to central water and they have submitted a letter from the bank stating they will not be advanced anymore money for this project. He went on to say the developers have lots ready for sale as soon as the final plat is recorded.

There was general discussion of the cost of wells compared to the cost of installing the lines necessary to connect to the central waterline.

Mr. John Meadows, developer of Millers Farm Subdivision, stated he was told his development did not have an option of using wells in their development, and there was only a 3-inch waterline near their development so line upgrades were required. He then stated he was torn between feeling sympathy for the developer of Love Station and the fact he was required to use central water, which included a \$5000 permit fee for the rail road as well as the cost to bore under the roads. He stated the associated costs were astronomical. Mr. Meadows stated he hopes the Board of Supervisors will keep the requirements the same across the board. He stated they too had to discount their lots due to economic times.

Supervisor Lewis asked Mr. Meadows how big the lots are in his development. Mr. Meadows stated they are 1 ½ to 2 acres.

Supervisor Lewis clarified Mr. Meadows was required to go ahead with the waterlines. Mr. Meadows stated yes he was or he would lose \$200,000 in a feasibility study.

Supervisor Lewis stated he spoke with Mr. Bobby Storey, Director of Emergency Services, about how this will affect fire grading for this fire district. Mr. Storey came forward and stated they are dealing with a newly developed fire district and feels if wells continue to be installed in this area it can affect the fire insurance rating. Supervisor Lewis asked for clarification of how it will be rated by the Fire Bureau. Mr. Storey clarified the bureau would need to come and assess the area. He went on to say that the Department of Emergency Services has worked hard on the current rating by working with Belmont Water Association to install larger waterlines. Mr. Storey stated one problem that arises with wells is that if there is a power outage they fire department will not have access to water, and therefore larger tanker trucks will be needed to fight fires in this area. Supervisor Lewis asked how long it would take to get a study by the Fire Bureau. Mr. Storey stated at least 2-4 weeks.

Supervisor Lewis asked if the subdivision was already in process at the time the letter was received from Belmont Water Association. Mr. McDougal stated preliminary approval was granted in April of 2006 and the letter is dated October of 2006. Supervisor Lewis asked why the Planning Commission thought water was available if the letter states that it was not available at the time. Mr. McDougal stated the matter came up during the preliminary subdivision process. Mr. Lauderdale stated that the applicant, after receiving preliminary subdivision approval, went forward with design approval and contacted Belmont Water Association about water service. He then stated at that time the applicant received a letter from Belmont stating they were not able to provide water to the subdivision, so at that time other avenues were considered to provide water. Supervisor Russell asked if the letter was in effect at the time of initial approval. Mr. Lauderdale clarified it was not in effect at time of preliminary approval. Mr. Buntin stated that the letter was in effect at the time SP Capitol Investors purchased the property in 2007.

Supervisor Lewis made a Motion to Carry Over the application of Final Subdivision of Love Station, Phase 1 Revision until a Fire Rating study is completed and more information of the ability to provide water is secured from Belmont Water Association. Supervisor Russell seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

Other Items:

1. Request for Refund of Permit Fee by Lifestyle Homes, LLC

Mr. McDougal presented a request for refund of permit fees by Lifestyle Homes, Inc. in the amount of \$505, due to no work being started on the home.

Supervisor Medlin made a Motion to approve a refund of Permit Fees to Lifestyle Homes, LLC in the amount of \$505. Supervisor Thach seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

2. Request for Time Extension of Permits by Lifestyle Homes, LLC

Mr. McDougal presented a request for a time extension of more than 60 days for building permits issued to Lifestyle Homes, LLC for lots 6, 7, 43, and 45 of the St. Ives Subdivision. He went on to state that the permits were issued while the subdivision was located in the County; it is now located in the City of Hernando and generally once something is started in the County inspections are completed through final inspection by the County.

Mr. Rob Forrest of Lifestyle Homes, LLC stated they are asking for an extension of 6 months for permits for the above listed lots, due to issues with their HVAC contractor as well as a slow economy.

Supervisor Lewis stated the Board of Supervisors needs to decide, with economic times, if they would like to temporarily allow 6 month extensions for all currently issued permits. Supervisor Russell stated that could cause problems since there is a difference between a framed only and an almost completed house, the Board should probably evaluate each case individually. Mr. Michael Garriga suggested adding "substantially complete" to the Board order.

Supervisor Lewis made a Motion to approve an extension of 6 months from the date of expiration of Permits to Lifestyle Homes, LLC for lots 6, 7, 43 and 45 due to the homes being substantially completed. Supervisor Medlin seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

3. Discussion of Road Bonds – County Engineer
a. Sunset Farms
b. Slocum Trails

Mr. Andy Swims, County Engineer, stated Sunset Farms Subdivision and Slocum Trails Subdivision are two of the oldest subdivisions the County is still holding Road Bonds for. He stated he is asking the Board of Supervisors if he can go ahead and give the developers a time limit and if after that time work is not completed, pull the Road Bonds to finish the final lifts of asphalt.

Supervisor Medlin asked if the roads still needed the second lift. Mr. Swims confirmed they do still need the second lift and some repair. Supervisor Medlin asked what level of completion are the subdivisions. Mr. Swims stated both subdivisions are greater than 60 % complete.

Mr. Swims stated he would like to give the developers of the two subdivisions a deadline of September. Supervisor Medlin asked when the bonds will be up for renewal. Mr. Swims stated he believes Slocum Trails is up for renewal in December 2009 and Sunset Farms in November 2009. Supervisor Lewis stated the County accepted the bonds and should probably wait for them to run out. Supervisor Medlin stated the Subdivision Regulations state the work should be completed when 60% of the subdivision is completed or 4 years. Mr. Swims stated that Mr. Jim Ivy sent letters to the developers about completing the subdivision and that the Road Department is hoping to complete the work before winter.

Mr. W.E. "Sluggo" Davis asked if they could send letters to the developers of the two subdivisions stating the bonds will not be renewable. Supervisor Lewis stated he thinks that would be fair.

Supervisor Latimer made a Motion to approve sending letters to the developers of Slocum Trails Subdivision and Sunset Farms Subdivision stating their road bonds will not be renewed upon expiration, that final lift of asphalt must be completed before the expiration of the bonds or they will be pulled. Supervisor Lewis seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN NO
SECOND DISTRICT SUPERVISOR, EUGENE THACH YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL YES
FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER YES
FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS YES

4. Mid-South Fair Contract

Mr. McDougal stated the Environmental Services Department will have a booth at the 2009 Mid-South Fair and look forward to a good presentation of what their department does for the Community.

Supervisor Latimer asked how much the cost would be for renting the booth. Mr. McDougal stated the cost is \$1500 for two booths.

5. Update on I-69/I-269 International Trade Corridor

Mr. McDougal gave a brief highlight of the presentations given to the Planning Commission on Thursday July 30, 2009 by Rusty Bloodworth of Boyle Investments on "How to think long term in Planning" and by Parsons Brinckerhoff about the "Planning Process for the Corridor Study."

See Exhibit D

E. CONSENT

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

Supervisor Jessie Medlin asked how many years the audit contract lasts. Comptroller Tom Arnold said the contract will be for two years.

Supervisor Allen Latimer made the motion and Supervisor Jessie Medlin seconded the motion to approve the Consent Agenda and the reports and actions set forth therein as follows:

1. Accounting: Postage for Senatobia Circuit Court Administrator
\$254 Monthly Effective August 2009

2. Order Accepting Disallowances on Homesteads by MSTC

2081 0216 0 00113.00	Covington, Leigh Ann
1085 2204 0 01411.00	Crenshaw, Martha
1079 3204 0 00029.00	Ehrhardt, Linda D.
1059 3211 0 00465.00	Hermina, Pedro
1097 2513 0 00015.00	Joslin, Gregory L.
2061 0100 0 00014.00	Sepich, Gerald E.
2081 0204 0 00147.00	Spencer, Juanita E.

3. Tax Assessor’s Office – Tax Reduction

Personal Property Assessment for Priority Fulfillment Services Pin #3175-002
Assessment - \$32,345 – Should Be - \$11,627

4. State Tax Commission Approval of Tax Exemption - J.T. Shannon Lumber Co.

5. Approval to Bid for Auditor – For 2009 and 2010

The motion passed by a vote as follows:

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

See Exhibit E

F. OLD BUSINESS

1. Langston – Starlanding

Supervisor Allen Latimer asked about the issues with the Starlanding Railroad project affecting Mrs. Langston’s driveway.

Board Attorney Tony Nowak said from what he understands there was no substantial increase in the grade of the driveway from the project nor any demonstrable damage to the property due to the construction work.

Road Manager Russell Dorris agreed. Mr. Dorris said there was an increase in the grade of the driveway but it was not significant.

Supervisor Latimer said the driveway did not wash away before the project and it now washes away. He asked if the driveway slope was changed by our construction.

Mr. Dorris said there was a one and one half percent change in the grade, which is easily achieved with a motor-grader. The work did increase the slope but it is hard to say that small amount of change has caused the problems the property owner complained of.

Supervisor Latimer said the Road Manager brought up a good point of whether it is legal to work on the driveway. Mr. Nowak said if the Board finds that the project caused the damage

to her driveway, the Board can take steps to correct the situation. Supervisor Latimer asked the Road Manager to take pictures of the driveway for the next meeting.

Supervisor Jessie Medlin asked if there are pictures of the driveway before the work was done to compare with after the work was done. Mr. Dorris said no, but they do have drawings of the driveway before the project.

2. Eudora Fire Commission

Supervisor Allen Latimer made the motion and Supervisor Tommy Lewis seconded the motion to hold this item over until August 17, 2009. The motion passed by a vote as follows:

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

G. NEW BUSINESS

1. Extension Services – New Director

Supervisor Tommy Lewis recognized Joy Anderson who was named the new Director for the Extension Service.

The Board of Supervisors asked what changes will be made with Ms. Anderson in the position. Ms. Anderson said she will no longer share her time with Shelby County and she will be only in DeSoto County. She welcomed any opportunity to assist DeSoto County and she thanked the Board for their help with Extension Service projects.

2. Emergency Services: Homeland Security Grant

Grants Administrator Joyce Herring said there was an audit on the Emergency Services Homeland Security Grant. Ms. Herring said they were very impressed with the County record keeping.

Mrs. Herring said that grant representatives asked that Bobby Storey be appointed as the Task Force Director for the multi county area for one year. She said it will cover 28 counties and the various cities in those counties. The grant will pay for Lee Calvi’s salary, a portion of Chris Olson’s salary and a portion of the director’s salary located in Greenville.

Ms. Herring asked the Board to consider authorizing Board Attorney Tony Nowak to draw up an interlocal agreement allowing the county to pay the salary apportionment and eligible expenses of the director in Greenville.

Comptroller Tom Arnold said this is not really a salary payment to the director in Greenville, but a contractual salary amount.

Supervisor Jessie Medlin said these grants start people to work and then they cut off the money and the County must let the person go or fund the salary. Supervisor Medlin said he wants to be able to give the county employees raises and that may not be possible in the current budget. He asked what will happen to the position when the funds are gone. Supervisor Medlin said he wants to be careful and make sure the Board has a complete understanding of this grant funding.

Ms. Herring said they want to be able to help offset some of the costs that Mr. Storey and the other employees in the task force will incur.

Mr. Storey agreed there are a lot of times when the County should question grant funding for employees.

Supervisor Tommy Lewis asked if this will increase the salary of any of our employees.

Supervisor Bill Russell said it could increase the salaries, but in the future where would we pay the money from. Supervisor Russell said it is his understanding that it will not increase salaries or become a responsibility of the County at the end of the grant period.

Supervisor Medlin asked if the Homeland Security Grant will pay for the cost of the interlocal agreement. Mr. Storey said he thinks the grant will pay for drawing up the interlocal agreement, but the grant representatives will be here next week and he will verify that with them.

County Administrator Michael Garriga said other jurisdictions refer to grant funded positions as positions funded with soft money and there should be an understanding in the beginning that there is no guarantee that positions funded with soft money will continue to be available after the grant funding period.

Supervisor Allen Latimer made the motion and Supervisor Tommy Lewis seconded the motion to approve accepting the Homeland Security Grant and grant agreement for the task force and authorize the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to do any contracts or agreements, including mutual aid agreements and any paperwork necessary, with the understanding that all legal fees will be covered by the grant if possible. The motion passed by a vote as follows:

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

See Exhibit G.2

3. Inventory Dispositions: Preliminary – IT Dept.

Inventory Clerk Amy Henley said, in the last meeting, there was a monitor that needed disposal but was carried over in order to gather more information. Ms. Henley said the power supply for the monitor is more expensive than the cost of a new monitor according to the County IT Department.

Supervisor Tommy Lewis made the motion and Supervisor Allen Latimer seconded the motion to approve the preliminary inventory disposition as follows:

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary
32715	1532800055	Double Monitor	Obsolete	IT Dept.

The motion passed by a vote as follows:

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

See Exhibit G.3

4. Bids under Advisement: Appraisal & Mapping Service

Vanessa Lynchard presented bid responses for appraisal and mapping services for DeSoto County as follows:

Vanessa said that Bryant Appraisals was the only bid received with a bid amount. Another bid was received as a “no bid”. The bids were received as follows:

Bid: Appraisal and Mapping Service		Bid Opening Date: August 3, 2009					
Bid File #: 09-103-001							
BID TABULATION							
BIDDERS	CATEGORY	\$ PER CATEGORY	TOTAL PER YEAR	TOTAL TWO YEARS			
Bryant Appraisals Hernando, MS	Real Property	\$ 55,000.00					
	Personal Property	\$ 5,000.00					
	Oversee Mapping	\$ 5,000.00	\$ 65,000.00	\$130,000.00			
Tyler Technologies	Real Property	No Bid					
	Personal Property	No Bid					
	Oversee Mapping	No Bid	No Bid	No Bid			
HISTORY OF APPRAISAL CONTRACTS							
		2008-9	2006-7	2004	2000	1997	1992
Real Property		\$ 51,000.00	\$ 44,000.00	\$ 51,000.00	\$ 55,000.00	\$ 27,000.00	\$ 30,000.00
Personal Property		\$ 10,000.00	\$ 10,000.00	\$ 5,000.00	\$ 2,000.00	\$ 5,000.00	\$ 4,000.00
Oversee Mapping		\$ 4,000.00	\$ 10,000.00	\$ 5,000.00	\$ 3,000.00	\$ 4,000.00	\$ 2,000.00
Total		\$ 65,000.00	\$ 64,000.00	\$ 61,000.00	\$ 60,000.00	\$ 36,000.00	\$ 36,000.00
Homestead Applications		39,580	33,799	32,337	26,832	22,943	
Percentage Increase		17.10%	4.52%	20.52%	16.95%		

Vanessa said Mr. Bryant has been providing the service of appraisal and mapping and the County knows his qualifications. Also listed on the bid was a history of appraisal contracts for the Board's review. Therefore, Ms. Lynchard recommended the Board consider the bid from Bryant Appraisal.

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to approve the bid from Bryant Appraisal and Mapping Service for a two year contract. The motion passed by a vote as follows:

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

See Exhibit G.4

5. Juvenile Court: Temporary Contract Employee

County Administrator Michael Garriga asked for approval to hire a temporary employee for Juvenile Court. This contract will provide relief to the current employees who work as intake officers. The purpose of this position is to end a backlog of work in that area. Mr. Garriga said that Judge Wilson has recommended this contract at a cost of \$10 per hour, for a maximum of one hundred sixty (160) hours effective August 5, 2009 and to continue through September 30, 2009, unless otherwise terminated.

Supervisor Allen Latimer made the motion and Supervisor Jessie Medlin seconded the motion to approve the contract in Juvenile Court for a temporary contract employee to assist intake officers in the amount of \$10 per hour, for a maximum of one hundred sixty (160) hours effective August 5, 2009 and continue through September 30, 2009, unless otherwise terminated. The motion passed by a vote as follows:

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

See Exhibit G.5

6. Proposed Budget Amendments

Comptroller Tom Arnold presented budget amendments for the Board of Supervisors review and approval.

Supervisor Allen Latimer asked how this will be handled in the case of an emergency. Mr. Garriga said the Board discussed this extensively in the August 3rd meeting. Mr. Garriga said we will try to find a solution to accommodate emergency needs that complies with state law.

Supervisor Latimer asked if requests from the Road Department are included in the budget amendment process since they have their own millage. Mr. Arnold said they are subject to the Board's approval like any other department.

Supervisor Latimer asked the difference between E-911 and other departments. Mr. Garriga explained that the Road Department is not an autonomous body.

Chancery Clerk Sluggo Davis asked if it matters how the budget is adopted when considering the budget amendment process. Mr. Arnold said he was always told as an auditor, the budget should be adopted by line item.

Mr. Arnold presented an additional request for an interfund loan for a juvenile assistance grant.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve budget amendments as presented by the Comptroller and an Interfund loan for the 2010 JAG grant, and fully as detailed in Exhibit G.6. The motion passed by a vote as follows:

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

See Exhibit G.6

H. EXECUTIVE SESSION

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

I. OTHER ISSUES

1. Budget FY 2010

County Administrator Michael Garriga said he hopes to have the budget in final form available for the Board's review by Friday. Mr. Garriga asked if the Board wanted to consider a work session for the budget.

No motions were made nor votes taken on this issue.

2. Personnel – Educational Tuition Reimbursement Program

County Administrator Michael Garriga said the County has a college tuition reimbursement program for the employees. Mr. Garriga said the reimbursement schedule is based on a grade scale. The better grade the employee makes, the higher reimbursement is received. He said it creates difficulty in determining the reimbursement. Mr. Garriga asked if the Board is open to looking at full tuition reimbursement.

Supervisor Eugene Thach asked how many people participate in the program. Mr. Garriga said not very many.

Supervisor Jessie Medlin said he would be open to looking at that and would like more information to consider the impact on the budget.

Supervisor Tommy Lewis said anyone taking advantage of the tuition reimbursement program should agree to work in the County for a certain period of time.

3. Extension Service - 4-H

Lowery Dean and Serita Johnson appeared before the Board of Supervisors to discuss the County 4-H program. Mr. Dean said he has been to the County Administrator Michael Garriga and Supervisor Allen Latimer about concerns with the 4-H program.

Mr. Dean said there has been a problem with the program for quite some time. Mr. Dean said he has worked with the 4-H program for many years. He worked with the Delta program for many years before moving to DeSoto County. He said they had national winners. When he moved to DeSoto County to volunteered with 4-H but has not gotten support from the Extension Service. Because of the level of the Extension Service activity, many DeSoto County residents show their animals in Tate County. Mr. Dean said DeSoto County has a person in charge of the equine program that has been so ineffective that local residents now show in Tate County. The Tate County 4-H program helps the people and children and there is no help or support in the DeSoto County program. He said the leader in the DeSoto County 4-H program cannot communicate with the people. Mr. Dean recommended that the Board contact the Extension Service and tell them something needs to be done about the 4-H program.

Supervisor Allen Latimer said that Mr. Dean went all the way through the local and state Extension Service and pointed out the problems with the DC 4-H program.

Serita Johnson said the current employee has been with the County 4-H program for one year under a mentoring program. Ms. Johnson said in May there was an advisory meeting. She is the president of the livestock advisory board. Reginald Boyd is president of the overall program. Ms. Johnson said the current employee put out a newsletter in January. As of May, no newsletter has been sent out. Ms. Johnson said she has tried to help the individual, but she does not think he comprehends the program or how it should run. She said she feels like the problem with the employee is a lack of comprehension and initiative.

Supervisor Eugene Thach said he understands that this Board cannot do anything about the problem. Board Attorney Tony Nowak said 4-H employees do not work for DeSoto County.

Mr. Dean said it would be better to eliminate the position than to have a person not doing work and collecting a check.

Ms. Johnson said she understands that this person is an employee of the state and is subsidized in his pay by the County. She said she is asking the Board to issue a letter to Mississippi State notifying them of the situation. Ms. Johnson said the 4-H program has had no new members and is losing members since this person started to work there. He has not brought anyone into the program. When our group was out of town at the competition, the employee did not return to the office until the next week. While at the competition, he never came to check on his clients from this County. Ms. Johnson said agents from other counties took care of their children and they took care of our children as well. The employee was specifically assigned four small tasks at the competition. After he completed those tasks, he

partied. Mr. Dean said this employee spent two nights in Batesville in a hotel when there was competition in that area. The rest of the group drove back and forth.

Ms. Johnson said they have been unsuccessful in getting him to have a group meeting. Because of the Patriot Act our club must have an EIN number. In October the task was given to him and it was January before the task was accomplished. We finally got the number on July 19th.

Mr. Dean said we have a golden opportunity with youth in DeSoto County.

Supervisor Tommy Lewis said he appreciated hearing from Mr. Dean and Ms. Johnson. He asked County Administrator Michael Garriga to look into the issue.

4. Starlanding and Wilson Mill Road

Supervisor Bill Russell presented a map of the area around Starlanding and Wilson Mill Road. He said there are two schools in that area and another one will open this year. Supervisor Russell said he received several complaints last year about the condition of Wilson Mill Road. He said he followed the school buses traveling on Wilson Mill Road several times. Wilson Mill is a beautiful road off of Highway 301 and Starlanding. It is very narrow. The situation with the ditch is dangerous because it is just in places where there is no room for shoulders. Supervisor Russell said he observed that it is nearly impossible for a bus to stay on the road and will run off the road at some point. He said he probably followed 30 buses and they all ran off of the road to some extent. He said there is a curve where one bus stops for the other bus to make the ninety degree turn. They are building another school on that campus. The bus traffic will increase to eleven buses. Supervisor Russell said the alternative is also terrible.

Supervisor Russell said he is asking the Board to eliminate bus and truck traffic on Wilson Mill Road and Baldwin Road. There is a development that will cause Baldwin Road to be widened in the next two to three years. He said he does not expect Wilson Mill to be widened. Supervisor Russell said he thinks the bus traffic is unsafe on that road. By closing the road to truck and bus traffic, it will cause the buses to travel an additional 4.7 miles twice daily. Supervisor Russell said the School Board asked the Board of Supervisors to consider the extra cost for fuel to the School Board. Mr. John Caldwell with the School Board is asking the Board to hold off on the issue until we get proper modifications to making turning into the schools safer both ways.

Supervisor Russell said MDOT says it is obvious the turn lane should be built for north bound traffic on Highway 301. MDOT has agreed to do the striping and asphalt if the County will do the dirt work. They cannot do the work unless the traffic now justifies the improvement or unless there have been a certain number of traffic accidents at that location. Supervisor Russell said the Sheriff has agreed to put an officer there to assist the buses going in and out during the day until we can get a traffic control device.

Supervisor Jessie Medlin asked if they are talking about the north bound turn lane only. Supervisor Russell said the south bound turn lane is already there. Supervisor Medlin said he does not think the Board needs to be in the business of telling the schools how to route the buses. We should be in the business of controlling our roads.

Supervisor Thach asked if the school controls the buses.

Board Attorney Tony Nowak said the bigger issue is that the Board cannot identify specific vehicles from using the road. Rather, the Board can set size and weight limitations of vehicles permitted to travel on the road. Thus, rather than specifically excluding buses, the Board would have to set weight limits, or other size limits that could include buses.

Supervisor Thach asked what has been done in the past. Supervisor Russell said, because it has not been done in the past does not mean it is not unwise. Also, the bus traffic will increase because of the new school that is being built.

Supervisor Medlin said he has mixed emotions about telling the schools how to route their buses. He said the School Board should regulate the schools.

Supervisor Russell said the school is basing their decision strictly on money. This is not telling the schools where to drive. He said he does not think a bus can drive this route without running off the road or crossing the center line.

Supervisor Thach said the Board is hearing one Supervisor's decision but we are also hearing from the school and they do not agree with the recommendation of the Supervisor.

County Administrator Michael Garriga said on the issue of liability, now that the Board has been made aware, could this pose liability on the County. Mr. Nowak said, if anything, it poses liability on the School Board.

Supervisor Russell said, if he has an opportunity to save a child, he will always try to do it.

Supervisor Lewis said that Supervisor Russell makes a good point to take care of the children. It is hard to say that the children are less safe on a narrow curvy road at twenty miles per hour than on another road at fifty miles per hour.

Supervisor Russell said he would agree if those roads cause a problem at fifty miles per hour. He said that situation would be different.

Supervisor Medlin said the County had nothing to do with where they built the schools. He said the County has spent a great deal of money fixing roads for the schools. Supervisor Medlin said he would vote to do anything to keep the children safe.

Supervisor Russell asked if Supervisor Medlin would motion to improve Wilson Mill Road. Supervisor Medlin said he does not know what it cost to do that if the County has the money to do it.

Supervisor Thach said the School Board makes its own decisions. He said the Board has not heard anything from the School Board about wanting this change.

Supervisor Lewis asked what speed limit would be safe for Wilson Mill Road. Road Manager Russell Dorris said it is posted at twenty miles per hour and it is well marked. He said there are seventeen driveways on that road.

Supervisor Russell said there is not place to pull off of the road for an emergency vehicle to pass.

Supervisor Bill Russell made the motion to close Wilson Mill Road and Baldwin to the proper weight and length with the Road Manager determining the weights and axle lengths for vehicles on the road. The motion failed for lack of a second.

Supervisor Tommy Lewis said the School Board should be involved in the matter.

Supervisor Thach asked Supervisor Lewis to call the School Board regarding the issue.

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to recess the meeting until August 17, 2009, 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 5th day of August, 2009, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Tommy Lewis, President
DeSoto County Board of Supervisors