

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

BILL RUSSELL, PRESIDENT 2010 PRESIDING

August 2, 2010

A. CALL TO ORDER

The August 2, 2010, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Bill Russell, Board President.

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

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

B. INVOCATION

Deputy Carl Hurt presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF JUNE MINUTES

The official minutes of the Board of Supervisors were read for the month of July, 2010. Supervisor Allen Latimer made the motion and Supervisor Bill Russell seconded the motion to accept the minutes of the Board of Supervisors for July, 2010 and as presented this date with changes previously submitted pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated. 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-----ABSTAIN

See Exhibit D

E. CONSENT

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

Supervisor Bill Russell asked about the action requested on the HOME Grant. Grants Administrator Joyce Herring said they have different things in the application than was there in the past. Supervisor Russell asked if Mr. Griffin has added the comments requested by the Board of Supervisors regarding green cards. Board Attorney Tony Nowak said not yet, it will

be added later. Mr. Nowak said this approves the application and authorizes the Board President to sign the documents throughout the grant process.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to approve the Consent Agenda as follows:

1. Dept. of Human Resources: Monthly Health Claims

Funding Request	Date Paid	Amount	Claim Type
Date			
7/1/10	7/1/10	\$75,496.61	Administration Fees
7/6/10	7/7/09	\$72,463.69	Medical
7/6/10	7/7/09	\$5,990.01	Dental
7/6/10	7/7/09	\$11,740.89	Pharmacy
7/12/10	7/13/10	\$41,846.77	Medical
7/12/10	7/13/10	\$5,652.90	Dental
7/12/10	7/13/10	\$17,681.84	Pharmacy
7/20/10	7/21/10	\$47,017.30	Medical
7/20/10	7/21/10	\$8,255.80	Dental
7/20/10	7/21/10	\$16,230.87	Pharmacy
7/26/10	7/27/10	\$83,032.13	Medical
7/26/10	7/27/10	\$7,995.70	Dental
7/26/10	7/27/10	\$11,569.00	Pharmacy
	TOTAL	\$404,973.51	

2. Justice Court Report

Criminal Cases Filed – 122	State Assessments -	\$91,383.50
Civil Cases Filed – 475	County General Fund -	\$116,262.16
Traffic Tickets Filed – 1,479	Total Collections -	\$207,645.66
Total Cases Filed – 2,076		

3. Bailiff Pay (3)

Liz Medlin-\$285.00 Shirley Holmes-\$120.00 Jason Motz-\$230.00

4. Publication of Board Proceedings

5. Make Part of Minutes: Order Amending 2009-2010 Victim Assistance Budget

6. Grants

a. Contracts – Home Grant Administrator

b. Resolutions – Home Grant

(1.) Application

(2.) Appoint Administrator

c. JAG Grant: Interlocal Agreement between City of Southaven and City of Olive Branch

7. Accounting

a. Repay Interfund Loans

From: EMA Grants Fund	\$213,545.00	(044-000-149)
From: Hazard Mitigation Grant	\$156,695.00	(037-000-149)
To: General County Fund	\$370,240.00	(001-000-054)

b. Transfer of Sheriff Seized Funds

Case #	Defendant	Date Seized	Receipt #	Amount	Date of Forfeiture
DC-08-0101	Travis Nelson	5/9/08	20617	407.00	7/23/10
DC-09-0010	Stacey Wingo	1/9/09	21567	326.00	7/23/10
DC-09-0133	McKinley Joyner	5/17/09	22282	245.00	7/23/10
			TOTAL	978.00	

Transfer from Sheriff-Seized Fund (123-000-139) \$978.00
 Transfer to Sheriff-Forfeiture Fund (120-000-238) \$978.00

c. Donation from FM Global Foundation for County Arson Investigator-\$2,500

d. Budget Amendments

8. Department of Road Management

a. Road Report and Work Schedule

b. Road Bond Report

c. Additions to Official DeSoto County Road Map and Register

Road	Location	Length	Width
Delta bluffs Parkway	North End Radius of Delta Lakes Blvd. to North Property Line of Lot 240	224	28
Evening Sun cove	Delta Bluffs Parkway to End of Cove	518	28
Morning Sun Cove	Delta Bluffs Parkway to End of Cove	444	28

d. Adopt-A-Road: James Hankins Family-Holly Springs Road, east of Red Banks Road to Marshall/DeSoto County Line, for approximately 2 miles.

9. Chancery Clerk Allowance (2)-\$1,500.00 \$1,500.00

10. Inventory Dispositions-Final

a. Planning Commission

Asset #	Serial #	Description	Reason for Disposal	Location of FinalDisp
32182	1FMGUI5N3 SLA8 6146	Ford Bronco	Surplus	Town of Walls

b. Chancery Court Administrator

Asset #	Serial #	Description	Reason for Disposal	Location of FinalDisp
30516	MX93R1 B20G	HP Printer	Broken	5R

The motion passed by a vote as follows:

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

See Exhibit E

F. OLD BUSINESS

G. NEW BUSINESS

1. Three Rivers PDD

Randy Kelly of Three Rivers Planning and Development District and Ronnie Bell of the Mississippi Economic Development appeared before the Board of Supervisors regarding Three Rivers association with the County as the Area Agency on Aging. Mr. Kelly said he wanted to extend his appreciation for the Board hearing him at this meeting. He apologized for the reason he had to be at this meeting. Mr. Kelly said North Delta Area Agency on aging is in the process of being undesignated as DeSoto County's Area Agency on Aging. Mr. Kelly said he is before the Board to tell them about Three Rivers role in the process. Mr. Kelly said that Three Rivers has a history in DeSoto County. He said they are the largest SBA in the County and their portion of SBA business just under \$10 million. Mr. Kelly said DeSoto County has been with Three Rivers in the area of workforce in the County. Three Rivers has a contract with Jim Flanagan of the DeSoto Council to bring jobs to DeSoto County.

Mr. Kelly said they had nothing to do with the de-designation of North Delta or that process. He said the State of Mississippi called Three Rivers and South Delta Planning and Development District if they could provide the services to the counties in the North Delta designated area. Mr. Kelly said if Three Rivers was not providing the services on July 1st, a lot of people would have not received their services.

Mr. Kelly said if the de-designation does not pass Three Rivers will be out very quickly. Mr. Kelly said they will not expand the services. He said they do not have the financial information so he does not know the impact of the extension of their area into DeSoto County. Mr. Kelly said they negotiated a contract with Total Health to provide some of the services. He said three of the four homemakers quit and all of the delivery people quit as well. Mr. Kelly said offers were made to all employees to stay, but the wages were lower that were paid through North Delta.

Mr. Kelly said if Three Rivers is asked to stay on as the Area Agency on Aging, they will amend the plan. He said Three Rivers will not oppose if the state allows North Delta to provide services to DeSoto County.

Mr. Kelly explained their processes at Three Rivers. Their role is to provide a safety net and that will last as long as the de-designation. They are here to help the citizens, not expand, but provide what was already in place. Mr. Kelly said there will be a Public Hearing on August 18 at 2:00 p.m. in Senatobia. Mr. Kelly said the Board can contact Three Rivers at 662-489-2415 or Mr. Kelly on his cell at 662-489-9193. He invited the Board to call Three Rivers to help them in any way.

Mr. Kelly said, as the process stands, they will be doing assessments under the state regulations. It appears they will have the ability to expand services in October.

Supervisor Jessie Medlin asked County Administrator Michael Garriga if he knew when the county would hear from the state about North Delta. Mr. Garriga said there will be a Public meeting at the Haraway Building.

Supervisor Bill Russell thanked Three Rivers for all of their help on behalf of the Board of Supervisors and DeSoto County. He asked Mr. Kelly where the office is located and Mr. Kelly responded Pontotoc. They intend to open an office in Senatobia. Mr. Kelly said initially there would only be a couple of people in that office.

Supervisor Russell asked how the county plans to work with Three Rivers. Mr. Garriga said we have not made an allocation to North Delta since June. Mr. Kelly said Three Rivers has been talking to Mr. Garriga and other counties about services and payment. Mr. Garriga said the timing is good because we are working on the budget and the money can be discussed for FY 2011.

Mr. Kelly said they have been talking about handling the transportation program differently. Mr. Kelly said all of the homemakers and drivers were offered jobs.

Supervisor Allen Latimer thanked Three Rivers for stepping in to help with the program. He acknowledged that Mr. Kelly earlier made a reference to the Rails to Trails Program. He asked if Three Rivers is also involved in a Greenway Program. Mr. Kelly said no, they are not. He said there is a 44 mile trail in his area and they participate in providing that program.

Supervisor Russell asked who owns the right of way to those trails. Mr. Kelly said one of their eight corporations under Three Rivers operates it under Mississippi Code 55-25-1 owns those right of ways.

2. 9:00 a.m. – Public Hearing for Tax Protest

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to open the Public Hearing to hear 2009 tax protests on county valuations. 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

3. Tax Protests

Supervisor Bill Russell asked if there was anyone present in opposition of the values on the tax rolls. Mr. Effort Alexander came forward.

a. Effort Alexander #108419000000-406

Mr. Effort Alexander thanked the Board of Supervisors for meeting him with today. Mr. Alexander said he is appearing to protest his property values, but he would like to hear from the Tax Assessor’s office about the recent valuation.

Piet Zee of the DeSoto County Tax Assessor’s office said Mr. Alexander’s property is in the Grandview Lakes Subdivision. Mr. Zee said it is 15 fifteen acres and was purchased in 1996. It is a nice piece of land in a nice subdivision and valued by the Tax Assessor at \$65,000.

Supervisor Bill Russell asked if this property is part of the subdivision. Stephen Gullett of the Tax Assessor’s office said it is not part of the subdivision, but the property has access to the subdivision. Mr. Gullett said about three tenths of the property is in the flood plain. He said, before the flood plain was amended, more of the property could have been in the flood plain. Mr. Gullett explained that Mr. Alexander has road access through the subdivision. He said the Tax Assessor’s office priced this property using the same value set by the state when they came in and said land values were set to low. He said the lot can be built on. Mr. Gullett said, about 10 years ago, it was the highest valued neighborhood in the county.

Supervisor Tommy Lewis asked the value of a lot in the subdivision. Mr. Gullett said \$25,000 for one to two acre lots. Mr. Zee said the Tax Assessor’s department has to follow the state requirements.

Mr. Alexander said he is an economist and naturalist and worked for the U.S. Army Corp of Engineers for 27 years as a planner. Mr. Alexander said the assessment shows a large degree of misplaced and misguided values. This property is not part of Grandview Lakes Subdivision. Mr. Alexander said he does not agree with the valuation and his property should not be classified the same as Grandview Lakes. He said he bought the land from the state of Mississippi in 1996. He said more of the property was in the flood plain at that time. Mr. Alexander said he is not here to argue value of the property, but to argue the comparative value. He said there are cost bias as well as other bias in these values. He said this property was and should be a part of the classification of the adjoining property owners which is agricultural.

Supervisor Eugene Thach asked the Tax Assessor representatives if they said this property is comparable to surrounding areas. Mr Zee said yes. Anything over 20 acres is valued as agriculture use. Mr. Alexander said the comparative value is his argument. He said the property is devalued due to certain conditions. He said a spillway that spills from Grandview Lakes directly onto his property. It comes through a culvert and then 230 feet to his property. That has created gullies. The 15.4 acres has only two acres on the upside of the creek. In order to access the property he will have to build a bridge so basically his property is land locked. Mr. Alexander said only 80% -90% is accessible to the road. He said he started a lawsuit in 1998 against Grandview Hills and it included the county for allowing them to have that type of plan for the subdivision. Mr. Alexander said they stopped the lawsuit because of some sort of tort. He said he will have to spend \$25,000 to \$30,000 to fix the problems the spillway has caused. He presented pictures of the routing of spilled water. The first picture shows the lake and spill as it extends from the lake. The second picture shows the route of the water and third picture shows the 18 foot culvert as it points onto his property.

Supervisor Tommy Lewis asked where the lake is showing on the map. Mr. Alexander clarified the location of the lake on the pictures. He said another variance he would like to provide is that there is a sewer line which is 30 feet wide across his property. Based on the configuration and distance it covers, it consumes about 3 acres. It makes a configuration that is completely different than the other property. The Assessor's office is arguing that it is not agriculture. If you go to the 29 acres adjacent to his property which is owned by the Harris's, it is agriculture. Mr. Alexander said you would not be able to tell a difference between the two pieces of property. He said he had the property surveyed. The sewer line is 30 feet and runs 90 feet which takes up 13 acres.

Supervisor Thach asked if Mr. Alexander has discussed this issue with the Tax Assessor's office. Mr. Alexander said he did, but they keep telling him the value is comparative of like property, but they are not applying the same conditions. He said he knows he would not be able to sell the property for \$65,000. Mr. Alexander said he is not arguing market value, but is arguing comparative value. He asked the Board to consider how the sewer line devalues his property. Mr. Alexander said, in addition, he did pay \$8,051 for the property in 1996 and he was taxed at the rate of \$300 per acre two years ago. Now he is being taxed at \$1,500 per acre. Mr. Alexander said his parents live in south Mississippi and tracing history, his ancestors occupied about one third of their county. Taxes were their demise of ownership of their property. Today he pays over \$1,400. That is a form of hate. Mr. Alexander said the state will not allow for less than 20 acres to be assessed as agriculture. He is here to represent that the landowners are bearing a disproportionate share of taxes. He said he is arguing economic value.

Supervisor Bill Russell said he knows this property was just annexed by the city of Southaven and that added \$426 of the \$1,400 value. That was added for the first time last year.

Mr. Zee said the Tax Assessor's office has to apply a set standard for all land value. He said they have 13 acres at \$65,000. He said you cannot allow for the extra acres and the sewer easement so a blanket approach is used throughout the county.

Mr. Alexander said he has less than 13 acres that should be taxed. Some of this is not accessible. Mr. Alexander said he is not looking at this as a personal issue against him.

Supervisor Allen Latimer said that Mr. Alexander said he sold 3 acres of the land to a lady and asked how much it sold for. Mr. Alexander said that is a private matter sold to a lady at church and it is not comparable. He said he would reserve that information for himself. He said he is arguing tax assessment. He said he should not be out of the classification for the assessment.

Mr. Zee said there is 15.4 acres in the assessment and the value has stayed the same.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to deny the tax protest of Mr. Effort Alexander on parcel number 1084190000000-406 considering the information presented and, being familiar with the area, there is property for sale located in the area for \$200,000. 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

Mr. Alexander said it appears what he argued has not been heard. He said he will see how that holds up in court. He said he thinks it should be a class action suit. Mr. Alexander said he has no other alternative. He said if someone said to him that the diagonal section of his property hurts the value, he would say that is not biased and against him.

Supervisor Thach said Mr. Alexander has the right to go to court.

Supervisor Allen Latimer clarified that Mr. Alexander is seeking 15.4 acres and it is taxed on 13 acres. Mr. Zee said that is correct.

Supervisor Bill Russell said you cannot build a house on the sewer, but you can drive across it and use the property.

Supervisor Tommy Lewis asked the assessment. Mr. Zee said it is 15%. The county portion is \$975.85 and the municipal portion is \$426.37.

Mr. Alexander said he is going down the same road as his ancestors.

See Exhibit G.3.a

b. Sloan Brothers General Parts Auto Parts #1087-2500.0-00020.03

Supervisor Bill Russell asked if there was anyone representing the tax protest from Sloan Brothers. No one came forward.

The Board of Supervisors looked at the information presented on the tax protest form. After reviewing this form, the Board of Supervisors decided to delay the protests to see if anyone arrived to explain the reason for the tax protest.

Later in the meeting, Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to deny the request to change the for property tax assessments for the following companies due to their failure to appear to submit sufficient facts and information to establish any basis for the change:

c. Kohl's Dept. Stores, Inc. #1079-2922.0-00001.00

Supervisor Bill Russell asked for anyone representing Kohl's Department Store to come forward. No one came forward.

d. Wachovia #07-9-31-15-0-00001-00

Supervisor Bill Russell asked for anyone representing the tax protest for Wachovia to come forward. No one came forward.

e. American Metal Products # 1066-2300 0-00005.01 #1066-2300 0-00005.02

Supervisor Bill Russell asked for anyone representing the tax protest for American Metal Products to come forward. No one came forward.

Additional Tax Protests: Liberty Bank of Arkansas

Chancery Clerk Sluggo Davis said he received a FedEx package on this date during this meeting. The Tax Assessor's said this is the first they of heard of the tax protest for Liberty Bank of Arkansas. Mr. Davis said he had just received it and the protest is a written appeal for property located at 8601 Hacks Cross Road. It includes parcel numbers 2074-1816-0-0001-00 thru 2074-1816-0-0118-00.

Board Attorney Tony Nowak said the Board can look at the proof the protestors present and make a decision on the protest today or they can hold the protest for later action. He said the statute says the Board can require the protestors to appear. If the Board finds no proof in the documents to substantiate their claims, they can vote to deny the protest.

After reviewing the paperwork for tax protests items b, c, d, e and the Liberty Bank of Arkansas, Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to deny the tax protests, based on the fact that the written protests submitted gave no proof of their valuation issues and no one came forward to clarify the protestor's positions that lead them to protest the values: therefore, there is not evidence to consider that the valuations involved are not valid and are listed as follows:

- b. Sloan Brothers General Parts Auto Parts #1087-2500.0-00020.03**
- c. Kohl's Dept. Stores, Inc. #1079-2922.0-00001.00**
- d. Wachovia #07-9-31-15-0-00001-00**
- e. American Metal Products # 1066-2300 0-00005.01 #1066-2300 0-00005.02**

Including: Additional Tax Protest-Liberty Bank of Arkansas # 2074-1816-0-0001-00 thru 2074-1816-0-0118-00 as follows:

2074-1816-0-0001-00	2074-1816-0-0041-00	2074-1816-0-0081-00
2074-1816-0-0002-00	2074-1816-0-0042-00	2074-1816-0-0082-00
2074-1816-0-0003-00	2074-1816-0-0043-00	2074-1816-0-0083-00
2074-1816-0-0004-00	2074-1816-0-0044-00	2074-1816-0-0084-00
2074-1816-0-0005-00	2074-1816-0-0045-00	2074-1816-0-0085-00
2074-1816-0-0006-00	2074-1816-0-0046-00	2074-1816-0-0086-00
2074-1816-0-0007-00	2074-1816-0-0047-00	2074-1816-0-0087-00
2074-1816-0-0008-00	2074-1816-0-0048-00	2074-1816-0-0088-00
2074-1816-0-0009-00	2074-1816-0-0049-00	2074-1816-0-0089-00
2074-1816-0-0010-00	2074-1816-0-0050-00	2074-1816-0-0090-00
2074-1816-0-0011-00	2074-1816-0-0051-00	2074-1816-0-0091-00
2074-1816-0-0012-00	2074-1816-0-0052-00	2074-1816-0-0092-00
2074-1816-0-0013-00	2074-1816-0-0053-00	2074-1816-0-0093-00
2074-1816-0-0014-00	2074-1816-0-0054-00	2074-1816-0-0094-00
2074-1816-0-0015-00	2074-1816-0-0055-00	2074-1816-0-0095-00
2074-1816-0-0016-00	2074-1816-0-0056-00	2074-1816-0-0096-00
2074-1816-0-0017-00	2074-1816-0-0057-00	2074-1816-0-0097-00
2074-1816-0-0018-00	2074-1816-0-0058-00	2074-1816-0-0098-00
2074-1816-0-0019-00	2074-1816-0-0059-00	2074-1816-0-0099-00
2074-1816-0-0020-00	2074-1816-0-0060-00	2074-1816-0-0100-00
2074-1816-0-0021-00	2074-1816-0-0061-00	2074-1816-0-0101-00
2074-1816-0-0022-00	2074-1816-0-0062-00	2074-1816-0-0102-00
2074-1816-0-0023-00	2074-1816-0-0063-00	2074-1816-0-0103-00
2074-1816-0-0024-00	2074-1816-0-0064-00	2074-1816-0-0104-00
2074-1816-0-0025-00	2074-1816-0-0065-00	2074-1816-0-0105-00
2074-1816-0-0026-00	2074-1816-0-0066-00	2074-1816-0-0106-00
2074-1816-0-0027-00	2074-1816-0-0067-00	2074-1816-0-0107-00
2074-1816-0-0028-00	2074-1816-0-0068-00	2074-1816-0-0108-00
2074-1816-0-0029-00	2074-1816-0-0069-00	2074-1816-0-0109-00
2074-1816-0-0030-00	2074-1816-0-0070-00	2074-1816-0-0110-00
2074-1816-0-0031-00	2074-1816-0-0071-00	2074-1816-0-0111-00
2074-1816-0-0032-00	2074-1816-0-0072-00	2074-1816-0-0112-00
2074-1816-0-0033-00	2074-1816-0-0073-00	2074-1816-0-0113-00
2074-1816-0-0034-00	2074-1816-0-0074-00	2074-1816-0-0114-00
2074-1816-0-0035-00	2074-1816-0-0075-00	2074-1816-0-0115-00

2074-1816-0-0036-00	2074-1816-0-0076-00	2074-1816-0-0116-00
2074-1816-0-0037-00	2074-1816-0-0077-00	2074-1816-0-0117-00
2074-1816-0-0038-00	2074-1816-0-0078-00	2074-1816-0-0118-00
2074-1816-0-0039-00	2074-1816-0-0079-00	2074-1816-0-0119-00
2074-1816-0-0040-00	2074-1816-0-0080-00	2074-1816-0-0120-00

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.3.b.c.d.e

f. Teresa Hunt #10782700 0 00026 00,02,03,04,05,06

Attorney Robbie Hayes appeared before the Board of Supervisors on behalf of Teresa Hunt regarding Ms. Hunt’s protest of property tax values in DeSoto County property #10782700 0 00026 00 02,03,04,05,06. Mr. Hayes said he believes there is an error on the tax value and would like to resolve it. He said there are seven parcels including a home which Ms. Hunt has owned for 20 years. The property was assessed at \$3,000 when it was residential. Then it was classified as commercial and is assessed at \$30,000. Mr. Hayes said he was retained last week and has not heard from the Tax Assessor’s office regarding the values. Mr. Hayes said appears the property has been improperly assessed and he presented pertinent statutes.

Supervisor Eugene Thach asked if Mr. Hayes has talked to the DeSoto County Board Attorney Tony Nowak. Mr. Hayes said he sent Mr. Nowak a letter, but due to his own time constraints, he has not been able to follow up with Mr. Nowak.

Supervisor Thach confirmed that this is the same property that Ms. Hunt brought before the Board last year and if the Tax Assessor’s office has heard from Mr. Hunt this year. Piet Zee of the Tax Assessor’s office said yes, it is the property located on Goodman Road. Mr. Zee said his office sent out personal property rendition forms but they did not receive one back from the Hunt’s. He said his office has not talked to anyone about this protest. Mr. Zee asked if the Hunt’s are saying the business is closed. Mr. Hayes said based on his review, the business was never an issue, but it has closed.

Mr. Zee asked why no one contacted the Tax Assessor’s office to inform them the business had closed. He said they send a rendition form each year and they have never been returned.

Barry Hunt said he has never experienced anything like this before and explained that this is a special situation. He said he has called Bill Bryant and left three messages and got no response. He also sent Mr. Bryant a letter and never received a response.

Supervisor Bill Russell said he recalls this property from last year and it was very complicated when the Board considered the protest. Supervisor Russell said since there has been no prior contact from the Hunt’s, they cannot expect the Board to make a decision today. He said he is not prepared to make a decision with so little information and prefers the Tax Assessor’s ruling because the facts are clear. He said it would have been better if they had contacted the Tax Assessor’s office to discuss the issue prior to the Board meeting.

Mr. Hayes said anytime you go to court everybody loses money. Mr. Hayes said he would like to sit down with the Tax Assessor and the Board Attorney to resolve the issues with the values. Anytime you can avoid going to court, you should do so.

Supervisor Jessie Medlin asked if we heard that property has to be over 20 acres before you can apply agriculture usage. The Board discussed that issue.

Supervisor Russell asked if this can be delayed or if it can be taken under advisement.

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to take the tax protest of Teresa Hunt under advisement regarding the following parcels:

10782700.0 00026.00
10782700.000026.02
10782700.0 00026.03
10782700.0 00026.04
10782700.0 00026.05
10782700.0 00026.06

And, to authorize the Board Attorney and Tax Assessor's office to review the situation carry it over until August 16th. 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.3.f

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to close the Public Hearing for the Tax Protests until August 16, 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

**4. 10:00 a.m. - Open Bid for State Aid Project-LSRP-17(1)–Bridge Replacement
Dean Road**

Vanessa Lynchard said this item should be carried over until August 4, 2010.

5. Extension Service

a. Accept Resignation of 4-H Youth Agent

Vanessa Lynchard said Carol Sicilia of the Extension Service is resigning her position as the DeSoto County 4-H Agent effective July 27, 2010. She requested the Board accept the resignation letter.

Supervisor Allen Latimer made the motion and Supervisor Jessie Medlin seconded the motion to accept the resignation of Carol Sicilia the 4-H Agent at the Extension Service effective July 27, 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 G.5.a

b. Resolution to Fund 4-H Agent

Vanessa Lynchard presented a pro-forma order to the Board of Supervisors authorizing the Mississippi Cooperative Extension Service (MCES) to initiate the process to employ an individual in DeSoto County as 4-H Agent replacing the position filled by Carol Sicilia and to continue funding a portion of the salary in the amount of \$24,079.91 plus a pro rata share of the employee benefits.

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to Supervisors authorizing the Mississippi Cooperative Extension Service (MCES) to initiate the process to employ an individual in DeSoto County as 4-H Agent position and to continue funding a portion of the salary in the amount of \$24,079.91 plus a pro rata share of the employee benefits. 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.5.b

6. Accounting: Claims Docket

The claims docket was presented by Tom Arnold and Stephanie Hanks of the Accounting Department. Ms. Hanks read the items on the claims docket individually and the Board discussed these items.

Supervisor Jessie Medlin asked why the county would be issuing a refund for a wedding. Comptroller Tom Arnold said when a citizen reserves county property they are sometimes required to post a security deposit we give them a refund. County Administrator Michael Garriga explained that when citizens use county property and there is no damage, they may receive a reimbursement for their deposit. This particular one was for a wedding held on the grounds of the court house.

Supervisor Allen Latimer asked about pages eight and nine regarding a refund for the siren grant for one of the cities. Mr. Arnold said Southaven had paid for their sirens in advance, so we are refunding their portion.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Tommy Lewis made the motion and Supervisor Allen Latimer 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-----YES

See Exhibit G.6

7. Purchasing: Approve Purchase: Sheriff's Dept. > \$25,000 (2)

Director of Procurement Vanessa Lynchard said previously the Board requested the Procurement Department to bring quotes between \$25,000 and \$50,000 before them for review. Vanessa presented a request from the Sheriff's Department to purchase vehicles in an amount totaling of \$55,000 on an inter governmental transfer.

Supervisor Bill Russell asked if these are the vehicles they are purchasing from the Missouri State Highway Patrol. Vanessa said yes.

Supervisor Allen Latimer made the motion and Supervisor Jessie Medlin seconded the motion to approve a request from the Sheriff's Department to purchase vehicles in an amount totaling \$55,000 from the Missouri State Highway Patrol. 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.7

8. National Health & Fitness Day – September 25, 2010

Vanessa Lynchard said the Board of Supervisors received a letter regarding the DeSoto County Family Health and Fitness Day on September 25th. She said that Gia Matheny actually suggested that the county participate in this national event.

Vanessa said this event is being held all over the country and suggested churches, organizations, clubs, employers and other groups in DeSoto County participating and inviting the public to be a part of it. She said this is a good way to invite the public in DeSoto County to participate and encourage health and fitness in DeSoto County. Vanessa said we can provide events and opportunities throughout the county and wanted to know if the Board of Supervisors was interested. She said she will coordinate the events with the cities, companies, parks, children's programs and senior programs. Vanessa said this will be a good way to showcase health and fitness opportunities throughout the county.

Supervisor Tommy Lewis said he thought it was a great idea.

Supervisor Allen Latimer asked if funding will be needed for the event. Vanessa said there will only be a minimal amount of time, postage and paper that will be used so she did not think funding was necessary.

Supervisor Bill Russell said to be sure and contact the county insurance carriers because they are always looking for ways to participate in promoting good health and fitness.

Supervisor Latimer said this event should be a fun thing for the staff.

Vanessa said we are holding public meetings so they can participate in organizing the event. Those meetings are scheduled for August 6th and 9th.

Supervisor Tommy Lewis made the motion and Supervisor Allen Latimer seconded the motion to designate September 25, 2010 as DeSoto County Health and Fitness Day. 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.8

9. Justice Court Ext. Renovation

a. Appoint Superintendent

County Administrator Michael Garriga said the exterior of Justice Court is almost complete and a superintendent needs to be appointed.

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to appoint Kenny Evans as the superintendent of the Justice Court exterior renovation. 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

b. Inspection Committee

Mr. Garriga said in order to close out the contract, an inspection committee needs to be appointed for the exterior renovation at Justice Court.

Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to appoint Supervisor Jessie Medlin, Supervisor Allen Latimer and Kenny Evans to the inspection committee for the Justice Court exterior renovation. 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

10. E-911 Requests - Request to Levy Fees

Kinsey Wilhite of the E-911 Commission and Debbie Dunaway of E-911 appeared before the Board of Supervisors to request that the Board of Supervisors to consider levying a \$1.00 fee for Voice Over Internet Protocol per subscriber account per month as authorized in Mississippi Code Section 19-5-313 which requires approval by the Board of Supervisors. Ms. Dunaway said everyone in the state is collecting this fee.

Supervisor Bill Russell asked how they identify who has the service. Ms. Dunaway said the provider knows and they have to report it to E-911.

Supervisor Allen Latimer made the motion and Supervisor Tommy Lewis seconded the motion to approve the E-911 Commission adding the \$1.00 per month per subscriber for Voice Over Internet Protocol as authorized in Mississippi Code Section 19-5-313. 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.10

E-911 Commissioner Kinsey Wilhite said that Engineer Mark Brandt and Director of Facilities Management Kenny Evans went to the location of where the new building will be built for E-911 regarding building a fence on the property. Mr. Wilhite said a fence is already built around the tower and it has been cut one time. He said it would be better to fence the entire property.

Board Attorney Tony Nowak said typically the Board would already have an agreement in place which would cover building the fence, but currently there is no agreement.

Debbie Dunaway said with E-911 said there are two bids and both are less than \$50,000.

Supervisor Bill Russell asked if the Board of Supervisors needs to approve the bids. Mr. Nowak said no, they have the ability to accept the quote. The Board does have to approve installing the fence on county property.

Mr. Wilhite said the guide wires and the tower need to be fenced as well but that would cost as much as fencing the entire property.

Supervisor Allen Latimer verified that the fence will not be at the landfill area. Mr. Wilhite said no, it will not be at that area.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to allow E-911 to build a fence around the E-911 tower on Starlanding Road, contingent on an MOU being in place for the project. 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

11. Dept. of Road Management: State Aid Project SAP-17(12)M

Road Manager Russell Dorris said he was unable to find the funding for State Aid project number SAP-17(12)m. He said options are to wait another year to see if funding is available because we do not have the funding to do it now. He said the Board could elect to seal the road again.

Supervisor Bill Russell asked if there is enough money to seal it. Mr. Dorris said yes. It will cost a little under \$150,000 including striping.

Supervisor Allen Latimer asked if we seal the roads, will we lose the State Aid money for the overlay State Aid project. Mr. Dorris said sealing the roads would last four to five years.

Supervisor Russell asked Mr. Dorris for a recommendation. Mr. Dorris said it would probably be spring time before we could get the project approved by State Aid. Supervisor Latimer asked if Mr. Dorris thinks he could find someone to swap those funds next year. He said that Sunflower County had previously proposed to do that. Mr. Dorris said that is possible.

Supervisor Latimer asked if we could approve this and if we have someone to swap the funds, could we do that later. Mr. Dorris said yes, we can program both and make the decision later.

Supervisor Russell asked Mr. Dorris to make a recommendation the same as he would on county roads. Mr. Dorris said this would leave money to handle other projects.

Supervisor Jessie Medlin asked how much it cost per mile to seal the roads. It usually costs \$225,000 and does not include the preparation, striping, reflectors and shoulder work.

Supervisor Medlin asked if we are really getting our money's worth with sealing. Mr. Dorris said yes, he thinks we are.

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to hold this item over until Wednesday August 4. 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.11

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. Board Attorney: Sheriff's Department-Jail Training Class

Board Attorney Tony Nowak said he received an email from Commander Richard Chambers asking him to lead a Jail Training class. Mr. Nowak said it is the same training that he has conducted in the past.

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to approve Board Attorney Tony Nowak to lead a Jail Training class at the DeSoto County Jail. 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

2. Facilities Management-Request for County Property Use

Chancery Clerk Sluggo Davis said the Northwest Mississippi Youth Court group wants to use the court house grounds at 4:45 p.m. until 6:00 p.m. on Friday. They have a choir who will sing at that time.

The supervisors asked Mr. Davis to have the group contact County Administrator Michael Garriga.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to recess the meeting until August 4, 2010, at 9:00 a.m. The motion passed by a vote as follows:

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

THIS the 2nd day of August, 2010, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Bill Russell, President
DeSoto County Board of Supervisors