

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

TOMMY LEWIS, PRESIDENT 2009 PRESIDING

December 7, 2009

A. CALL TO ORDER

The December 7, 2009, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Tommy Lewis, 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

Supervisor Allen Latimer presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF NOVEMBER MINUTES

The official minutes of the Board of Supervisors were read for the month of November, 2009 pursuant to Section 19-3-27 of the Mississippi Code of 1972, Annotated.

Supervisor Allen Latimer made the motion and Supervisor Bill Russell seconded the motion to approve the minutes of November, 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

See Exhibit D

E. CONSENT

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

Supervisor Allen Latimer asked about the contract for A2H for traffic engineering services as listed in item E.8.d on the consent agenda. Supervisor Latimer asked if the expense reimbursement is actual reimbursement. Road Manager Russell Dorris said yes.

Supervisor Eugene Thach made the motion and Supervisor Bill Russell seconded the motion to approve the Consent Agenda and the reports and actions set forth therein as follows:

1. Accounting

a. Ratify Note Payment

\$5,000,000 Miss Development Bank Promissory Notes

Hancock Bank Ck#049745 issued 11/23/09
 Principal \$ 20,833.33
 Interest \$ 6,006.14
 \$ 26,839.47

b. Approve Interfund Loan

From: General County Fund 001-000-054 \$160,000.00
 To: 2007 Refunding Bonds I & S 216-000-149 \$160,000.00

c. Request to Repay Interfund Loan

From: State Aid Road Fund \$600.00 (170-000-149)
 To: General County Fund \$600.00 (001-000-054)

2. Dept. of Human Resources

Funding Request	Date Paid	Amount	Claim Type
Date			
11/1/09	11/2/09	\$69,876.70	Administration Fees
11/2/09	11/3/09	\$53,505.79	Medical
11/2/09	11/3/09	\$5,398.00	Dental
11/2/09	11/3/09	\$18,893.92	Pharmacy
11/9/09	11/10/09	\$59,726.66	Medical
11/9/09	11/10/09	\$3,410.10	Dental
11/9/09	11/10/09	\$14,906.93	Pharmacy
11/16/09	11/17/09	\$66,467.98	Medical
11/16/09	11/17/09	\$5,569.60	Dental
11/16/09	11/17/09	\$20,477.92	Pharmacy
11/23/09	11/24/09	\$143,314.46	Medical
11/23/09	11/24/09	\$5,329.20	Dental
11/23/09	11/24/09	\$19,960.58	Pharmacy
	TOTAL	\$486,837.84	

3. Justice Court Report

Criminal Cases Filed – 106 State Assessments - \$ 68,139.63
 Civil Cases Filed – 598 County General Fund - \$110,799.28
 Traffic Tickets Filed – 1,243 Total Collections - \$178,938.91
 Total Cases Filed – 1,947

4. Bailiff Pay (1) - Liz Medlin - \$285.00 Lee Hodge - \$325.00

5. Approval of Publication of Board Proceedings

6. Make Part of Minutes

a. Warranty Deed from Millennium of Mississippi

b. Resolution designating Property as a Recovery Zone and Awarding Allocation of Funds

c. \$5m Bond Resolutions

7. Grants: Accept LEPC Grant for EMA - \$4,200

8. Department of Road Management

a. Road Report and Work Schedule

b. Road Bond Report

c. Adopt-A-Road – A – Greenwood

d. Contract with A2H for Traffic Engineering Services

e. Solicit Bids for Equipment

One or More: Medium Excavator, Large Excavator, 17-Yard Dump Truck

f. Road & Reclamation Bonds Release

Ready Road Gravel Pit, Nichols Gravel Pit, Laughter Road Gravel Pit & Pleasant Hill Gravel Pit

9. Monthly Safety Officers Report (2)

10. Dept. of Emergency Services

a. Accept Restricted Donation – 2 Dell Laptop Computers from State Audit Dept.

To be used at the Walls Fire Department as mobile data bases.

b. Declare Surplus and Auction – 1984 GMC Bus asset # 11199

11. Emergency Services – Approve Chris Olson to Sign Purchase Requisitions

12. Inventory Dispositions – Final

a. Sheriff’s Dept.

Asset #	Serial #	Description	Reason for Disposal	Disposed of by	Location of Final Disposal
36353	310500172	Touchprint Scan System	Returned for Upgrade	FR	Identix Incorp
32321	1HD1FN1X3Y28771	2003 Harley Davidson Motorcycle	Surplus/Trade-in	FR	Southern thunder
34027	1HD1FHW195Y70306	2004 Harley Davidson Motorcycle	Surplus/Trade-in	FR	Southern thunder

b. IT

Asset #	Serial #	Description	Reason for Disposal	Disposed Of By	Location of Final Disp
39131	AAXC14961	Canon Printer	Broken	MR	5R
36979	MY5A14R0KQ	HP Printer	Broken	MR	5R
31445	0027143511	Gateway PC	Broken	MR	5R
30469	SG95EB80VP	Gateway PC	Broken	MR	5R
31268	0025357719	Gateway PC	Broken	MR	5R
8175	2348083	IBM Terminal	Broken	MR	5R
30490	0014235808	Gateway PC	Broken	MR	5R

37060	BR21HCHL50014 3	Samsung Monitor	Broken	MR	5R
32619	GH17H9NW7007 53	Samsung Monitor	Broken	MR	5R
6036	USBB290849	HP Printer	Broken	MR	5R
37137	JSO822008306	APC UPS	Broken	MR	5R
31459	117152936	Watchguard Firewall	Broken	MR	5R
32626	USU3320LSN	HP PC	Broken	MR	5R
32841	BGLBF21	Dell PC	Broken	MR	5R
6062	11B0287	IBM Printer	Broken	MR	5R
30466	118A782	IBM Printer	Broken	MR	5R
6063	11B0774	IBM Printer	Broken	MR	5R
6067	11B9549	IBM Printer	Broken	MR	5R
36507	S7210K9W	Lexmark Printer	Broken	MR	5R
36958	E8FEC01	Acer Monitor	Broken	MR	5R
37015	327Q000	Acer Monitor	Broken	MR	5R
33482	01CG263	IBM Printer	Broken	MR	5R
35780	0113274	IBM Printer	Broken	MR	5R
6054	0017593	IBM Printer	Broken	MR	5R

c. Juvenile Drug Court

Asset #	Serial #	Description	Reason for Disposal	Disposed Of By	Location of Final Disp
38190	KCGET5340556	Kodak Digital Camera	Broken	MR	5R

13. Chancery Clerk Allowance – (3) - \$900.00 \$1,400.00 \$1,866.66

14. Appointment of County Fire Investigator – Robert I. Storey, Jr.

15. Add Homestead Exemptions Deleted in Error Back to Roll

PETITION TO ADJUST EXEMPTION ON
HOMESTEAD EXEMPTION SUPPLEMENTAL ROLL

YEAR 2009

MARK THE TYPE OF ADJUSTMENT. ONLY ONE TYPE OF ADJUSTMENT PER PAGE. ONLY ONE MUNICIPALITY PER PAGE.

ADDITION (X)

DELETIONS ()

COUNTY DeSoto

SCHOOL DISTRICT _____

MUNICIPALITY _____

NAME	PARCEL NUMBER	NO OF ACRE	VALUE OF LAND	VALUE OF BUILDING	REGULAR VALUE ALLOWED	ADDITIONAL VALUE ALLOWED	MUNICIPAL \$ AMOUNT EXEMPT	REASON FOR ADJUSTMENT
Clark, James L.	1087 2608	25.00	1,750	6,806	7,500			duplicate name on roll
King, Linda M.	1085 2104	28.00	2,500	8,398	7,500			" " "
Cole, Patricia	1079 3206	24.00	3,000	15,815	7,500			" " "
Strong, Thomas et ux	1079 2927	14.00	3,000	10,651	7,500			" " "
Sodd, Richard L. et ux	1077 2505	26.00	3,000	13,843	7,500			" " "
Markham, Patricia A.	1068 34041	9.00	1,500	5,495	6,995			" " "
Rucker, Randy	1068 27004	7.00	1,000	3,208	4,209			" " "
Cook, Karen	1067 3527	104.00	2,000	5,156	7,156			" " "
White Christopher C.	1067 3510	167.00	1,500	4,671	7,500			" " "
Jenkins, Amanda	1067 3510	101.00	1,500	4,752	6,252			" " "
Chess, James H.	1067 3506	70.00	1,500	5,047	6,547			" " "

INSTRUCTIONS

PAGE & LINE NUMBERS ARE NOT REQUIRED.

If this page is being used to "ADD" an entry to the Homestead Exemption Supplemental Roll, fill out the above information as it "SHOULD" appear on the original supplemental roll.

If this page is being used to "DELETE" an entry from the Homestead Exemption Supplemental Roll, fill out the above information "EXACTLY" as it appears on the original supplemental roll.

FOR MSTC USE ONLY

Total Net Effect
of adjustments

(Initial & date)

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YEAR 2009

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ADDITION (X)

DELETIONS ()

COUNTY

DeSoto

SCHOOL DISTRICT

MUNICIPALITY

NAME	PARCEL NUMBER	NO OF ACRE	VALUE OF LAND	VALUE OF BUILDING	REGULAR VALUE ALLOWED	ADDITIONAL VALUE ALLOWED	MUNICIPAL \$ AMOUNT EXEMPT	REASON FOR ADJUSTMENT
Moore, Robert	3093 0701	18.00	1,000	1,172	2,173			duplicate name on Roll
Driffin, Ronald	3079 3200	39.00	2,720	7,316	7,500			" " "
Harris, Gless	3073 0609	209.00	3,000	15,200	7,500			" " "
Phillips, Linda M.	2083 0604	631.00	1,000	4,059	5,059			" " "
Carr, William D.	2081 6204	171.00	1,800	6,317	7,500			" " "
Garner, James C.	2078 2800	26.05	2,230	10,499	7,500			" " "
Barnett, Phillip	2076 2302	222.00	3,000	9,703	7,500			" " "
James, Mary	2073 0607	207.00	2,000	5,304	7,304			" " "
Russell, Melanie	2072 0417	243.00	1,500	10,305	7,500			" " "
Patterson, Christopher M.	2053 0501	12.00	4,000	16,707	7,500			" " "
Brown, Michael A.	1098 2703	74.00	2,500	8,294	7,500			" " "

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ADDITION (X)

DELETIONS ()

COUNTY

DeSoto

SCHOOL DISTRICT _____

MUNICIPALITY _____

NAME	PARCEL NUMBER	NO OF ACRF	VALUE OF LAND	VALUE OF BUILDING	REGULAR VALUE ALLOWED	ADDITIONAL VALUE ALLOWED	MUNICIPAL \$ AMOUNT EXEMPT	REASON FOR ADJUSTMENT
Martinez, Juan et ux	1059 3209	388.00	3,000	1,025	7,500			duplicate name on Roll
Williams, Robert Op.	1059 3207	239.00	3,000	10,340	7,500			" " "
Smith, Jimmie D.	2097 2500	250.00	1,500	1,601	3,101			" " "
Walker, John R.	1067 2621	16.00	2,500	10,619				" " "
McDaniel, Michael D.	1077 3500	16.00	2,400	12,908				" " "
Allen, Opha E. et ux	1078 2809	81.00	2,400	10,780				" " "
Reaves, Jerry L. et ux	1089 3002	283.00	1,000	5,899				" " "
McFall, George	1089 3209	114.00	2,000	5,815				" " "
Braybill, Royce A. et ux	2074 2000	32.01	4,800	8,715				" " "
Steele, James H. et ux	3072 0301	1.00	3,357	8,067				" " "
Madden, Robert E.	4086 1401	403.00	1,500	16,288				" " "

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ADDITION ()

DELETIONS ()

COUNTY DeSoto

SCHOOL DISTRICT _____

MUNICIPALITY _____

NAME	PARCEL NUMBER	NO OF ACRE	VALUE OF LAND	VALUE OF BUILDING	REGULAR VALUE ALLOWED	ADDITIONAL VALUE ALLOWED	MUNICIPAL \$ AMOUNT EXEMPT	REASON FOR ADJUSTMENT
McElroy w.L. etax	3069-3200-000007.00	10	3,766	10,002				deleted IN ERROR due to Mapping ERROR IN Tax Assessor's Office
Stigall, Tammy	1076-2400 14.01	1.50	1,500	6,834				Deleted in error
Hughes, Alice V.	2065-2100 1.00	1.00	1,000	6,454				Deleted in error/Dir. Estate Reserved.

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(Initial & date)

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
Supervisor Tommy Lewis-----YES

See Exhibit E

F. OLD BUSINESS

1. Architectural Services Contract

County Administrator Michael Garriga presented the previously approved contract for architectural services for the jail. Mr. Garriga said there was an error in his explanation in the contract. He said the contract states that the amount of commission would be paid in full based on the size of the project, but actually the engineers understood it is to be paid on a graduated scale. Mr. Garriga said the contract is based on the graduated scale as follows:

Project cost of \$0 to \$7 million charged at 6.5%
Project costs between \$7 million - \$12 million charged at 6%
Project costs over \$12 million charged at 5.5%

The Board discussed the fee arrangement. Mr. Garriga said they also offered a different contract as follows:

0 - \$9 million charged at 6.5%
9\$ million to \$13 million charged at 6.0%
13\$ million or more charged at 5.5%

Supervisor Bill Russell suggested holding the item over until later in the meeting so they can analyze the numbers.

Later in the meeting, Supervisor Russell said he has analyzed the numbers and it appears the second proposal including the \$9 million figure is in the county’s best interest.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to approve the contract with Evans, Taylor, Foster, and Childress architects for the facilities management and final site analysis and architectural services for the jail with the fee schedule as follows:

0 - \$9 million charged at 6.5%
9\$ million to \$13 million charged at 6.0%
13\$ million or more charged at 5.5%

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
Supervisor Tommy Lewis-----YES

See Exhibit F.1

G. NEW BUSINESS

1. (9:00) AP Holdings (BTEC) – Fee in Lieu Agreement

Board Attorney Tony Nowak said the Board has previously discussed the fee in lieu agreement for AP Holdings. Mr. Nowak said AP Holdings filed a protest on their taxes under an existing agreement because the power plant BTEC sold off a majority of their assets.

After reviewing the agreement presented by Mr. Nowak, Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the final settlement agreement with AP Holdings for the fee in lieu of taxes, and authorized the Board President to sign the agreement. 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.1

2. Civic Center Presentation

Chuck Roberts and Stuart Taylor appeared before the Board of Supervisors. Mr. Roberts said they wanted to thank the Board of Supervisors and taxpayers of DeSoto County for their support of the DeSoto Civic Center. Mr. Roberts said the Civic Center will be celebrating their 10th anniversary.

Mr. Roberts said when the Civic Center was built the Legislature set up a 2% tax on hotels and restaurants to pay for the building. He said that when the 2% was not enough, the county loaned money to the Civic Center under an agreement and they certainly appreciated that.

Mr. Roberts said recently the Civic Center set a couple of attendance records with concerts and the Mid South Fair. He said they are excited about the future of the Civic Center.

Mr. Roberts said the 2% money is flat and they had budgeted for a decrease in that money. Mr. Roberts said he and Mr. Taylor appreciated the Board and taxpayers for lending the 2% tax money to the Civic Center in the early years. He said thanks to growth and the 2% tax and the work of the Civic Center staff to keep down costs, the Civic Center is able to keep expenses at a level that can be successfully maintained.

Mr. Roberts said the Civic Center and the county have a loan agreement in place and the balance of that loan is more than \$8 million. He said they do not want to be a weight on the county and they want to make a payment on the loan in the amount of \$500,000. Mr. Roberts said they appreciate the county's support and want to honor the agreement with a check in that amount. He said they will be back to make more payments. Mr. Roberts said he wanted the Board of Supervisors to know that the Civic Center Board unanimously approved the re-payment to the county. He said the Civic Center has a great Board and they also appreciate the county's support. Mr. Roberts also thanked the DeSoto County Sheriff and Emergency Services for their support during the events.

Supervisor Tommy Lewis thanked Mr. Roberts and the Civic Center Board for their time working with the Civic Center. He pointed out that this work is strictly volunteer work and without compensation and the DeSoto County Board of Supervisors appreciates the dedication of the Civic Center Board.

Mr. Roberts said that Stuart Taylor and the other staff are doing a great job. He reminded the Board of Supervisors that Ole Miss has a hockey team that will now play in the facility. Mr. Roberts pointed out that people who attended the events at the Civic Center are DeSoto County tax payers as well as people from all over the area.

Supervisor Eugene Thach made the motion and Supervisor Bill Russell seconded the motion to deposit the loan re-payment from the DeSoto Civic Center in the amount of \$500,000 into the general fund of the county. The motion passed by a vote as follows:

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

3. Accounting

a. Budget Amendments

Comptroller Tom Arnold presented budget amendments for approval by the Board.

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to approve the budget amendments as presented by the Comptroller and fully detailed in Exhibit G.2.a. The motion passed by a vote as follows:

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

See Exhibit G.3.a

b. 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 Allen Latimer said he noticed on page 74 that the Animal Shelter is still micro-chipping dogs. He asked if that program is still successful. Vanessa Lynchard said it is going very well and the tax payers like the program. Vanessa said the program pays for itself with the cost of microchipping.

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

See Exhibit G.3.b

4. Legislative Requests

County Administrator Michael Garriga welcomed the representatives of the State Legislative Delegation including Representative John Mayo, Representative Forrest Hamilton, Representative Wanda Jennings, Representative Tommy Woods and Representative Ted Mayhall.

Mr Garriga also welcomed representatives from the Mississippi Association of Supervisors including Derrick Surette, Executive Director of MAS and Steve Gray, Legislative Director of MAS.

Mr. Surette said that he and Mr. Gray are happy to be in DeSoto County. He said they are adopting a new tradition to travel to as many counties as possible to talk about issues from each county. Mr. Surette said counties are facing tough times and it is good for the legislators to

hear the issues in order to get a better understanding. He said that MAS's legislative issues will be presented to all county Boards. Mr. Surrette said some of those were ratified in October and some have been added since October.

Mr. Surrette said counties are in no different situation than the state in terms of budgets. He said counties may have tougher times for the next two years because they are only dealing with property taxes. He said the effects of the economic down turn on counties takes a little more time because it takes more time to show the decline in property values and property taxes are paid in arrears. Also there are less new car purchases causing less new car tags being bought, medical expenses are more costly while services and costs are all increasing. Mr. Surrette said the majority of the counties are already experiencing a dramatic decrease in motor vehicle revenues. He said that MAS looked at the total assessed value and reviewed the assessment trends in FY 07 and FY 08. He said during that time, 22 counties had a loss in assessed value. He said they expect the 2008 and 2009 values to include even more county losses.

Mr. Surrette discussed homestead values and protecting revenues. He said some counties want to hold on to what they have in order to not increase millage and remain stable. Mr. Surrette said there was a homestead exemption bill last year that would have been costly to the counties. Mr. Surrette said that MAS has taken the position that a homestead bill to increase homestead exemptions may be appropriate to do during a time when the reimbursements will not greatly affect county budgets and when other economic conditions are more favorable. He said we want to make sure that a county does not have to raise taxes to make up for lost revenue. If that happens, all you have done is raise taxes for residents over the age of 65 and all property owners. The counties work hard to avoid a shift in millage. He said MAS thinks it is important to increase homesteads but to do it at a time when it will not require a millage increase to make up for the lost revenue.

Mr. Gray discussed affordable rental housing. He said this is a trend that is unfair in terms of taxation. He said it affects counties and the municipalities. Mr. Gray said this has had some movement in the House in the past but could not get much movement in the Senate a reform of Senate Bill 3100. He said advocates will say that locals are not for affordable housing, but that is not true. Mr. Gray said it is an issue in fairness taxation.

Mr. Gray said there have been problems with E-911 funds. He said that 38 counties responded to a survey and they are supplementing the E-911 funds. Mr. Gray said that land lines are becoming antiquated because of cell phones and voice over internet. He said E-911 fees for pre-paid cell phones and voice over internet are not being collected. He said it costs \$1.00 per land line fee and \$10.00 for commercial fees. Mr. Gray said there needs to be a way to collect the fees for pre-pay phones and voice over internet. He said we want to prevent this from becoming a tax increase. There are counties where providers do not have retail outlets. Mr. Gray said customers purchase their cell phones outside the county and that is where the sales taxes are collected, at the point of purchase. He said that Supervisor Craig Hick of Lauderdale County is facilitating the communication on this issue.

Mr. Garriga said because DeSoto County uses mostly area code 901 for cell phones, the county may not be receiving all of their revenues since 901 is a Tennessee area code.

Mr. Surrette said that counties have no seat on the CMS Board and that needs to be corrected.

Representative John Mayo asked if having a seat on the Board requires a legislative remedy. Mr. Surrette said he did not know. Representative Mayo asked if any legislation has been prepared. Mr. Surrette said no, but MAS will have it ready by January, 2010.

Representative Tommy Woods said they need to know as soon as possible because the time to introduce bills is very short.

Mr. Surrette said MAS has had two meetings with cell phone providers. He said they hope to have legislation the first of the year that is without controversy.

Mr. Gray said, regarding the E-911, there is a concern about the legislation. He said based on the way the bill is crafted, it could fine someone arbitrarily. He said they want the bills to focus more on education.

Regarding the fire truck rating, Larry Barr said that fire trucks do not have to be replaced every 15 years. What they did not say, is that you can be held back or fined because of not replacing a fire truck.

Representative Wanda Jennings said there is a push to have a fee added of \$150 to pay the local Board before a county could provide fire trucks.

Representative Tommy Woods said there has been a great concern that replacing fire trucks every 15 years has a detrimental affect on the fire departments. He said we need guidelines for the use of fire trucks.

Mr. Surette said that they are trying to get a procedure for a maintenance list of items for properly maintaining the fire trucks which could possibly prevent having to replace just due to age.

Mr. Gray said regarding homestead reimbursements, they have heard talk that there may be cuts to reimbursements. He said they have only taken issue on that.

Piet Zee of the Tax Assessor's Office said years ago there was Section 8 housing which was money appropriated by the government to assist tenants. He said Section 42 took over from Section 8. When it came about in the 1990's, it was a little different than Section 8. He said the developers worked to get Senate Bill 3100 passed. That took assessments from as much as \$9 million to \$3 million in many cases. Mr. Zee directed the Legislators to pages 17 and 18 in the DeSoto County Legislative Request book. He discussed the differences in the assessments before and after the Senate Bill 3100. The total loss for the county and municipalities took almost \$34 million off of the books. He said they have talked to many experts on this issue.

Representative John Mayo said people who have opposed the legislation regarding the true value determination of rental housing are some of the same people who are investors in Section 42 housing. Mr. Mayo asked Mr. Zee if rent will increase as a result of changing this. Mr. Zee said no.

Mr. Garriga said when this bill was enacted the rent did not decrease.

Representative Mayo discussed the \$740,558 total off of each year.

Representative Mayhall said that Bradford Place went down and then increased in value. Mr. Zee said that Bradford Place is a Section 42 housing. Oak Ridge was a Section 8 housing that formally did not have the tax break applied. Senate Bill 3100 required that this Section 7 housing went down as well.

Representative Mayo said Coahoma County is losing in excess of \$1,000,000 each year.

Representative Mayo said he has already reintroduced the bill and it passed in House and failed in the Senate.

Regarding tax increase- Mr. Garriga said the Mississippi Code requires that the county publish a "notice of tax increase" regardless of whether there is a millage increased planned.

Comptroller Tom Arnold said it is confusing to read of a tax increase in the newspaper and then read further that it is a zero millage increase. He said it needs to be clearer to taxpayers. The county asked that we not have to publish notice of a tax increase when no millage increase is planned.

Mr. Garriga said the County Court Administrators are paid through the Administrative Office of Courts (AOC). He said County Court Administrators are county personnel and they would like to avoid having to send money to the state and the state return the same money to the court administrators. He said the county would rather pay that money directly if possible.

Representative Ted Mayhall said he submitted that bill last year but it did not go anywhere. He said he will submit it again this year and follow it.

Supervisor Bill Russell asked if would help if county representatives attended the committee meetings in Jackson to discuss these issues. Representative Jennings said no, it would not help. She said the Legislators are able to make their cases on the bills. She said if the county asked for legislators to submit them, they will do all they can to get them passed. Ms. Jennings said she does not want the County to think the Legislators do not take these issues seriously.

Regarding Driver's License Facilities in DeSoto County-Supervisor Jessie Medlin said the employees of the driver's license bureau said there is talk about building another driver's license facility in DeSoto County. Representative Forrest Hamilton said he probably receives more calls on the driver's license facility than any other issue. He said there has been a problem with constant changes on the guidelines. He said, also they have no supervision in the facility.

Emergency Services-Allow Paramedics to draw blood.

District Attorney John Champion said one issue in the County is access to a trauma center. He said we see more abuse with alcohol than ever before. He said most people are sent to the Med in Memphis for medical attention. It is getting harder to deal with when they are asked to draw blood from an individual. He said we simply cannot get the necessary drug samples from the Med in order to prosecute an individual. Mr. Champion said there was a code section that required blood to be drawn, but it was removed because it took away probable cause. Mr. Champion said we are asking to give DeSoto County Paramedics the authority to draw blood at a scene of a wreck without fear of potential civil liability. The main problem is the Med does not want to draw blood. If the Paramedics can draw blood at the scene it would be a true reading of the levels.

Representative Wanda Jennings said they have tried this before and were unsuccessful. She asked if this can be accomplished with local and private legislation. Mr. Champion said he does not think it worked on a local and private before. Ms. Jennings suggested trying that route again.

Mr. Champion acknowledged this is the problem for perimeter counties throughout the state. He said he cannot tell the Legislators this issue has affected his office in prosecuting cases. Ms. Jennings said it was not let out of committee because the next issue is to reduce educational requirements.

EMS-Certification Program-EMS Director Bobby Storey said that paramedic training has gone to a two year program for certification. Mr. Storey said he was told the only way they could get a pay raise was to increase their training. He said the two year program hurts DeSoto County because of the Memphis job market. Mr. Storey said he would like to see it changed back to a one year program. He said if they need to go back to school later, DeSoto County has a tuition reimbursement program for them.

Representative Ted Mayhall asked if anyone has talked to the nursing program to see they can be hired to work on an ambulance to draw blood.

Expand the County's authority to work on streams and water courses-Supervisor Bill Russell said it is not legal for the county to work on private property. He said there are occasions when the county should work on private property to correct a county problem. He said Mississippi Code Section 19-5-92.1 allows the county to do work on private property only after the Board determines that the health, safety and welfare of the general public are being jeopardized. DeSoto County has subdivisions that are 30-40 years old and the utilities are failing. He said about one year ago, the Attorney General ruled on the section defined only as open ditches. Supervisor Russell said serious situations occur that have lead to requests that this be changed to included natural or man-made ditches.

Supervisor Tommy Lewis said sometimes those holes are on easements, but often they are under other utility lines.

Health Services-Certificate of Need Process-Supervisor Eugene Thach thanked the legislators for getting the certificate of need process changed.

Allow or Encourage a Hospital Level 3 or greater in DeSoto County-Supervisor Jessie Medlin thanked the legislators for helping to get another hospital in DeSoto County. He said we would like to get a better level of care than a Level 4 hospital.

Infrastructure-Continued Funding for MDOT-Supervisor Tommy Lewis said the legislature deliberates the budget. He asked them to please remember there is MDOT money that is used as a match to federal money where Mississippi is able to pay 20% of the cost of a project. He asked for continued funding for MDOT to allow these projects to continue.

Infrastructure-Highway 301-Supervisor Allen Latimer thanked the legislators for all they have done for the infrastructure in DeSoto County. He said we are asking for the state to take Highway 301 south of Highway 304 into the state highway system.

Infrastructure-Highway 302-Supervisor Bill Russell said he will re-write this page and send it to the legislators. He said that Goodman Road stops at Old Highway 61 by definition. He said he has talked with MDOT for years about ending it at Highway 161. All of the traffic has to go through a dangerous intersection. We are not asking to have this built at this time. He said MDOT says they cannot consider the traffic problem until the description changes at Highway 302 and Highway 161.

Infrastructure-Highway 305-Supervisor Jessie Medlin said there is a section between Sandidge Road and Goodman Road that is three lanes. That section is between sections on the north and south that are five lanes. Supervisor Medlin said he knows it is on the radar screen at MDOT and we appreciate that. This road connects to Germantown Road. He said the county needs support to the south toward Lewisburg where I-269 will cross to increase that traffic and in anticipation of I-269 being built.

Inmate Medical- Vanessa Lynchard presented information regarding inmate medical expenses in DeSoto County.

1.) Vanessa explained that under current law, when individuals are charged with a crime, they lose their Medicare or Medicaid benefits eligibility unless that inmate incurs inpatient medical costs. CMS has confirmed that in-patient claims are to be paid by Medicaid if the prisoner was on Medicaid before they were charged. Claims are submitted by physicians and facilities using an automated process. The automated process does not allow a distinction for processing medical claims for in-patient medical costs for prisoners. Vanessa said the state reimburses no greater than the Medicaid rate.

2.) Require the State to Reimburse Actual Costs of Medical Services- Vanessa explained reimbursement of actual costs of Medicaid rates. She said actual costs of medical services for state inmates should be reimbursed. She suggested the state negotiate rates for state inmates with local providers, and instruct the county on which medical providers would be required to charge the Medicaid rate. This option would require the medical bills for state prisoners to be handled at the the state level, or give the authority for management of prisoner medical services for state prisoners to the County Health Department. This would include examination, local providers, billing, etc.

3.) Require the State of Mississippi to Retain Responsibility for Inmates on Medicaid- Vanessa said the taxpayers bear the burden of inmate medical costs. When a Medicare or Medicaid recipient is charged with a crime, they lose their Medicare/Medicaid benefits. Responsibility for their medical care shifts from the taxpayer's federal or state taxes to the taxpayer's county taxes. In either case the taxpayer is paying the bill. Because Medicare and Medicaid have a large network of patients, both are able to negotiate large discounts off the medical provider's standard billing rate. Individual counties do not generate enough business to negotiate discounts. Consequently the taxpayer pays much higher costs than if their tax dollars had paid the claim through the Medicaid system. Vanessa said if the state will retain responsibility for inmates in county or municipal jails that are on Medicaid, it will lower inmate medical costs for taxpayers in the State of Mississippi. She said there is a \$10 allowance per visit for non-emergency medical costs that can come from the prisoner's account, but it does not limit the billing. Vanessa said the request is to remove the \$10 limit for non-emergency medical services in county and municipal jails and to change the county/municipal authority to mirror state authority.

Legislative Delegation-Request for both chambers to submit bills-Supervisor Eugene Thach said it would be helpful for both chambers to submit bills to increase the chance of passage.

Medical Costs for Lunacy Patients-County Administrator Michael Garriga said there needs to be statewide reform and nationwide on medical costs for lunacy patients. He said we would like the state to help when they can on lunacy care. The statutes on mental health need to be rewritten to be updated.

Military Tax Relief-Supervisor Allen Latimer said he knows the Legislators are supportive of our military. He said the Mississippi Legislature was good enough to give a tax break to our military serving in Iraq or Afghanistan. He said we are asking the Legislators to change the wording on the income tax benefit up to a total \$200.

MOST-Mississippi Optional Sales Tax-Supervisor Tommy Lewis said that the Legislators know what the MOST initiative includes and he would recommend careful consideration.

Sheriff's Department-Request for Radar Authority-Sheriff Bill Rasco said we have a radar trailer that is placed throughout the county and the majority of people driving by the trailer are breaking the speed limit. He said we recently lost two children because of speeding on county roads. He clarified that this is a safety issue and not a budget issue.

Sheriff Request for Authority to Ticket Illegal Window Tinting-Sheriff Bill Rasco said the Sheriff's Office cannot write tickets for window tinting. He said the deputies cannot tell what is going to happen when they approach a vehicle with dark windows.

State Fully Fund State Obligations Capitalize that do not give relief at the expense of county governments-Chancery Clerk Sluggo Davis said there is a maximum of 6% increase in homestead reimbursement over the preceding year. He said DeSoto County has reached a point it may be years before we grow at that level. Other counties are likely to experience the loss that DeSoto County has experienced in the past. From 2004 to 2007, DeSoto County lost \$402,689. Mr. Davis said if the State Legislature increases the over 65 disability in 2010, the county of DeSoto will lose more than \$1 million. He said DeSoto County School System would lose \$1.2 million. He reminded the Legislators that money is tight for all governments.

Mr. Garriga said a \$1 million loss to the general fund would be very traumatic. Mr. Davis said, we previously collected \$82 on a homestead reimbursement but Governor Barbour changed that to where we are currently collecting \$100. He said that was appreciated and it also follows Mississippi code.

Youth Services-Salary Scale-County Court Judge Allen Couch said he has good news. He said the last time he was before the Legislators he was requesting to fill vacancies in employees. Judge Couch said he is happy to report that the staff has increased to five counselors and one of them is a supervisor. The current issue is job retention. He said, because of the required education level for these positions and the pay rate, it is difficult to retain staff. Judge Couch asked that the Legislators consider the salaries of youth service workers.

School Bus Turn Arounds-Request to Reduce Time for Approval Process-Supervisor Allen Latimer said the law allows counties to maintain school bus turn arounds on private property. The way the law is written, the request must be voted on by the School Board and a request sent to the county. That process sometimes takes six to eight weeks. He asked for some relief on the process regarding school bus turn arounds.

Supervisor Bill Russell said the laws on school bus turn arounds are vague and the package needs to be re-written.

Representative Jennings said she submitted that last year but it was pocket vetoed because it opens up the state for abuse, but it can be tried again.

Representative Forrest Hamilton thanked the Board of Supervisors for the good job they are doing. The Board of Supervisors thanked the Legislators for their time working on county issues.

5. Authorize to Bid Justice Court / Tax Collector Renovation

County Administrator Michael Garriga presented a draft for the plans for the exterior renovation of the DeSoto County Justice Court and Tax Collector building in Southaven. He said they do not anticipate the renovation consuming the entire budget of \$250,000. He said the specifications are prepared if the Board is ready to proceed with the project.

Supervisor Thach asked if a new roof and canopy are being added. Mr. Garriga yes.

Supervisor Eugene Thach asked if the City of Southaven has reviewed the plans. Mr. Garriga said he will send the plans to the City of Southaven.

Supervisor Allen Latimer verified that this project includes the Justice Court as well as the Tax Collector’s building. Supervisor Latimer asked if it includes the old and new part of the building. Mr. Garriga said yes.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to authorize to solicit for bids for renovations to the exterior of the Justice Court / Tax Collector’s building in Southaven. 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

6. Medical Program for Inmates: Contract for TPA

County Administrator Michael Garriga said he met with Sheriff Bill Rasco regarding the third party administrator for handling medical costs for the inmates. He said they are considering a new group in Gulfport called SAS. The current group is BMS from Jackson and they have not appropriately responded to needs and concerns from Sheriff Bill Rasco regarding paying providers in a timely manner. Because payments were not being made on time, the Sheriff’s Office had problems trying to get care for the inmates. Mr. Garriga said they hope to complete the paperwork and begin with the new service in January, 2010. He said it will include a reduction to \$10 per day instead of \$13.75 per day which will be a savings to the county.

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to authorize the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to review the contract with SAS of Gulfport and to bring it back to the Board for approval. 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

7. Department of Road Management

a. Camp Creek Drainage / Erosion

Road Manager Russell Dorris and Jim Ditto of DCRUA appeared before the Board of Supervisors to discuss drainage and erosion at Camp Creek.

Mr. Dorris presented pictures of the erosion of Upper Camp Creek. Mr. Dorris asked for approval to send a letter to request help with the problem.

Supervisor Eugene Thach asked if NRCS will pay for this project. Mr. Ditto responded yes.

Mr. Ditto said that minor repairs are in line and there is no money to do the repairs.

Supervisor Allen Latimer asked the county’s role since this is private property. Mr. Ditto said they are asking the county to request NRCS to do this work.

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to approve the county participating in a request for assistance from NRCS on erosion for Upper Camp Creek. 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.a

b. Slocum Trails – Expiration of Letter of Credit

County Engineer Andy Swims and Developer Joe Whitfield appeared before the Board of Supervisors regarding the expiration of the letter of credit for Slocum Trails Subdivision. Mr. Swims said the Board previously voted not to approve the bond until December 9th.

Mr. Swims said the developer worked very hard to complete this work and it is completed except for the overlay. Mr. Swims asked for the Board to consider a pledge of a cashier’s check for the overlay. This will secure the project in completing the work.

Supervisor Tommy Lewis asked if the letter of credit needed to be extended to the end of March. Mr. Whitfield said that date may be more realistic considering the weather issues that may occur.

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to accept the recommendation of the County Engineer to extend the time limit on the bond for Slocum Trails Subdivision until the end of March, 2010, and allow the bond to be secured by a cashier’s check to cover the cost of the overlay and various seeding, rip rap and any other issues. 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

8. Board Attorney

a. DCRUA-Board Appointment (Wade Carter Term to Expire)

Board Attorney Tony Nowak said he received a letter from Mr. Bill Austin of the DeSoto County Regional Utility Authority regarding the expiration date of the appointment of Wade Carter. Mr. Nowak said that DCRUA would like to extend the appointment of Mr. Carter if possible.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to reappoint Wade Carter to the DeSoto County Regional Utility Authority Board for a term of four years, set to expire January 6, 2014. 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.a

b. A2H Traffic Study Agreement

This item was handled on the Consent Agenda.

c. Approval of MOU With Pickering Engineering for General Services

Board Attorney Tony Nowak said that Pickering Engineering agreed to certain items to complete the Starlanding Railroad project. He presented an MOU regarding that agreement and recommended it to the Board for approval.

Supervisor Allen Latimer made the motion and Supervisor Eugene Thach seconded the motion to approve a memorandum of understanding for certain engineering services with Pickering Engineering. 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
Supervisor Tommy Lewis-----YES

See Exhibit G.8.c

9. Purchasing – Bids Under Advisement

a. Sale of Inoperable Equipment/Scrap Metal

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to approve the high bid of Nick Woolsey for the sale of inoperable equipment for scrap metal as fully described in Exhibit G.9.a., in connection with bid file number 10-200-004. The motion passed by a vote as follows:

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

See Exhibit G.9.a

b. Re-bid Sale of Used Copiers

At the recommendation of the Purchase Clerk Vanessa Lynchard, Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to approve the high bid of Action Wholesale Copiers for the re-bid of the sale of used copiers in connection with bid file number 10-100-002. 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.9.b

c. Annual Bids

Guardrails – In connection with bid file number 01-100-002, Purchase Clerk Vanessa Lynchard recommended holding this item over.

Supervisor Tommy Lewis made the motion and Supervisor Allen Latimer seconded the motion to hold over the bid for guardrails, bid file number 01-100-002. 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

Slurry Seal – At the recommendation of the Purchase Clerk, Supervisor Allen Latimer made the motion and Supervisor Bill Russell seconded the motion to approve the only bid for Slurry Seal from Vance Brothers, Inc. for bid file number 10-156-004. 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

Cement Treated Base - Vanessa Lynchard presented the only bid for cement treated base from APAC, TN, Inc. Vanessa said this price reflects a 4.3% increase over FY 09 if the same estimated amount is used.

At the recommendation of the Purchase Clerk, Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the only bid received for cement treated base with APAC, TN, Inc., for bid file number 10-156-006. 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.9

10. Approval of Travel

a. MAS Midwinter Conference – January 11- 13, 2010

b. Blue Ribbon Trip – March 3 – 5, 2010

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to authorize the Board of Supervisors, County Administrator, Road Manager and other employees as necessary to travel to the MAS Midwinter Conference and the Blue Ribbon trip and to incur traveling expenses as necessary in order to represent DeSoto County. The motion passed by a vote as follows:

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

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. County Owned Building

Supervisor Allen Latimer said he was at a meeting with a youth group and it was mentioned that the Dover Office Building is a county owned building. The Supervisors agreed that the Dover Building is not a county owned building and asked Board Attorney Tony Nowak to verify ownership of the building. Mr. Nowak said he will verify the ownership of the building.

2. DeSoto County Health Fund

Supervisor Allen Latimer said that the health fund has declined by \$100,000 and the Board needs to consider when to take measurements to protect the fund and the county employees.

Supervisor Allen Latimer made the motion and Supervisor Eugene Thach seconded the motion to recess the meeting until December 9, 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-----YES
Supervisor Tommy Lewis-----YES

THIS the 7th day of December, 2009, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Tommy Lewis, President
DeSoto County Board of Supervisors