

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

ALLEN LATIMER, PRESIDENT, 2011 PRESIDING

December 19, 2011

A. CALL TO ORDER

The December 19, 2011 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Allen Latimer, 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 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 Eugene Thach presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. CITIZEN COMMENTS

Supervisor Allen Latimer asked if there was anyone in the audience who wanted to address the Board of Supervisors regarding any item not listed on the Agenda. No one came forward.

E. CONSENT

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

Supervisor Jessie Medlin asked if the contract for the Eudora Fire Department on the Consent Agenda is for the architect. County Administrator Michael Garriga said yes. Mr. Garriga said the contract is with AERC, which is the name of the engineering firm that Doug Thornton is associated with. He said the selection of AERC went through the committee process and a recommendation was made by the committee to the Board of Supervisors to contract with AERC to do the engineering on the building.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to approve the Consent Agenda as follows including the contract with AERC for the Eudora Fire Department:

1. Office of Finance & Accounting

a. Budget Amendments

b. Quarterly Budget Allocations

2. Make Part of Minutes

a. DC Jail-Sewer Utility Easements – CTW Medical, L.L.C.

b. A2H – Engineering Services Agreement for Traffic Engineering Services

c. Changes to Official DeSoto County Road Map and Register

d. AERC Contract for Eudora Fire Station

3. Approval of Resolution with Olive Branch for Use of Animal Shelter

4. Safety Report (2)

5. Office of Procurement: Solicit Bids: Road Dept. - Expanded Clay Aggregate

6. Grants Administration: Acceptance of TN GIS Grant 09GIS-DESO

7. Dept. of Road Management

a. School Bus Turnaround

Location	Bus #	Owner	Phone
3295 Hunter Road N	50	Barbara Side	429-3222

b. Road Condition List, 4-Year Road Plan & Affidavits

8. State Tax Commission: Tax Assessor Recapitulation of Real and Personal Assessment Rolls

9. Petition to Adjust Homestead Exemption Supplemental Roll – Various Chancery Clerk Allowance (1) \$1,500

The motion passed by a vote as follows:

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

See Exhibit E

F. OLD BUSINESS

1. 9:00 a.m. Public Hearing: Board of Adjustment Appeal – Request to table until February 6, 2012

**December 19, 2011
9:00 a.m.**

Supervisor Medlin made a Motion to open a Public Hearing. Supervisor Russell seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS

YES

Supervisor Russell made a Motion to carry over the appeal until the February 6, 2012 meeting to allow the applicant time to research alternatives sites on the property. Supervisor Medlin seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN

YES

SECOND DISTRICT SUPERVISOR, EUGENE THACH

YES

THIRD DISTRICT SUPERVISOR, BILL RUSSELL

YES

FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER

YES

FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS

YES

Supervisor Medlin made a Motion to close the Public Hearing. Supervisor Russell seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN

YES

SECOND DISTRICT SUPERVISOR, EUGENE THACH

YES

THIRD DISTRICT SUPERVISOR, BILL RUSSELL

YES

FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER

YES

FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS

YES

2. Election Commission: Relocation of Polling Precinct: Greenbrook North

Election Commissioner Barry Chatham appeared before the Board of Supervisors and said the last time he was before the Board the Election Commission and the Board agreed to move a polling place to the fire station on Swinnea Road. Mr. Chatham said the Board asked them to look at a church near the proposed polling place because it might provide better parking for voters than the fire station. Mr. Chatham said the Election Commissioners are looking at a church in the middle of the precinct and they have talked to Gracewood Baptist Church on Getwell Road and they need more information regarding their liability insurance before making a final decision. He said it is an ideal location and is in the center of the precinct area and the parking is very good.

Supervisor Allen Latimer asked if the church has already agreed to allow use of the church as a polling place precinct. Mr. Chatham said not yet, but when the issue with insurance is cleared up, they expect the church to agree.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to approve relocating the Greenbrook North Polling Precinct to Gracewood Baptist Church on Getwell Road subject to an agreement between Gracewood Baptist Church and 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

See Exhibit F.2

3. Summershill Fire Protection District Dissolution and Rescind Tax Levy

Board Attorney Tony Nowak advised the Board that the Summershill Fire District is in the process of being dissolved and its assets are being transferred to the City of Olive Branch. He added that Summershill's debt is also being transferred to Olive Branch or being paid

off. Mr. Nowak advised the Board that according to the statute, there is a two-mill levy for the residents within the Summershill fire protection area and when the District is dissolved, there will no longer be a need for a tax levy. Mr. Nowak said as a precaution he is asking the Board to approve an order to rescind the tax levy. Mr. Nowak added that in speaking with counsel for the City of Olive Branch, he understands that the City has no tax mill on fire departments.

At the recommendation of the Board Attorney, Supervisor Eugene Thach made the motion and Supervisor Bill Russell seconded the motion to approve an order resolution of The Board of Supervisors of DeSoto County, rescinding the 2-mill tax levy with Summershill Fire Protection as fully described in Exhibit F.3. 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 F.3

G. NEW BUSINESS

1. Energy Efficiency Project Update

Siemens Representative Chris McNeil appeared before the Board of Supervisors to report on the progress of the Energy Efficiency Project. Mr. McNeil said everyone could see a lot of work that has been going on. He said the goal of the project is to save money for DeSoto County and its taxpayers. The County has nine buildings that are being retrofitted for energy efficiency and that is the easier part of the project. Mr. McNeil added that their goal is to have the retrofitting completed by December.

Mr. McNeil said a lot of the hard infrastructure has been installed and the conversion would begin by the end of January. Mr. McNeil stated that the last conversion would be the courthouse, and he asked people to be patient while the work is being done. Mr. McNeil said they will do a “false load” with the chiller system in February and the entire chiller project should be completed by mid-March, which will be one and a half month ahead of schedule.

Supervisor Jessie Medlin asked if the thermostats are located in the building. Mr. McNeil said there are temperature controls currently in the courthouse, but they do not work properly. Mr. McNeil said they are in the process of replacing the controls now. He added that the courthouse is the only building that will require both heat and air conversions.

County Administrator Michael Garriga suggested holding a kick-off meeting with merchants on the square, various County departments and anyone affected by the work being done on the infrastructure and conversions to provide a construction schedule and any other information about the project so that they can be advised about what to expect over the next few months.

Mr. McNeil said he appreciates the opportunity this Board has given Siemens to do the energy efficiency project for the County.

2. Office of Finance & Accounting

a. Supplemental Claims Docket

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

seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Chief Financial Officer. 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. Inventory Control Dispositions

Inventory Control Clerk Char McCool presented a preliminary and final for EMS and a declaration of forfeiture for the Sheriff’s Department as follows:

1.) EMS-Preliminary & Final

Asset #	Description	Serial#	Reason for Disposal
41472	2011 Ford 150 White Crew Cab 4x4	1FT7W2B66BED01176	Grant funds purchased for region

2.) Sheriff’s Dept. Declaration of Forfeitures

Agency	Case #	Date Declared	Manufacturer	Description	Serial #	Value
SID	2011-43080	11/28/11	Toyota	RAV 4 (silver)	JTEHH20VX10128455	\$6,595.00

At the recommendation of Inventory Clerk, Char McCool, Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the preliminary and final disposition for EMS and a declaration of forfeitures for the Sheriff’s Department as detailed above and in Exhibit G.2.b. The motion passed by a vote as follows:

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

See Exhibit G.2.b

c. Grants Administration: Accept VWYC Grant Modification 09NW1171 2009 DJ-BX0787

At the recommendation of Grants Administrator Joyce Herring, Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to accept the VWYC Grant Modification 09NW11712009 DJ-BX0787 to increase the current budget from \$50,605.56 to the new budget amount of \$76,260.97, for a difference of \$6,413.85 for a local match which is funded through grants administration and no additional funding required. The motion passed by a vote as follows:

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

See Exhibit G.2.c

d. Late Bills

At the recommendation of the Chief Financial Officer, Tom Arnold, Supervisor Allen Latimer made the motion and Supervisor Jessie Medlin seconded the motion to approve late bills as follows:

Michelle Haberstroh	\$ 998.40
Southgroup Insurance	\$ 980.00
Post Office Box Rental	\$ 42.00
West Publishing	\$ 577.50

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. Olive Branch Municipal Fire Protection District – Mutual Aid Agreement and Lease Agreement

Board Attorney Tony Nowak said this relates to the Summershill Fire Protection District, which has been dissolved. Mr. Nowak said that the City of Olive Branch has taken over the operation of the fire station located at 7600 Pleasant Hill Road and as a result, there needs to be a new Mutual Aid Agreement between the City and the County. Mr. Nowak added that the fire station is operating in a County-owned building, so the County must enter into a Lease Agreement with the City of Olive Branch. Mr. Nowak said the Mutual Aid Agreements would expire in February 2012.

Supervisor Bill Russell asked if the County would charge rent. He said the Board might want to sell the building to the City instead of leasing it to them.

County Administrator Michael Garriga said the County is not currently charging rent on this building, nor is rent charged on the other County buildings used for fire protection.

Mr. Nowak said he is unsure if they would want the building under other options.

Supervisor Jessie Medlin said they might not need a fire station in that location and the County might need to use that land later.

Mr. Garriga said the Olive Branch Fire Department approached the Planning Commission about pulling a building permit for an addition to the building and that he asked the Planning Commission to wait until the Board acted on this issue.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to authorize the Board Attorney to proceed with a one-year lease agreement and a one year mutual aid agreement with the City of Olive Branch for the Summershill Fire Department building located at 7600 Pleasant Hill Road and to authorize the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to update all Mutual Aid Agreements with County Fire Departments as the agreements are set to expire February 2012. The motion passed by a vote as follows:

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

See Exhibit G.3

4. Office of Procurement

a. Emergency Purchases of Nov. 28, 29, and 30, 2011

Director of Procurement Vanessa Lynchard said in November DeSoto County had a weather event that warranted an emergency purchase. Vanessa presented details of the

weather scenarios and dates, articles from the Commercial Appeal Newspaper, winter weather advisories, winter weather messages from DeSoto County EMA, affidavits and all County purchase orders to support the request for the emergency purchase dates Nov. 28, 29 and 30, 2011. Vanessa said all these reports declare the pending threat of approximately one to two inches of snow accumulation. This was reported to be the first November winter weather in the mid-south in many years.

Vanessa said that because of this unanticipated winter weather event, the Department of Road Management was forced to purchase products to apply to bridges and overpasses. The Road Manager has determined that the best product to use on bridges and overpasses is a course medium aggregate rock, which is a synthetic product that has greatly decreased the number of windshield breaks after the event. Vanessa said that in addition, this product does not contain salt and since salt deteriorates the concrete, the course medium aggregate rock has been determined to be the ideal product for winter weather applications. Vanessa said there is only one vendor who can supply this course medium aggregate rock and the department purchased rock as follows:

DATE	QTY	TOTAL PRICE
November 28, 2011	120 yds	\$4,980.00
November 29, 2011	120 yds	\$4,980.00
November 30, 2011	25 yds	\$1,037.50

Vanessa reported that the total of these products exceeded the limit authorized for purchases under MS Code Section 31-7-13, which limits purchases without two or more competitive quotes to \$5,000 total. She added that because the product was being distributed throughout the county, more than one purchase event (purchase order) was necessary to have enough of the product to cover all of the County bridges and overpasses and the total of the purchase was \$10,997.50.

Vanessa said the Road Manager and Assistant Road Manager determined that an emergency existed surrounding this weather event, so that the delay of getting approval of the purchase as a sole source was detrimental to the best interest of the county because the product is only available from one source and a competitive quote was not possible.

Vanessa said the Road Manager was authorized by the Board of Supervisors to make emergency purchases on January 6, 2010. Vanessa then presented the Road Manager's oath confirming the details surrounding the purchase in his memo. She then advised the the purchase was made from Big River Industries and the product was picked up from Memphis, Tennessee.

Vanessa said, as required by MS Code Section 31-7-13, that all documentation of the purchase including the description, price and nature of the emergency are submitted for inclusion in the minutes to be approved of the Board of Supervisors.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to approve the sole source emergency purchases for material to use during inclement weather as documented in Exhibit G.4.a dated Nov. 28, 29, and 30, 2011, and to make all related paperwork part of the minutes. The motion passed by a vote as follows:

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

See Exhibit G.4.a

b. Bids Under Advisement: Sheriff's Dept. – Inmates Supplies 11-200-002

Procurement Director Vanessa Lynchard explained that the Board approved a bid for inmate supplies in May of 2011 for six months and included the authority to extend the bid an additional six months if both the County and the vendors agreed to do so. Vanessa

said the Sheriff's Department and the vendor are pleased with their association and they are requesting to extend the bid for an additional six months.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve extending bids for inmate supplies 11-200-002 in the Sheriff's Department for an additional six months according to the bid specifications. 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 4.b

5. Dept. of Road Management

a. Finding of Fact

1.) 7881 Tucker Drive

Road Manager Russell Dorris said a finding of fact had been conducted at 7881 Tucker Drive in Walls. He presented pictures of the private property that showed damages associated with drainage and erosion and the cost of repairs estimated at \$347.

Mr. Dorris said it has been determined this damage affects the health, safety and welfare of the traveling public of DeSoto County in accordance with Mississippi Code section 19-5-92.

2.) 6696 Casey Cove

Mr. Dorris said a finding of fact had been conducted at 6696 Casey Cove in Ranch Meadows Subdivision and presented pictures showing damages to private property associated with drainage and erosion. The cost to repair is estimated at \$3,445 and it affects the health, safety and welfare of the public of DeSoto County in accordance with Mississippi Code section 19-5-92.

At the recommendation of the Road Manager Russell Dorris and after hearing the facts, the Board of Supervisors concluded that they were in agreement with the Road Manager's findings that damages caused by drainage and erosion on the properties located at 7881 Tucker Drive and 6696 Casey Cove are causing a health, safety and welfare issue to the citizens of DeSoto County Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to approve making repairs to the properties in accordance with Mississippi code section 19-5-92. 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.5.a

b. Engineering Services Agreement for Traffic Engineering Services with Smith Seckman, Inc.

At the recommendation of the Road Manager Russell Dorris, Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to approve the contract with Smith Seckman, Inc., for general engineering services with terms of the contract specifically identified in Exhibit G.5.b. 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. Plat Amendment to Dixie Acres Subdivision and Proposed Road Abandonment

Interim Planning Department Director Gina Tynan said she received a request from the developer of Dixie Acres Subdivision concerning a road in the subdivision that is on the plat, but has never been built. The plat shows a 50-foot wide road that is approximately 863 feet in length and as a condition of the plat approval, the developer was required to post a bond to pay for the road. Ms. Tynan said the subdivision was never developed and there is no need for the road and the developer, asked if this road could be abandoned and the bond refunded. Ms. Tynan stated that she advised the developer that the plat would need to be amended and the plat would need to be recorded in order to abandon the roadway.

Supervisor Jessie Medlin asked when the plat was approved. Ms. Tynan stated that the plat was originally approved in 1975.

Chancery Clerk Sluggo Davis reported that the plat was approved in 1975 and recorded in 1976 and that the developer had posted a bond at that time, and the funds are being held by his office.

Supervisor Jessie Medlin asked if the County has a legal right of way. Board Attorney Tony Nowak said that he had researched the matter and according to the County Road Department, the road was never built and never added to the road register, and since it has never been built or accepted, it is considered a paper road that only exists on the plat.

Jamie Tipton said the property owners have no interest in developing the road and they would like the Board to approve releasing Mr. Gartrell's bond for the road.

Supervisor Allen Latimer said it seems no one is opposed to abandoning the road, but the Board had no plat to consider.

Supervisor Medlin said if the 70 acres develops, they would have only one way in and one way out of the subdivision and that is not good. Mr. Tipton said that is correct. He said the Gartrell's also own lot 5 so they could build a road there, if the subdivision develops. Supervisor Tommy Lewis verified that there are only two lots are affected by the change.

Mr. Tipton presented letters from owners of lots 5 and 6 agreeing to the abandonment.

The Board of Supervisors discussed the issues and said the proposed road in Dixie Acres Subdivision is a paper road and referred it back to the Planning Commission for consideration of amending the plat to remove the road.

No other action was necessary on this item.

See Exhibit G.6

7. Worker's Compensation Renewal

County Administrator Michael Garriga said they reviewed the Worker's Compensation activity and there is a slight increase in premiums for current year. Mr. Garriga said Harris, Madden and Powell, Inc. has been the County's insurance broker for Worker's Compensation for several years.

Supervisor Allen Latimer asked, since three Board members would not be here for the upcoming term, is their vote on this issue binding. Board Attorney Tony Nowak said yes, because the coverage expires before the next Board meeting and if it is not renewed, the County would have no Worker's Comp in January for next year.

Account Executive Ric Stallings of Harris, Madden and Powell, Inc., said they have handled this insurance for DeSoto County since 1998. The last ten years it has been with Mississippi Municipal Public Entity.

Supervisor Bill Russell asked how the rates are set on page 3. Mr. Stallings explained how each company sets the multipliers. They discussed the multiplier rates might be different for different certain County departments and some are unique and can be difficult to understand.

Mr. Stallings explained the 6% on page 6 and the experience modifications. Mr. Stallings stated that this year the County added coverage for the volunteers for the helicopters and that. That was only a \$40 per year increase in premium.

Supervisor Russell asked how it is set on the rate table. Mr. Stallings stated that they constantly monitor the market to ensure the County gets the best rate.

Supervisor Latimer complimented Harris, Madden and Powell for efforts in saving money for the County.

Supervisor Medlin asked if the helicopter coverage is the only line added to the premium. Mr. Stallings said yes.

Supervisor Russell asked about the rate table. Mr. Stallings explained the multipliers and that is why the rates are different for all the companies.

At the recommendation of the County Administrator Michael Garriga, Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve renewing Worker's Compensation Insurance with Harris, Madden & Powell, Inc., at an estimated annual premium including an of 6% over 2011 for Workers Compensation coverage of DeSoto County employees. 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 7

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. Weapons on County Property

Supervisor Jessie Medlin asked for an update on the issue of carrying weapons on County property.

Board Attorney Tony Nowak said he sent a memo to the Board members and he is waiting for direction from the Board to proceed.

County Administrator Michael Garriga said there is a restriction against anyone carrying weapons on County property and when the County lets the public use County property for events, meetings etc., the County advised the public that they are prohibited from carrying weapons on County property.

Mr. Nowak said, if he receives direction from the Board, he would be happy to proceed on this issue.

2. Legislative Revision House Bill 1215 – Vehicles Older than 10 Years

Supervisor Bill Russell made the motion to send a letter to ask the Legislature and MAS to repeal or modify House Bill 1215 or modify it to require the Department of Revenue to give advance approval before the auto crusher can crush any vehicle 10 years or older or the presenter claims a lost title.

Supervisor Bill Russell said there is a Bill that was introduced regarding vehicles older than 10 years. He said, according to this Bill, someone could take a vehicle to an auto crusher. The crusher could crush the car immediately without any proof of ownership. The crusher then sends paperwork to the state. When this bill was approved, thefts on cars 10 years and older dramatically increased. Supervisor Russell said he talked to the Department of Revenue and the only action they can take according to the Bill is to destroy the title. He said they talked to Ms. Chism at the Department of Revenue in Jackson, and she asked Supervisor Russell to help with this issue. Ms. Chism said the Department of Revenue has had to hire four additional employees to handle business associated with the increase in these requests.

Supervisor Russell said that Scott Delano had provisions in the Bill to get advanced approval from the Department of Revenue. Those details were removed from the Bill before it was passed.

Supervisor Eugene Thach asked why the Board is getting involved if we do not have anything to do with the approval. Supervisor Russell said because the Board’s constituents are being robbed and this needs to be brought to their attention.

Sheriff Bill Rasco said the law definitely needs to be changed. He said the auto crushers know that 90% of the vehicles are fraudulent. Sheriff Rasco said that Supervisor Medlin said there are some people who crush cars as an honest income and he does not want to do anything to hurt them. He said Martin Brothers would accept vehicles only after the gas tank has been removed and could not be driven to their business.

Supervisor Russell withdrew the motion.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to adjourn the meeting until January 3, 2012 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 19th day of December 2011, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Allen Latimer, President
DeSoto County Board of Supervisors