

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

**BILL RUSSELL, PRESIDENT 2010 PRESIDING**

**December 6, 2010**

**A. CALL TO ORDER**

The December 6, 2010, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Bill Russell, Board President.

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

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

**B. INVOCATION**

Deputy Carl Hurt presented the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. APPROVAL OF NOVEMBER MINUTES**

The official minutes of the Board of Supervisors were read for the month of December, 2010. Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to accept the minutes of the Board of Supervisors for November, 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-----YES

**See Exhibit D**

**E. CONSENT**

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

County Administrator Michael Garriga said that number eleven should be the “Order Directing the Purchase of Stenographic Equipment” instead of construction equipment.



From: General County Fund 001-900-951 \$18,000.00  
 To: 2009 Refunding Bonds-MDB I&S \$18,000.00

**d. IT Annual Fee: .gov Domain - \$125.00**

**6. Make Part of Minutes: Letter of Agreement with Keepm, LLC - Jail Site Expansion –Access Road**

**7. Inventory Control Dispositions: Final – Sheriff’s Dept.**

**Jail-Laundry**

| Asset # | Serial #   | Description | Reason for Disp          | Loc at Final  |
|---------|------------|-------------|--------------------------|---------------|
| 32103   | N/A        | Washer      | Unable to Repair/surplus | Martin Bros.  |
| 32104   | N/A        | Washer      | Unable to Repair/surplus | Martin Bros.  |
| 32105   | N/A        | Washer      | Unable to Repair/surplus | Martin Bros.  |
| 31332   | 2004992978 | Dryer       | Unable to Repair/surplus | Metal recycle |
| 31333   | 2004992979 | Dryer       | Unable to Repair/surplus | Martin Bros.  |
| 31334   | 2004992980 | Dryer       | Unable to Repair/surplus | Martin Bros.  |

**8. Safety Officers Report (1 )**

**9. Department of Road Management**

**a. Road Report and Work Schedule**

**b. Road Bond Report**

**c. Additions to Official Road Map & Register – Detailed in Exhibit E**

**d. School Bus Turnarounds**

| Location                | Bus # | Owner        | Phone        |
|-------------------------|-------|--------------|--------------|
| 5735 Smith Rd, Hernando | 257   | Cindy Conrad | 901-832-3815 |

**10. Chancery Clerk Allowance (1) - \$2,366.66**

**11. Procurement: Order Directing Purchase of Stenographic Equipment - \$9,234.00**  
 (2 Diamante Steno Machines)

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

Supervisor said his dissenting vote was in opposition of the road for the jail.

See Exhibit E

**F. OLD BUSINESS**

**G. NEW BUSINESS**

**1. 2011 Legislative Requests**

Supervisor Bill Russell introduced Derrick Surratt of the Mississippi Association of Supervisors (MAS).

Mr. Surratt said MAS started visits with the counties last year so they have the opportunity to talk

with both the counties as well as the legislators. Last year they visited 37 counties and this year they plan to visit 50 counties. Mr. Surratt said this has been very good for the association. They have downsized their agenda to a handout. He said MAS narrowed their focus to our revenue streams.

I. Appropriations-Homestead Exemption Reimbursement-Mr. Surratt's handout defined some of the concerns with the homestead exemption reimbursement program. He said it seems the counties give out more credits and get less returned from the state.

II. Mr. Surratt said school funding has been cut \$187 million and that causes a lot of local budgets to increase. He said they worry about mental health funding and talks to close down mental health facilities. They have not yet seen a lot of change in that area.

III. Bonds-He said bonds are another area of concern. We thank the legislators for the good job last year on the LSBP and LSRP money.

IV. Broadband Exemption-Mr. Surratt said broadband exemptions have not done the job of making sure the broadbands are in place.

Section 42 Housing-This is an area of great concern to the counties. This issue is at the top of the list for MAS. That problem is getting bigger with more section 42 housing being approved this year. Many developers do not live in this state. Many counties are being sued through their Tax Assessor's for simply questioning the paperwork submitted by the section 42 housing. He said all three coastal counties have been sued for asking questions about the paperwork that was submitted to the office. Mr. Surratt said section 42 housing in theory is a great program, but they should not receive blank tax exemptions.

Rural Fire Truck Program-The rural fire truck program is another area that needs attention. Mr. Surratt said they are trying to draw up legislation to extend the life of a fire truck. He said if a fire truck passes all the tests there is absolutely no need to replace it every two years.

Inventory Tax Exemption-MAS is in opposition to the inventory tax exemption.

Representative Wanda Jennings asked if MAS looked at what Tupelo has done on the inventory tax exemption. She said they have been very successful with the way it is being handled. Mr. Surratt said no, but they will look into it.

Representative Forrest Hamilton asked if the legislation for rural fire trucks applies to any of the cities. Mr. Surratt said yes it would. He said the municipal league shares the same concerns. Supervisor Bill Russell asked who inspects the fire trucks. Mr. Surratt said he is meeting with Larry Barr on Thursday and will find out who inspects the fire trucks. He said a commercial truck is not inspected until 15 years and a custom truck is inspected every 20 years. He said we can file for an extension and usually get one for six to eight months to allow time to apply for a new truck. He said MAS certainly does not want to do anything that would impair the county fire ratings.

Representative Ted Mayhall said since this is a state issue, can it be changed to measure mileage as opposed to age of the truck.

Supervisor Allen Latimer said when section 42 housing was mentioned, why would they not be taxed the same as others are taxed. Mr. Surratt said they were trying to get some sort of bill through and so they were looking for a compromise.

Supervisor Bill Russell said DeSoto County has a book to present to the legislators again this year. Supervisor Russell said included in the book are issues specific to DeSoto County. He said the Board of Supervisors will not be talking about all of the issues in the presentation this year.

Supervisor Jessie Medlin said he understands everything is ongoing for the section of Highway 305 near Olive Branch. Supervisor Medlin said it is his understanding that this is funded. He said with I-69 having an exit he hopes we can get the last part of Highway 305 widened. He said they are surveying again now. Supervisor Medlin said he knows I-269 will add more traffic to

Highway 305. He said it needs to be widened to Lewisburg at least. The work they are doing now will be a big improvement. The county is very fortunate to have FedEx and glad to have their business, but it does add more traffic to Hwy. 305. Supervisor Medlin said he sure would appreciate the legislators help if money comes available.

Supervisor Allen Latimer said he would like to talk to the legislators about Highway 301. Supervisor Latimer said we are all happy that I-69 will be coming through the county. He said the county took over the maintenance of Old Highway 304 in order to get I-69. The county has to maintain the road plus a section of Hwy 301 even though they are state roads. Supervisor Latimer asked the state work toward taking over the maintenance of this portion of Highway 301.

Supervisor Tommy Lewis said he would like to discuss how the state budget affects the county budget. He asked that the state to consider the impact to local budgets when making decisions on those issues.

Supervisor Eugene Thach discussed military tax relief with the legislators. He said if there is any help the legislators can give to assist our military families, it would be appreciated.

Supervisor Bill Russell thanked the legislators for the help to the county on relocating the jail. He said the process was quite an experience and the legislators did an amazing job.

Supervisor Russell said today he would like to ask for their assistance for the county to expand their authority to work on streams, ditches and waterways. He said it has nothing to do with improving private property but, changing wording in the code that will allow counties to repair problems on people's property. The code now states the county can only fix problems if there is an open ditch. Many of our problems are in conduits. He said if they collapse and affect the road, the county can repair it. If it does not affect the road, then the county cannot do the repair. It would be beneficial to have the authority to fix problems before it affects the road, it could be with the Board of Supervisors approval spread on the minutes. This is not a private property issue. Representative Tommy Woods said he will do his best but they will not bring it out of committee. Supervisor Tommy Lewis said the issue is usually in subdivisions that are 35-40 years old. He said he thinks the cities do have authority to do such work.

Pieter Zee of the DeSoto County Tax Assessor's office addressed the legislators and Board of Supervisors regarding section 42 housing. Mr. Zee said this year the county lost approximately \$620,000 on section 42 housing. He said now assisted living and senior citizen housing is being developed and it has found its way under the same umbrella. Mr. Zee said by law these properties cannot be sold. However, last year four were sold and the corporation stayed in tact, but the owners changed.

Representative John Mayo asked if the Board will push to get the deadline for filing to run for office moved out.

Derrick Surratt said MAS does not have a position as an association on the issue. That is because some counties do not have the need to redistrict and some do. Some counties have experienced growth and some have not.

Senator Merle Flowers said one issue that is not in the book is actually at the top of the list. He said jobs are at the top of the legislators list. Senator Flowers said trying to get more work to the state is so important. He said unemployment numbers are only for the ones who are receiving unemployment benefits. Senator Flowers said there are a lot of people who have exhausted their benefits and are not included in the current figures. He said the state appreciates all that DeSoto County has done in the past to recruit jobs to the state.

Representative Forrest Hamilton said we are proud of Senator Davis and his new appointment as Chairman of Appropriations.

Representative Tommy Woods said as the senior member of the delegation from the House, they wanted to tell the Board of Supervisors they are there for the county and they will do all we can to get these items done for DeSoto County. He said the legislators do not always know what the counties needs, but providing the list and calling the legislators enables them to better serve the county. He said they will do all they can to help.

**See Exhibit G.1**

**2. Tax Exemptions**

President and CEO of the DeSoto County Economic Development Council Jim Flanagan appeared before the Board with companies seeking approval for various tax exemptions.

**a. Frankel Co.**

Mr. Flanagan introduced Brett Ray Vice President of Operations with the Frankel Company.

Mr. Ray said Frankel closed a plant in Carrollton, Texas and expanded that business to the location in DeSoto County.

Supervisor Allen Latimer thanked Mr. Ray for the job opportunities they are creating in DeSoto County. He said the taxpayers of DeSoto County shoulder the expense of the exemptions and he would appreciate anything the company can do to attract local employees.

At the recommendation of the Tax Advisory Committee, Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to approve a five year personal property tax exemption for the Frankel Company. 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.a**

**b. Guardian Fiberglass**

Mr. Flanagan said Guardian Fiberglass has been located in Olive Branch for over 25 years and introduced Allen Wells.

Mr. Wells said they competed for an expansion in the company and relocated that part of the company to DeSoto County. He said they are requesting a real and personal property tax exemption. Mr. Wells said the opportunity to expand in DeSoto County was great for Guardian Fiberglass. He said a lot of their employees are from DeSoto County and they hope to expand even more as the economy improves.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve a ten year real and personal property tax exemption for Guardian Fiberglass. 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. Siemens, Inc.**

Mr. Flanagan introduced Alicia Howard of Siemens, Inc. to the Board of Supervisors. He said the Tax Advisory Committee recommends a Free Port exemption for Siemens.

Ms. Howard said they are part of an expansion program. The design is to create more efficiency in the distribution process.

Supervisor Allen Latimer asked if most of the employees will move to the county from other areas. Ms. Howard said that opportunity was offered to the employees, but only a few took advantage of the offer. She said about 99% of the employees are from DeSoto County and surrounding counties.

At the recommendation of the Tax Advisory Committee, Supervisor Allen Latimer made the motion and Supervisor Jessie Medlin seconded the motion to approve a Free Port warehouse tax exemption for Siemens, Inc. 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**

### **3. Group Health Renewal**

Rex Haynes of SouthGroup and representatives from the county healthcare provider, Humana, and Janna Rogers the Human Resources Director for DeSoto County, appeared before the Board of Supervisors to discuss the current medical coverage and options for renewal.

Mr. Haynes said the county pays Humana administrative fees and re-insurance. Other fees come from the county's self insurance fund. Humana has worked hard on the county's account. Mr. Haynes presented information that showed Humana's performance. Mr. Haynes said the percent of savings is an average of 54% of the medical charges. Humana Representative Cindy Maurizi said that last year there was a 5% increase, but this year there will be a decrease in the administrative fees.

Supervisor Jessie Medlin said it appears to be an increase. Humana Representative Larry Love said when you add them together it equates to a decrease.

Supervisor Eugene Thach said some organizations are dropping services for Humana. Supervisor Thach said he knows that West Clinic is no longer accepting Humana and he asked them to talk a little about what is going on with that.

Mr. Love said they received a letter from West Clinic saying they have chosen to terminate Humana. He said they are hopeful there will be an agreement with West Clinic in the near future. Mr. Love explained that some services are doing that and Humana will do whatever they can to be good stewards to DeSoto County employees. He said Humana has provided for a transition period for those who are currently using West Clinic. Mr. Love said those receiving treatment at West Clinic will have a 90 day extension.

Supervisor Jessie Medlin asked whether the 4% cap is before they grouped the administrative and stop loss. Ms. Maurizi said that only covers administrative only, because we do not know what the stop loss might be.

County Administrator Michael Garriga said the 90 days can be extended to 120 days if the Board chooses to do that. Mr. Love said that is true, but that would cost the county more money. West Clinic will continue to provide treatment under the county plan. Since the county health plan is self funded, he thinks it can be extended for a time. Mr. Love confirmed that it will be covered.

Supervisor Bill Russell asked if the expense is covered by the county. Mr. Haynes said the cost then becomes out of Humana's network so it is more expensive. The cost is about \$1,400 out of the employee's pocket, but much more for the county portion. He said these rates include the costs to adhere to the new healthcare bill.

Supervisor Jessie Medlin asked the representatives to explain the tiered plan for prescriptions.

Ms. Maurizi said every year Humana looks at cost changes and types of medicines. Mr. Love said, in addition, they are constantly evaluating medicines, new drugs as well as generic opportunities. There will be changes made January 1<sup>st</sup>. Mr. Love said they appreciate the relationship with the county and thanked the Board for allowing them to appear to discuss the service. He said they are excited to show reductions in fixed costs.

Supervisor Eugene Thach asked when healthcare will be renewed. Mr. Garriga said the actual renewal date is March 1<sup>st</sup>, but it takes time to get proposals that are competitive. Mr. Garriga said design changes need to be considered, but that may not adequately address the issue of rising costs. He said long term changes will make an impact and that can be taken into consideration as well.

Supervisor Latimer asked if this was the same process as last time. Mr. Garriga said no. He said there are a lot of people on the employee plan whose spouses work and furnish their own insurance. Humana provides a lot of discounts and that has been good to DeSoto County. It is good business to go through this process.

Supervisor Russell said his medical costs have doubled in the last three years. He said we need to pursue that process and see if the county can get better prices.

Human Resources Director Janna Rogers said that changing companies by March 1<sup>st</sup> will be difficult. There is not enough time from now until March so it would be best to stay with Humana and finish the three year contract because all pricing is capped at 3%. Ms. Rogers recommended using a committee approach at procuring services and include that employees pay out of pocket.

Supervisor Jessie Medlin asked how many county employees are there. Ms. Rogers said 651 employees are eligible for benefits. Supervisor Medlin asked how many family members are included on the plan. Ms. Rogers said there are more than 1,006 family members included on the plan. She said by marketing the plan it would possibly allow more to chose from. She said we are paying almost \$8,000 per year per employee.

Supervisor Russell said he would really be interested in looking at a cafeteria plan. Ms. Rogers said that has been part of their discussions. She said they would start early to obtain bids from brokers for a basic and a premier plan and then go forward with a full bid.

Supervisor Russell said he will turn 65 years of age in the near future and will be required to use medicare. He asked if the county can pay the supplemental policy as a way to save money. Ms. Rogers said no.

Supervisor Allen Latimer said the new healthcare laws will make healthcare benefits taxable in certain situations. Mr. Love said that has not yet passed. He said they need to make sure they keep the county plan at a level that it will not cost your employees money.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to accept the contract with Humana for 2011. 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-----NO

#### **4. Chappell Creek Subdivision: David Meadows**

Board Attorney Tony Nowak referenced a subpoena for Mr. David Meadows to appear before the Board of Supervisors regarding replacement of a culvert removed by Mr. Meadows in Chappell Creek Subdivision. Mr. Nowak said the County Engineer was authorized to work with Mr. Meadows and has a report on the situation.

County Engineer Andy Swims told the Board of Supervisors that he went to the site in question very early this morning and the required work looked okay.

No motions were made nor votes taken on this issue.

**5. Finance & 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.

Chancery Clerk Sluggo Davis asked if the election expense on the claims docket was for both elections. Chief Financial Officer Tom Arnold said the expense was for Southaven.

Supervisor Allen Latimer questioned the fees on page 89 regarding other police departments. Chief Financial Officer Tom Arnold said there was a Black Caucus meeting which is paid for by a grant. Several different departments worked security and is reimbursed by Homeland Security grant money.

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

**See Exhibit G.5**

**6. Inventory Dispositions: Preliminary – Emergency Services/Task Force**

Vanessa Lynchard presented the preliminary disposition for the Assistant Inventory Clerk regarding the Emergency Services Task Force. This is equipment that can be transferred to a different Task Force in the state.

After discussing the matter, Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to hold this item over until Wednesday, December 8<sup>th</sup>. 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. Grants Administration**

- a. Accept NHTSA Occupant Protection Grant-11 OP 117-1 (\$10,000 overtime)**
- b. Accept Renewal of DUI Enforcement Grant-11 TA 117-1 (\$157,000 salary and benefits)**

After discussing the grants the Board of Supervisors requested that this item be carried over until Wednesday, December 8<sup>th</sup>.

**See Exhibit G.7**

**8. Office of Procurement**

**a. Bids Under Advisement – Ability Works Building Roofing Project**

Director of Procurement Vanessa Lynchard said she worked with Kenny Evans and Marvin Johnson to determine the recommendation for the best and lowest bid for this project. She explained the bids as follows:

| Bidder Name              | Base Bid     |
|--------------------------|--------------|
| Wagner Construction      | \$187,900.00 |
| C & M Builders           | \$161,095.00 |
| T.D.L. Contractors Inc   | \$181,647.00 |
| Hasco Inc                | \$166,400.00 |
| Zellner Construction Co  |              |
| Jessie Bryant Roofing Co |              |

Supervisor Tommy Lewis asked if the county replaced that roof about 18 years ago. Mr. Evans said the only work on that building during his time with the county was an addition. He said he did not know about the roof.

Supervisor Jessie Medlin asked if there is a guarantee on the roofing for this project. Mr. Evans said yes, it is a 20 year guarantee.

Supervisor Allen Latimer made the motion and Supervisor Jessie Medlin seconded the motion to approve the lowest and best bid as described in Exhibit G.8.a from C & M Builders to re-roof the Ability Works Building owned by the county in an amount of \$161,095.00. 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.8.a**

**b. Quotes - \$25k to \$50k**

**(1) Sheriff’s Dept.: SIDS Building**

Vanessa said they received two quotes for the house addition on the new jail site location at 3410 Old Highway 51 South. She said both the quotes are over the threshold set by the Board of Supervisors from \$25,000 through under \$50,000 for which they want to review and then make a decision. Vanessa said Director of Facilities Management Kenny Evans is recommending the lowest quote from Jones Brothers in the amount of \$29,604.00. Mr. Evans said this price includes all exterior work only. In addition, Mr. Evans requested the permit fees be waived with the DC Planning Department and that they perform all inspections. Mr. Evans said his staff will do the interior work. Mr. Evans said Jones Brothers was the general contractor that fulfilled the renovations to Justice Court and they performed those duties in a timely manner as well as under budget. The other bid was from Progressive Construction in the amount of \$31,952.00.

At the recommendation of the Director of Facilities Management, Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to accept the lowest and best bid of \$29,604.00 from Jones Brothers Inc., for a 40’ x 30’ addition to the wood frame house on the new jail site located at 3410 Old Highway 51 South. 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.b.(1)**

**(2) Eudora Park Fence**

Supervisor Allen Latimer said the Eudora Baseball Field is in need of repair. Supervisor Latimer presented two quotes as follows:

|   |            |
|---|------------|
| Fencing Solutions and Construction L.L.C. | \$1,027.20 |
| MSF Enterprises, LLC                      | \$1,630.00 |

Supervisor Allen Latimer made the motion and Supervisor Jessie Medlin seconded the motion to accept the lowest and best bid of Fencing Solutions and Construction L.L.C. in the amount of \$1,027.20 for repairs to the Eudora Baseball Field and to use funds from the District 4 Park Funds. 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.b.(2)**

### **9. Appointment to the E-911 Commission**

Vanessa Lynchard said due to the untimely death of Kinsey Wilhite the appointment to the E-911 Commission needed to be filled.

At the recommendation of Sheriff Bill Rasco, Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to appoint Mr. Jerry McCarson, 7642 McCarson Lane, Walls, MS, to the E-911 Commission to fill the unexpired term of Kinsey Wilhite which expires September 20, 2012. 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. Disposal Services Contract for Rubbish Pit**

Representatives of Allied Waste Gerry Burke and Clay Cox appeared before the Board of Supervisors regarding services at the rubbish pit.

County Administrator Michael Garriga said the collection agreement is for six years. The operation agreement is for five years with an option to extend the agreement for three five year terms. Mr. Garriga recommended separating the agreements. He said Allied Waste wants to propose new services. The current calculation for closing the pit is eighteen months to two years. He said the Board may want to consider onsite grinding. When the facility fills up and the county needs closure, another facility will be needed. Mr. Garriga said the Shelby South facility is considering creating a new facility. There are facilities at Railroad Avenue and the Starlanding Pit but the Board may want to consider the proposal. Mr. Garriga said this may add a recycling component to the existing plan and operation at Latham Road.

Mr. Burke said the new center would allow Allied Waste to separate items.

Supervisor Bill Russell asked if they are talking about South Shelby and if so, what would it cost. Mr. Garriga said they have not gotten into that yet. He said they want to see if there is interest in pursuing the issue. Mr. Burk explained their ability to separate items at the new facility.

Supervisor Russell said he would recommend forming a committee to work with the representatives from Allied Waste. He said, since the contract is expiring, the committee could be formed now.

Mr. Garriga recommended authorizing the Smith, Phillips, Mitchell, Scott and Nowak LLP to work with the committee to draft an addendum to the agreement for the Latham facility for a one year extension expiring on September 30, 2011 which is the same expiration date as the other agreement.

Supervisor asked if that can be accomplished without participation of the committee. Mr. Garriga said yes.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to extend the current contract with Allied Waste Services and to authorize the Smith, Phillips, Mitchell, Scott and Nowak LLP to work on the addendum to the agreement to expire September 30, 2011, and to allow the county to use the South Shelby facility. 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

Supervisor Tommy Lewis made the motion and Supervisor Allen Latimer seconded the motion to form a committee to work on the solid waste management contract consisting of Supervisor Bill Russell and Supervisor Jessie Medlin representing the Board of Supervisors on the committee. 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. Daughtery Property: 4114 Dean Road**

Supervisor Allen Latimer said the county now owns the property located at 4114 Dean Road. Supervisor Latimer said that Mr. John Hill inquired about renting the property from the county to use for a garden. Supervisor Latimer said he asked the County Administrator if renting the property is allowed according to the terms of the buy out agreement.

Supervisor Allen Latimer made the motion and Supervisor Bill Russell seconded the motion to authorize the County Administrator and Smith, Phillips, Mitchell, Scott and Nowak LLP to research to see if county property that is declared green space can be used for rental for livestock and any other usage parameters. The motion passed by a vote as follows:

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

**12. Animal Shelter: Free Adoptions, Low Cost Vaccinations & Micro-Chipping**

Vanessa Lynchard said the DeSoto County Animal Shelter would like to conduct Home 4 the Holidays Adoption Event at the Shelter on December 18<sup>th</sup> through December 23<sup>rd</sup>. She said the Shelter is offering the following services:

Free Adoptions  
\$10.00 Vaccinations  
\$10.00 Micro chipping

Vanessa said they are hoping to attract the animal owners that are not normally able to provide this service for their pets.

Supervisor Bill Russell asked what veterinarians charge for these services and if it is taking business from them. Vanessa said they did not inquire with the vets about their costs but they really want to appeal to people that need this assistance with the costs of owning a pet.

Supervisor Allen Latimer verified that they are asking for animals that may not normally get vaccinated. Vanessa said that is right.

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to declare December 18<sup>th</sup> through December 23<sup>rd</sup> as Home 4 the Holidays Adoption Event at the DeSoto County Animal Shelter and offer free pet adoptions, \$10 vaccinations and \$10 micro chipping for pet owners. 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.12**

**13. Dept. of Road Management: County Engineer - DeSoto Road Water Service Line**

This item was held over until Wednesday.

**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. General Obligation Bonds, Series 2010-\$5 million**

DeSoto County Financial Advisor Demery Grubbs and a representative from Butler, Snow, O'Mara, Stevens & Cannada, PLLC appeared before the Board of Supervisors to open bids for the General Obligation Bonds Series 2010 in the amount of \$5 million.

At the recommendation of the Board Attorney Tony Nowak, Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the resolution to open the bids for the General Obligation Bonds Series 2010 in the amount of 5 million. 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. Grubbs read the bids as follows:

| <b>Name of Bidder</b> | <b>Interest Rate</b> |
|-----------------------|----------------------|
|-----------------------|----------------------|

|                                   |           |
|-----------------------------------|-----------|
| Stevens Inc., Little Rock, AK     | 3.498460  |
| Crews & Assoc., AK                | 3.417411  |
| Raymond James & Assoc., FL        | 3.210409  |
| Duncan Williams Inc., Memphis, Tn | 3.041902  |
| Morgan Keegan, Memphis            | 3.1833575 |

Mr. Grubbs and the representative from Butler, Snow, O'Mara, Stevens & Cannada, PLLC left the Board meeting to verify that all information was proper and said they would report back to the Board.

Later in the meeting, Mr. Grubbs and the representative from Butler, Snow, O'Mara, Stevens & Cannada, PLLC returned to the meeting. Mr. Grubbs said the bids were verified and they recommended the lowest and best bid of Duncan Williams with the interest rate of 3.041902%.

At the recommendation of the Financial Advisor and the Butler, Snow, O'Mara, Stevens & Cannada, PLLC, Supervisor Eugene Thach made the motion and Supervisor Bill Russell seconded the motion to approve the lowest and best bid of Duncan Williams with an interest rate of 3.041902 for the General Obligation Bonds Series 2010 in the amount of 5 million. 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 I.1**

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to recess the meeting until December 8, 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 6<sup>th</sup> day of December, 2010, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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Bill Russell, President  
 DeSoto County Board of Supervisors