

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

TOMMY LEWIS, PRESIDENT 2009 PRESIDING

February 2, 2009

A. CALL TO ORDER

The February 2, 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 JANUARY MINUTES

The official minutes of the Board of Supervisors were read for the month of January, 2009 pursuant to Section 19-3-27 of the Mississippi Code of 1972, Annotated. Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to approve the minutes for the month of January, 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 presented on the Consent Agenda. Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to approve the Consent Agenda and the reports and actions set forth therein as follows:

1. Accounting

a. Dept. of Human Resources - Ratification of Monthly Health Claims

The following is a recap of all insurance claims funded for the month of January and paid to Humana:

1/1/09	1/5/09	\$57,687.19	Administration Fees
1/6/09	1/6/09	\$51,683.18	Medical
1/6/09	1/6/09	\$3,302.60	Dental
1/6/09	1/6/09	\$19,154.32	Pharmacy
1/13/09	1/13/09	\$79,907.05	Medical
1/13/09	1/13/09	\$3,931.25	Dental
1/13/09	1/13/09	\$21,220.00	Pharmacy
1/20/09	1/21/09	\$30,408.25	Medical
1/20/09	1/21/09	\$6,178.40	Dental
1/20/09	1/21/09	\$14,518.48	Pharmacy
1/26/09	1/27/09	\$52,934.27	Medical
1/26/09	1/27/09	\$6,147.46	Dental
1/26/09	1/27/09	\$14,283.37	Pharmacy
	TOTAL	\$361,355.82	

January Book Balance	\$3,205,610.20	
December Book Balance	\$3,132,003.17	
November Book Balance	\$3,170,627.74	
October Book Balance	\$3,164,497.16	
September Book Balance	\$3,194,506.12	
August Book Balance	\$3,145,442.19	

2. Accounting

a. Ratify Bond Payment

\$18,000,000.00 MS Development Bank Special Obligation Bonds

Trustmark Bank Ck#042847 issued 1/29/09

Interest \$37,264.05 215-800-802
 Total \$37,264.05

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

Hancock Bank Ck#042845 issued 1/29/09

Principal \$ 20,833.33
 Interest \$ 7,155.35
 \$ 27,988.68

b. New Mileage Rate - \$.55 per mile

c. Interfund Transfer

From: Brentwood Originals Fund \$5,500.00 (051-000-387)
 To: General County Fund \$5,500.00 (001-900-951)

b. Buildings and Grounds

Preliminary Approval Date 1/15/2009

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary
32780	68432340063	14" Pro CCTV Monitor	Broken	B&G Shop
30424	EH110743	Kenmore Ice Maker	Broken	B&G Shop
32013	10013650	Sag PC	Broken	B&G Shop
31807	1142581	Lexmark 2380 Printer	Broken	B&G Shop

c. Sheriff's Dept.

Preliminary approval Date Jan. 5, 2009

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary
36189	HES368	Glock .22 pistol	Stolen	See Attached A
32706	HWV6111	Dell CPU	Broken	DCSO
34667	2FAFP71W44X136758	Ford Crown Vic	Wrecked	Central Maint.
33125	2FAFP71WX1X53947	Ford Crown Vic	Wrecked	Central Maint.
8137	604ATW0197	Spectra Radio	Broken	DCSO
34676	2FAFP71W13X194471	Ford Crown Vic	Wrecked	Central Maint.
32294	2FAHP71W43X168729	Ford Crown Vic	Wrecked	Central Maint.
34054	2FAFP71W11X153920	Ford Crown Vic	Wrecked	Central Maint.
33573	CN438G40BB	HP Printer	Broken	DCSO
1014	N/A	Semi Trailer	Damaged	Old aviation lot
1015	N/A	Semi Trailer	Damaged	Old aviationlot

8. Grants

a. Apply for FY 09 Emergency Management Performance Grant (EMPG)

b. Apply for FY 09 Emergency Operations Center Grant (EOC)

c. Close out - CDBG Project #1116-99-017-ED-01 – Sigma Supply

9. Department of Road Management

a. Road Report and Work Schedule

b. Road Bond Report

c. Addition to Four-Year Road Plan

Realign and widen Wilson Mill Road from the intersection of Starlanding Road to MS-301, a distance of 2.8 miles at an estimated cost of \$2,347,800.

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. Municipal Jail Contracts

Board Attorney Tony Nowak said previously the Board approved a draft amendment to the jail inmate housing contracts for the City of Hernando to clarify that the first 24 hours of an inmate's incarceration is without charge. He asked if the Board wanted him to contact the other cities to make the same amendment to those contracts.

Supervisor Tommy Lewis asked if it is an amendment or clarification. Mr. Nowak said the change is a clarification of the agreement and what has been the practice by both parties to date, but requires an amendment to be effective. The Board verified that none of the cities had been charged for the first 24 hours and that the agreements with the Cities should be amended in the same manner.

Mr. Nowak said that no motion was necessary for him to contact the cities regarding this item.

2. Justice Court Exterior Renovation

Architect Marvin Johnson and Director of Buildings and Grounds Kenny Evans appeared before the Board to discuss the Justice Court and Tax Collector building exterior renovation. They presented information about updating the exterior and an approximate cost for the renovation of \$236,250.

Supervisor Bill Russell said he appreciated this but wants to take time to consider this project. He said the Board is studying the construction of the Justice Complex and the jail and he would like to wait until that study is completed.

Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to take the item under advisement. The motion passed by a vote as follows:

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

Supervisor Allen Latimer said he thinks this is a good plan. The Justice Court building does not look like the other County buildings and the plan makes them look more like County buildings. Supervisor Latimer said he would like for the Board to do something to the outside of the building to improve the appearance. He said this is for the Tax Collector's office and the Justice Court.

Supervisor Russell said he thinks it will be some time before we move Justice Court, but he wants to get the entire committee recommendation before the Board makes a decision on any building renovation. He said he was not talking about moving the consideration out for a long time and he likes the drawing.

Supervisor Tommy Lewis asked how much of the building the County does not own is occupied. Mr. Garriga said most of the building is occupied. The Board discussed that it would be good to see if the entire building could be improved. **See Exhibit F.2**

3. Purchasing-Clarification-Pharmacy bid

Vanessa Lynchard said, in the bids previously presented for the pharmacy bid, Diamond Medical was approved as supplier for drug tests based on the low bid. She said that it has now been determined there are less drug tests per box in the bid by Diamond than for the Matrix bid. There are 25 per box for Matrix and 20 per box for Diamond. She said Diamond also decided

they must add shipping charges if shipping one item. Therefore Matrix is the least expensive drug test and she recommended rescinding the previous order and awarding the bid of drug tests to Matrix Medical, since it has been determined that Matrix is the lowest and best bidder. Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to amend the prior order that awarded the drug tests to Diamond Medical Supply and award that item to Matrix Medical, due to a calculation error which resulted in a finding that the Diamond product was determined to be the lowest and best bid, when they actually were not, and that it had been determined that Matrix is the lowest and best bidder for drug tests.

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. Group Health Insurance Renewal and Presentation

Human Resources Director Janna Rogers presented insurance renewal options for health insurance. Also present were Vickie Richmann of Human Resources and Rex Haynes, Barbara Reid, Larry Loew and Cindy Mauiri of South Group Insurance and Humana.

Rex Haynes said last year the County locked in on a three year proposal for administrative services for Humana. He said the first year of the three year period has just been completed. Mr. Haynes said they are here to present proposed changes to the insurance program. If a decision could be made by Wednesday, the group will be ready to implement the changes effective March 1, 2009.

Ms. Rogers said, compared to other programs, the deductibles, out of pocket expense and co-insurance are very rich. She presented recommendations for changes to the program that would protect the fund in the long run as follows:

Plan	Current Design	Proposed Design	%Overall Cost	Est.Savings
1) Pharmacy	2 tier (\$10/\$20)	3 tier (\$10/\$25/\$35)	2.3	\$ 89,000
2) Medical	Deductible \$300	Deductible \$400 (increase \$100)	1.27	\$ 49,000
OR				OR
3) Medical	Deductible \$300	Deductible \$500 (increase \$200)	1.85	\$ 71,000
4) Medical	Out of pocket maximum \$1000/\$3000	Out of pocket maximum \$1500 /\$3500	0.77	\$ 29,813
5) Medical	Office visit co-pay \$15/\$25	Office deductible \$25/\$35 (increase \$10)	0.54	\$ 20,900
6) Medical	Emergency room paid under deductible/co-insurance	Emergency co-pay \$100 (new) plus deductible/co-insurance		
7) Vision	Current vendor VSP (see detailed analysis)	Transition to Humana VCP		\$ 14,092
8) Medical	Wellness maximum \$400	Remove \$ cap and cover standard AMA Preventive procedures (increases benefit for colonoscopy, diagnostic mammogram)		Long term
9) Dental	1st level handled by Humana, 2 nd level by employer	All levels of reconsiderations and appeals handled by Humana		NA

Ms. Rogers said pharmacy spending has dramatically increased. She explained the Humana Vision Care program compared to the current vision program. She said, under the current vision program, an employee can receive one eye examination every twelve months and frames every twenty four months and contact lenses every twelve months. Ms. Rogers said, under the Humana vision program, one difference is an employee can receive new lenses every twelve months instead of twenty four months.

Supervisor Jessie Medlin asked about the insurance fund balance remaining the same if the claims have increased.

County Administrator Michael Garriga said this is a lot of information to digest and the Board may want to take the recommendations under consideration before making a decision. He said the recommendations can be adopted in several different ways. They can adopt none of them, all of them all or some of them in any combination.

Supervisor Medlin said we know that gas prices are increasing and we do not know how much of a salary increase we can give this year. He said we know that people are struggling due to the economy. He said he thinks it is a bad time to change things if the results will be larger costs to employees and at a time when the fund balance is holding.

Supervisor Allen Latimer said he was thinking the fund balance was higher than last year.

Comptroller Tom Arnold said the fund balance has decreased some.

Supervisor Latimer said the pharmacy co-pay is currently \$10 and \$20. He asked if it is feasible to change it to \$15 and \$20 co-pay. Humana indicated that change would not create much savings.

Supervisor Bill Russell said he is not as concerned about the fund balance as that we have such a rich plan. He does not want to take a step backwards but to be good stewards, he is not sure that the County should have that much better plan than our other taxpayers. He said he has no problem stepping back if we do not overprotect our employees at the expense of the taxpayers.

Supervisor Eugene Thach said he has insurance with the federal government. He said you have to look at what you have outside the County and other people are paying more.

Supervisor Russell said he would like a strong recommendation and he does not have a problem changing the program.

Supervisor Latimer said the Board has an obligation to the DeSoto County taxpayers. He said he thinks everyone on the Board has tried to do what we can to protect the employees as well as the taxpayers. He said he would like to see the deductible to increase to \$400 and emergency room visits require a co-pay of \$100 out of pocket. He would like to look at changing the wellness benefit and the vision care as well.

Supervisor Tommy Lewis said he could live with that recommendation.

Sheriff Bill Rasco said a lot of families are going through hard times. He said he hates to see the Board put another burden on our employees.

Supervisor Latimer said he would like to see the health fund balances. Mr. Garriga said:

October, 2007 the balance was \$3,576,602.
Expense after Contributions in FY 08 – minus \$527,000
Fund Balance – September, 2008 - \$3,159,861

Mr. Garriga said the balance is still safe and healthy, but we need to stabilize the expenditures.

The Board asked the amount of savings connected to the emergency room coverage. After discussing the issue, the Board asked the Human Resources Department to come back with a recommendation on Wednesday. **See Exhibit G.1**

2. Resolution of Appreciation - Board of Education Week

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to approve a resolution of appreciation for the DeSoto County School Board Members and Superintendent for their passion and leadership of the DeSoto County School District. The motion passed by a vote as follows:

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

See Exhibit G.2

3. Claims Docket

Supervisor Jessie Medlin recused himself for discussion of this item.

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 and to hold over the bill for Jamieson Manufacturing regarding the District 3 Park Fund. The motion passed by a vote as follows:

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

See Exhibit G.3

4. Circuit Clerk’s Office – Contract JAVS

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to approve renewing the Safeguard Maintenance Agreement with JAVS on the Persuasion system located in the Circuit Courtroom. 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

See Exhibit G.4

5. Release of Reclamation Bonds

County Engineer Andy Swims discussed a bond is for a gravel pit on Highway 51 north of Love Road. He said they have finished their work and have filed for the bonds to be released.

At the recommendation of the County Engineer, Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to release the reclamation bonds for the gravel pit on Highway 51 north of Love Road for Memphis Stone and Gravel, specifically known as (Bond No.1) Bond ID# 103497176 for \$4,500 and (Bond No. 2) Bond ID#103366044 for \$5,500. 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 G.5

6. Starlanding Corridor

County Administrator Michael Garriga said the Board saw a resolution from MDOT to take over the Starlanding project. He said we received a notice last week that MDOT was going to rescind the MOU for the project. We tried to get it tabled but were refused. Mr. Garriga said he has concerns about them taking the project. He said the County is capable of doing the project. Mr. Garriga said we do not know how MDOT will proceed. He said he thinks we need to establish communications with MDOT on the project.

Supervisor Jessie Medlin said, if they are going to build the road, who will maintain it. Mr. Garriga said DeSoto County will do the maintenance on the project.

Supervisor Bill Russell said he would like to see a committee put together and the committee insist on meeting to get a handle on MDOT's plans for Starlanding Road. He said this Board can agree with their plans or if we disagree, we may need to seek further legal action against MDOT. He said, in order to find out MDOT's plans, we need to schedule a meeting with MDOT.

Supervisor Allen Latimer said this is the first he has heard of the state coming in and taking over construction of a County road. Board Attorney Tony Nowak said the funding for this road came through Saftea-Lu. It limits use of the money in the Saftea-Lu legislation.

Road Manager Russell Dorris asked if they would be able to change the termini of where the money is spent. Mr. Nowak said the bill does not say where the money will be spent other than Starlanding Road.

Mr. Garriga said they have asked where the County wants the first segment built. The Board will have to determine that.

Supervisor Tommy Lewis said we should not start a road we cannot finish. He suggested it may be best to have a two lane road across the County.

Supervisor Russell said the committee could get those answers.

Supervisor Thach said, if the concerns of the Board are about suing MDOT, the Board can leave him out.

Mr. Garriga asked which districts the will the road go through. Mr. Dorris said every district except two.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to appoint Supervisor Tommy Lewis and Supervisor Bill Russell to be on the committee for the Starlanding Corridor. 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 Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to include the Road Manager on the committee. 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

7. Dept. of Road Management - Tchulahoma/I-269 Agreement

Supervisor Jessie Medlin recused himself from discussion on this item.

Road Manager Russell Dorris said the Board asked him to look at the cost of construction of Tchulahoma Road. He estimated that cost to be \$2,499,720 and includes construction, engineering fees and right of way acquisition.

Supervisor Tommy Lewis asked if Mr. Dorris has spoken to MDOT about moving the date out for the County's obligation to have the road constructed. Mr. Dorris said no. He said they simply want to know if the County is going to build the road.

Supervisor Lewis asked how far we have to go past the intersection with the road. Mr. Dorris said probably one half mile.

Supervisor Lewis asked if we can make it a gravel road if we do not have the money to construct and pave the road. He said we know we need the road to get to the interchange at I-269. He said the County knows we need that road to be built.

County Administrator Michael Garriga said he has talked to Comptroller Tom Arnold about building a budget and should be finished by Wednesday if we get input from the Road Manager and Board Attorney.

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to hold this item over until February 17th. The motion passed by a vote as follows:

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

8. Animal Shelter – 5th Year Anniversary

Animal Services Director Larry Houston said the Animal Shelter is having their five year anniversary of being opened in February 2004. He said they want to hold a big event the week of February 23rd through 28th to celebrate and they have a few ideas for events that will involve the citizens.

Vanessa Lynchard said they had previously told the Board that fees would pay for micro chips for animals in the Shelter. She said they would like to offer microchipping and testing of the animals at cost. Vanessa said it is cheaper than the vet charges and it is a great way to advertise the Animal Shelter. The Board of Supervisors agreed that it is a great opportunity to advertise the DeSoto County Animal Shelter.

Larry said that a lot has been accomplished since the Shelter opened. He said the car tag program is very successful and the Shelter is getting several grants now and the money helps a lot with the program.

Larry said they are going to coordinate with the spay and neuter bus and going to offer a reduced rate for senior citizens to have their pets spayed and neutered because they are also struggling due to the economy.

Vanessa said they are looking at potential budget issues because they are not receiving as many donations now. She said they did have food donations but that has stopped and it is very costly and they are looking at ways to help in that situation.

Supervisor Allen Latimer said they have done a tremendous job and it is a great way to advertise the DeSoto County Animal Shelter.

Larry said he wanted to thank Sheriff Bill Rasco for the Sheriff Department's assistance when they need backup. He said they respond quickly and are helpful. Sheriff Rasco thanked Larry and his employees for the service they provide to the County.

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. Ethics Statements

Supervisor Allen Latimer asked when we need to have the ethics statements submitted. Supervisor Eugene Thach said the office can get the deadline for submission of paperwork.

2. Parks – District 3

Board Attorney Tony Nowak said the management agreement and field use policy for Lake Cormorant Park have been revised. He said the Board asked him to limit the agreement to use of only the fields. Mr. Nowak said he made that change and the other changes requested by the Board to the original management agreement and field use policy has received the signed copies back.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the amended Lake Cormorant Park field use policy and management agreement with the Southaven Lady Tigers and authorize the Board President to sign the documents. 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-----ABSENT

See Exhibit I.2

3. Board of Supervisors Meeting

County Administrator Michael Garriga said the next Planning Commission meeting will be the day of the Blue Ribbon trip. He asked if the Board wanted to change the date of that meeting to Tuesday rather than Wednesday.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to move the March 4, 2009 Planning Commission meeting to March 3, 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

4. Economic Stimulus Package

Supervisor Eugene Thach reported on a meeting hosted by Senator Bennie Thompson regarding the Economic Stimulus Package. Supervisor Thach said the projects need to be ready to go. They cautioned that the Economic Stimulus Package will not plug the holes in county budgets. He said that schools will benefit from the package and also the COPS program will come back. Supervisor Thach said we need to have our plans together for these projects. He said summer jobs and anything to get people working is part of the package. He said the money will go through state agencies.

Mr. Garriga said the Department of Transportation had a list of projects which they have already authorized design build contracts.

5. River Bend at Scenic Hollow

Supervisor Bill Russell said there are 80 acres on the southwest corner of Poplar Corner and Goodman Road. Supervisor Russell said that property is causing silting on another neighbor's property. The court approved releasing some of the bankruptcy regulations so the County could fix the property. He said we attached a lien to the property. Supervisor Russell said that took so long to go through the court that grass took root and the silt had subsided. Since then, we discovered it is also flooding the subdivision behind the property. He said, when you go out there, you can tell how much more water this area is getting than before.

Supervisor Russell said County Engineer Andy Swims said the retention pond was never built on the property. Supervisor Russell wanted to know if the Board order is still open to allow fixes to the property or do we have to go through court again. He said if we do need to go through court, Mr. Swims will have to look up the developer's responsibility to build a retention pond.

At the recommendation of the Board Attorney, Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to research to see if we have to go through court for the second landowner receiving problems from the River Bend in Scenic Hollow Development and to authorize County Engineer Andy Swims to research the developer's responsibility for the retention pond. 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

6. Senior Expo

Susan East appeared before the Board of Supervisors to discuss the annual Senior Expo. Ms. East said this year the theme is “A Salute to Our Nation’s Veterans”. She said everything is free to the senior citizens.

Supervisor Tommy Lewis said he enjoyed the Senior Expo a lot last year. He said there are a number of vendors there who cater to seniors. Ms. East said the Expo has grown every year.

Supervisor Jessie Medlin suggested getting North Delta involved in transportation to the event. Vanessa Lynchard and Ms. East said that North Delta has been providing transportation to the event for the past several years and they would make sure that they are still involved this year.

Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to advertise County resources by donating \$1,000 to the Senior Expo which is open to DeSoto and surrounding counties, due to the fact that the event brings in senior citizens from other counties. 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. Walls – Animal Control

Vanessa Lynchard and Larry Houston explained that the Town of Walls adopted their own ordinance for animal control in 2007. Vanessa said the County was not aware they had adopted the ordinance and we have answered calls in that area for years. She said recently, there was an issue with a vicious animal in Walls and that is when the County became aware that Walls has their own ordinance. The Board Attorney Tony Nowak said the Town of Walls attorney has asked if we can enter into an interlocal agreement for the County to provide animal control for the Town of Walls.

Supervisor Bill Russell instructed County employees to work up the cost estimate for providing the service. He said he would like to help the Town of Walls if we can but we have to do it fairly to the other cities.

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to recess the meeting until February 4, 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 2nd day of February, 2009, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Tommy Lewis, President
DeSoto County Board of Supervisors