

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

BILL RUSSELL, PRESIDENT 2010 PRESIDING

February 16, 2010

A. CALL TO ORDER

The February 16, 2010, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Bill Russell, Board President.

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

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

B. INVOCATION

Deputy Carl Hurt presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. CONSENT

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

Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to approve the Consent Agenda items as follows:

1. Accounting – Transfer of Sheriff Seized Funds

Case #	Defendant	Date Seized	Receipt #	Amount	Date of Forfeiture
DC-06-0152	Chuck Tunstall	9/7/06	18714	\$741.00	12/28/09

2. Safety Officers Report (2)

3. Make Part of Minutes

a. Funding of Historic Desoto Foundation

b. Lease Agreement with Ability Works

c. Resolution for Mental Health Region

**4. Grants-Approve Closeout of Home Grant: \$1,000,000 Provided-Used \$984,768.82-
Released to MDA-\$15,231.18**

5. Inventory Control Dispositions-Final: Building & Grounds

Asset #	Vehicle Description	Vin#
19051	1999 Ford Crown Victoria	2FALP73WOSX141047
19081	1999 Ford Crown Victoria	2FALP71WAXX113680
20191	1992 Ford F150 Pick-up Truck	1FTEF15N6NLA85740
20194	1992 Ford F150 Pick-up Truck	1FTEF15N6NLA85741

6. Amended Order Appointing Shirley Holmes to Constable-District II

7. Purchasing: Authorization to Bid for Lawn Care

8. Chancery Clerk Allowance (2) - \$1,816.66 \$1,350.00

9. Roads-Desoto-Approve Paying Bill Sexton Invoice – For Property Appraisal Located at 6181 DeSoto Road - \$650.00

See Exhibit D

E. OLD BUSINESS

1. UM Affiliation Agreement with Sheriff

Board Attorney Tony Nowak presented an affiliation agreement between DeSoto County, the DeSoto County Sheriff’s Office and the University of Mississippi. This agreement allows qualifying students to work with the Sheriff’s Office as an intern to learn more about criminal justice procedures and to see the process first hand.

Sheriff Bill Rasco said additionally, the students are a big help to the Sheriff’s Office. They spend time with the clerks who do paperwork and filing which speeds up that process. Sheriff Rasco said the students will shadow the officer’s routine. Sheriff Rasco said they spend about ten to twelve weeks in the Sheriff’s Office.

Supervisor Allen Latimer asked if the county is responsible for paying insurance for the students. Sheriff Rasco responded no.

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to approve the Affiliation Agreement between DeSoto County, the DeSoto County Sheriff’s Office and the University of Mississippi for students to work in the Sheriff’s Office Department. 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.1

F. NEW BUSINESS

1. 9:00 a.m. - DeSoto County Community Health Council

Peggy Linton of the Community Foundation, Jim Robinson Chairman of the Council and Sarah Edminston of the Community Health Council appeared before the Board of Supervisors regarding the DeSoto County Community Health Council. Ms. Linton said they started a childhood obesity initiative in 2005. Each county in the group is served by a Council. Mr. Robinson and Ms. Edminston are on the DeSoto County Committee. Ms. Linton said they are appearing to make a special presentation to the Board.

Jim Robinson said the Greenway Project is one step in starting a healthy living program in our county. Mr. Robinson said the DeSoto County Community Health Council wants to recognize the Board of Supervisors as the "February, 2010 Health Champions". He presented a plaque in recognition of the Board and thanked the Board for all of their work to increase healthy living in DeSoto County.

Supervisor Bill Russell said, on behalf of the Board of Supervisors, he appreciated the work the Council is doing and thanked the Council for the award.

2. Greenways Update

Greenways Coordinator, Larry Jarrett, and President and CEO of DeSoto County Economic Development Council, Jim Flanagan appeared before the Board of Supervisors to give an update on the Greenway Project.

Mr. Jarrett gave an entire overview on the status of the Greenway Project. He reported that one of the trails is completed.

Supervisor Bill Russell asked if the schools have started to use the trails. Mr. Jarrett said not yet. He said, currently, there is a temporary parking lot and the permanent parking lot will be available when the Wildlife Center and Trails System is completed.

Mr. Jarrett said that the Johnson Creek Trail is still in progress. The Greenway and land trusts have adopted security regulations for the trails. The regulations as well as a volunteer patrol will be posted on the trails. The landowners are aware of the adopted guidelines.

Supervisor Russell asked how long the first trail will be. Mr. Jarrett said the first trail should be approximately five to six miles long. Supervisor Russell asked what type of surface will be used on the trails. Mr. Jarrett said they will have a gravel service. He said a gravel surface can be done now with the funding that is already available. Supervisor Russell asked when the trails will be opened to the public. Mr. Jarrett said, hopefully it will be open next year. He said DCRUA still has work to complete in addition to landscaping work that needs to be completed. Mr. Jarrett said there is still an issue with crossing Highway 61. He said the only logical way to cross Hwy. 61 is to go under the bridge. During high water, that access would be impassable, but that should be okay.

Mr. Jarrett said, since they last met with the Board, they have entered into an agreement to build a trail around the Civic Center area including the Harley Davidson Shop. Mr. Jarrett said there is money allocated to pave the area of the trail that is handicap accessible. He said he hopes this project will be complete by spring.

Mr. Jarrett said there is major funding for the Johnson Creek Trail and they think that is enough to finish that project. He said they hope to start on that one very soon.

Mr. Jarrett said they are going to Washington with the delegation in March to ask for funding for the visitor's center

Mr. Jarrett said they are working on a project with one of the DeSoto County leadership groups. He said they are doing a tree planting project which will include the air quality in DeSoto County. He said they will also participate in the Urban Forestry Conference which is coming very soon and they are working with Anita Rainey of Horn Lake on that project.

Supervisor Allen Latimer complimented Greenway Committee for doing such a good job. Supervisor Latimer said that Fox News presented a segment about land trusts and asked if a land trust has the power of eminent domain. Mr. Jarrett said no. He said the landowners must be willing to donate and to participate in the project. Supervisor Latimer said he understands why people would ask why the county needs a land trust in connection with land values and air quality. Mr. Jarrett said a land trust is more than just trails. He said they are showing people the advantages of participating in the land trust through tax credits.

Supervisor Latimer said his wife is from West Virginia. He said they visited her family and were amazed at the number of people who utilizes the Rails to Trails areas.

Mr. Jarrett said there is a project designating a scenic river starting at Cayce Road in Marshall County, MS, going to the Arkabutla Dam. He said this will allow people to set aside land and get up to \$10,000 in state income tax credits in addition to federal tax credits based on the value of the land. He said there are two other scenic river designations in Mississippi. Mr. Jarrett said we approach it from a quality of life standpoint. Mr. Jarrett said it makes a statement about the community.

Mr. Jarrett said the other part of Coldwater River is where there are limited access points to the river. He said they would like to add public access points. Mr. Jarrett said he asked County Engineer Andy Swims to look at that for a possibility. He said there is a ramp in the plans for the Coldwater River Bridge. He said it would be easy to have a landing for boats. Mr. Jarrett said there is another opportunity for public access on Highway 305 and the state is working on that project Senator Wicker's office is working with them to have a landing at that location.

County Engineer Andy Swims said that Mr. Jarrett asked him about public access on Holly Springs Road. He said, after looking at some of the technical aspects of the bridge, he found that we are about 95% complete with the plans on the bridge. Mr. Swims said the best location would be the southwest intersection of Coldwater River and Holly Springs Road. He said, if the Board wants to provide parking spaces and a ramp, from an elevation standpoint, that would be the spot. He said that would allow enough space between construction limits and right of way. He said there is about 160 feet total in that area. Mr. Swims said he is not sure where the money would come from for this work.

Supervisor Eugene Thach asked who would be responsible for maintaining it. Mr. Swims said the county would be responsible for maintaining it. He said it could be built up to a type of driveway so that it would not flood as much as some of the other areas. He said we would have to be sure that whatever we put there would not wash away.

Supervisor Russell asked the status of that project. County Administrator Michael Garriga said there is enough money to handle the engineering documents and some of the right of way acquisitions. Mr. Swims said he thinks there is enough money to handle all of the engineering and right of ways and part of the construction, but not nearly enough to complete the project.

Supervisor Russell said, since all of this is new construction, he would think a parking lot would not be very expensive. He asked if the Board needs to authorize Mr. Swims to come back with prices. Mr. Swims said there may be other options for funding. He said Mr. Jarrett is checking on other funding options.

Supervisor Russell said he would like to have Mr. Swims get a price and have Mr. Jarrett check on funding options so the Board can make a decision about the issue when the time comes.

Supervisor Jessie Medlin asked if the new area is north or south of the existing road. Mr. Swims said it will be south of the existing road.

Supervisor Medlin asked if we use federal money, can we still use that right of way or will we have to acquire additional right of way. Road Manager Russell Dorris said we will probably have to acquire additional right of way.

Supervisor Russell asked the estimated price. Mr. Dorris said the estimated price for \$10.5 million. Mr. Garriga said the county's match is 20%.

Supervisor Russell said he would like to see an estimate for a bare bones project and a complete project.

Supervisor Latimer said he appreciated Mr. Jarrett's concern for landowners private property rights.

3. EMA

a. State Wide Mutual Aid Compact Agreement

Emergency Management Agency Director Bobby Storey said there is an agreement in place with the State of Mississippi for a Statewide Mutual Aid Compact (SMAC). The agreement is adopted every year and allows the counties aid municipalities to utilize each other and all available resources during emergencies. Director Storey said this agreement is used in case of a disaster. The agreement is between the State of Mississippi, the Mississippi Emergency Management Agency, and by and among each county and municipality that executes and adopts the agreement. This agreement allows all agencies to assist each other in time of a disaster. Director said the Supervisors have adopted the agreement every year.

Supervisor Bill Russell asked if all counties in Mississippi participate in this program. Director said yes, all of the counties that he deals with do participate.

Supervisor Tommy Lewis asked Director Storey if there were any changes in the agreement. Director said there were no changes.

At the recommendation of the Director of Emergency Services Bobby Storey, Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to adopt the agreement between the State of Mississippi, the Mississippi Emergency Management Agency and each participating county and municipality known as the Statewide Mutual Aid Compact (SMAC) agreement. The motion passed by a vote as follows:

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

See Exhibit F.3.a

b. EMPG Grant

Director of Emergency Services Bobby Storey presented an application for the Emergency Management Performance Grant (EMPG) for fiscal year 2010 (October 1, 2009 – September 30, 2010).

Supervisor Allen Latimer clarified that the grant is not a match but a supplement. Director Storey said that is correct.

At the recommendation of Director of Emergency Services Bobby Storey, Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to authorize applying for the Emergency Management Performance Grant (EMPG) for fiscal year 2010 (October 1, 2009 – September 30, 2010). The motion passed by a vote as follows:

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

See Exhibit F.3.b

4. Inventory Control Dispositions – Preliminary

Inventory Control Amy Henley presented preliminary dispositions including two additional departments, Board of Supervisors and DC Special Investigation Division that were not originally listed on the Agenda, for the Board’s consideration for approval as follows:

a. E911

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary
38033	MFMOJ7410	HP All-In-One Printer	Broken	E911 Ofc.
33022	4261842	Sony 18" Monitor	Broken	E911 Ofc.

b. Sheriff Dept/SID

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary
34558	KCGGH71007953	Kodak Digital Camera	Broken	S.O./Debra
34200	9079200055542	Dymo Lablewriter Pinter	Broken	S.O./Debra

c. Justice Court

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary
34387	268435456213326341	Motorola Cell Phone	Broken	BOS-Colleen

d. Board of Supervisors

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary
34397	SJUG2127HG	Motorola Cell Phone	Broken	Inv. Clerk

e. DeSoto County Special Investigation Division

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary
39371	KCXG273608502	Kodak Digital Camera	Lost	Lost Affidavit Attached

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.4

5. Accounting

Comptroller Tom Arnold presented a late bill for \$1,803.62 from Brown and Hayes Insurance Company for small claims for the Board’s consideration for approval as a result of an auto accident.

At the recommendation of the Comptroller, Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to approve the late bill from Brown and Hayes in the amount of \$1,803.62 for small claims. 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

a. Budget Amendments

Comptroller Tom Arnold presented the budget amendments to the Board of Supervisors for consideration for approval as follows:

- 1.) Circuit Court and Youth Court case binders due to increase in case load.
- 2.) Set up line item in Circuit Clerk’s budget to pay the clerk a set salary based on new compensation method.
- 3.) Additional unemployment benefits payments for DCAOP claims.
- 4.) Adjust line item to cover memberships in the National Fire Protection Association and the International Association of Arson Investigators.

- 5.) Adjustment to cover three air rifles for animal control officers due to final cost more than anticipated.
- 6.) Volunteer Fire Department to cover additional repair costs for the fire inspector's vehicle
- 7.) EMSOF:
 - Line item 276: account for more revenue than budgeted.
 - Line items 682 and 915: set up line item for purchase of new vehicle, title and tags
 - Line items 917-918: move the original amounts to other line items.
- 8.) Delta Trauma Care Fund-purchase computer for training classes and cost of classes for various EMS personnel.
- 9.) Set up line item to pay legal fees for attorney handling forfeiture cases.

Supervisor Jessie Medlin asked if the DCAOP was a grant that was supposed to pay all expenses. Mr. Arnold said yes, but the 3-4 people who were terminated and a line item was set up to cover the unemployment benefits since there is no money left in the grant. County Administrator Michael Garriga said he has spoken with Region IV and they will provide same service as AOP on the county's behalf. Supervisor Medlin clarified that Region IV will actually provide that service and Mr. Garriga responded yes. Mr. Garriga said if grant money is not provided for certain services, Region IV will generate their own funding.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the budget amendments as presented by the Comptroller and as detailed in Exhibit F.1.a. 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.5.a

b. Supplemental Claims Docket

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

Supervisor Jessie Medlin asked why there is a mini storage for Building and Grounds. Comptroller Tom Arnold said Kenny Evans uses it for various items. Supervisor Medlin said he knew it did not cost much, but can they not use space at the Health Department instead for storage. County Administrator Michael Garriga said that space is beginning to be used by the Sheriff's Office and it may be completely used in a short period of time.

Supervisor Allen Latimer asked why there is an additional fee for the Board Attorney on page 13. Mr. Garriga explained that when an inmate is remanded, it requires some work from the Chancery Clerk to initiate the process and then it is given to Attorney Jim Franks. That cost is for Mr. Franks' services. Mr. Arnold said the outside attorney is a separate department from the Board Attorney.

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 Jessie Medlin seconded the motion to approve the claims docket and authorize the Chancery Clerk to pay the bills as presented by the Comptroller. The motion passed by a vote as follows:

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

6. Purchasing: Bids Under Advisement

a. Justice Court Exterior

Vanessa Lynchard presented the bid tabulation for renovations to the Justice Court as follows:

BID TABULATION FORM

Justice Court Renovation- 8525 Hwy 51 N. Southaven, MS 38671

Bid Date-----28 January, 2010- 2:00 P.M. CST

BIDDER NAME	BASE Bid	Bid Bond	Addendum No 1 2	Qualification Submitted	NOTES
C & M Builders Inc. Inc P.O. Box 490 Southaven, MS 38671 662-342-7182 Fax 662-342-5332	173,000.00	x	x	x	
Hasco, Inc. 3762 Getwell Cv. Memphis, TN 38118 -901-794-4400 ph. Fax 901-794-1190	182,700.00	x	x	x	
Wagner Construction Co. 3590 Forest Dr, Memphis, TN 28122 901- 386-0060 Fax 901-383-2736	205,000.00	x	x	x	
T D L General Contractors, Inc. 6857 Cobblestone Blvd, Suite 201 Southaven, MS 38671 662-893-3000 Fax 662-893-3003	192,600.00	x	x	x	
Jones Brothers, Inc. 3845 Watman, Memphis, TN 38118 901-362-6766 fax 901-362-5745	171,900.00	x	x	x	
Panola Construction Co. P.O. Box 149 Batesville, MS 38606 662-563-5621 fax 662-563-0715	196,899.00	x	x	x	
Barnes and Brower Const. Co. Inc. 3787 Old Getwell , Memphis, TN 38118 901-794-3481 fax 901-794-3482	174,527.00	x	x	x	
Donald G. Austin, Gen. Contr. 169 E. Goodwyn St.,Memphis, TN38111 901-452-7783 FAX 901-323-1399	181,970.00	x	x	x	
The Burton Co. 398 Bowen Road, Sardis, MS 38666 662-487-0647 fax 662-487-3486	319,000.00	x	x	x	
Levine and Poor, Inc. 4967 William Arnold Rd. Memphis, TN 38117 901-683-6885 fax 901-683-1740	193,000.00	x	x	x	
Omega General Contractors 1773 September St, Memphis, TN 901-345-6600 901-345-1972 fax	137,800.00	x	x	x	
Ambassador Construction Co. 3127 Stonebrook, Cir. Memphis, TN 38131 901-345-1040 901-345-1911 fax	182,049.00	x	x	x	

Vanessa said the lowest bid was from Omega General Contractors at \$137,800.00, but the bid is not complete because they did not submit a contingency line. She said that Jones Brothers, Inc. was the next lowest bid at \$171,900.00. She said there was discussion about using the bidder from Tennessee and the reciprocal bid laws. Also, C & M Builders, Inc., the third low bidder, was discussed because they did a very good job on other county projects.

Supervisor Bill Russell asked if it matters if the contractors live in DeSoto County. Vanessa said no, Tennessee and Mississippi do have reciprocal laws that honor the other state's policy.

Consequently, there is no real policy. She said some of the employees working for Jones Brothers on this project live in DeSoto County. The business operates out of Tennessee.

Vanessa said she is recommending Jones Brothers, Inc. as the lowest and best bid.

Supervisor Tommy Lewis asked if Vanessa received any references on Jones Brothers. Vanessa said the architect on this project, Marvin Johnson and he is familiar with them and their work is good.

Supervisor Allen Latimer asked if we should consider Jones Brothers when we do not know their quality of work, but we do know the quality of work by C & M Builders. He said there a minimal amount of difference in the bids.

Supervisor Russell said that the architect recommends Jones Brothers so their work must be good.

Vanessa said she checked with the Audit Department and the Board Attorney Tony Nowak. Mr. Nowak said the Board would have to determine by a finding of fact whether or not the two complete low bids are substantially the same. The Audit Department says the Board of Supervisors must spell out in detail why the low bid should not be considered since if the two are not substantially the same the local preference does not matter.

Supervisor Jessie Medlin said he knows that C & M Builders built the Tax Collector Building in Olive Branch and there have been some issues. He said the concrete floor is already cracked, a door is broken and there have been issues with drainage.

County Administrator said that some of these issues he has heard about are more with engineering than contracting.

Supervisor Tommy Lewis asked if we can specify that their bonding agent be a local agent and asked if we have the bonding agent's information. Vanessa said that information is not in the specifications.

County Administrator Michael Garriga said we can certainly request that information in the future specifications.

Board Attorney Tony Nowak said that Jones Brothers attached the letter regarding reciprocal laws between Tennessee and Mississippi to the bid and he recommended that it be made part of the motion.

Supervisor Eugene Thach made the motion and Supervisor Bill Russell seconded the motion to approve using Jones Brothers, Inc. for the Justice Court renovation in the amount of \$171,900.00 and to accept the letter regarding reciprocal laws between Tennessee and Mississippi submitted by Jones Brothers, 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

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve a contract between DeSoto County and Jones Brothers, Inc., and authorize the Board President to sign the same, subject to the Board Attorney's review and approval. The motion passed by a vote as follows:

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

See Exhibit F.6.a

b. Ratify Emergency Purchases

Vanessa Lynchard said recently there was bad weather in which the news did not predict snow. She said that Channel 3 complimented the DeSoto County Road Department for being out on the roads early to put down protection from the snow on our roads.

Vanessa said during the past month several inclement events have occurred. The Road Department has had to replenish their stock of product used to protect the road and those purchases exceeded the bid laws collectively. These events meet the definition of an “emergency” according to MS Code Section 31-7-1. Therefore, and in accordance with Section 31-7-13(f), Vanessa submitted details of the amounts spent between January 2010 and February 2010 to date. In addition, Vanessa submitted weather reports that substantiate the need for the purchases to the Board of Supervisors.

Vanessa said she has been looking at those purchases and they well exceeded the purchasing limits. The statute says as long as those purchases are spread across the minutes of the very next meeting with the amounts and weather reports, the Board can make a finding of fact that these purchases were for emergency reasons.

After having made a finding of fact that purchases were made due to an emergency event, Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to approve the purchases of products for bridges and to make the finding of fact that these purchases were used due to an emergency event 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 F.6.b

7. MDOT \$170 Million HELP Bonds

a. No Protest Resolution

b. Sales Approval Resolution

Steve Pittman of Butler, Snow, O'Mara, Stevens & Cannada, PLLC Snow and Demery Grubbs of Government Financial Consultants, appeared before the Board of Supervisors regarding the HELP bond for I-269.

Mr. Pittman said, in January, the Board adopted a resolution of intent to issue bonds for I-269 not to exceed \$170. He said the two resolutions before the Board today is in connection with that project are as follows:

- 1.) Resolution declaring there was no protests.
- 2.) Resolution Approving documents and authorizing the issuance of the bonds.

Supervisor Bill Russell asked if there was anyone before the Board to discuss the bonds. No one came forward.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to approve resolutions connected with I-269 HELP Bonds and authorize the Board to sign the resolutions as presented and shown in detail by the attached exhibits, and identified as follows:

- 1.) Resolution declaring there was no protests.
- 2.) Resolution Approving documents and authorizing the issuance of the bonds.

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

G. EXECUTIVE SESSION

The executive session portion of these minutes is recorded under the portion of the minutes called "Executive Session".

H. OTHER ISSUES

1. Inclement Weather Policy

County Administrator Michael Garriga said, in reviewing the inclement weather policy, it typically does not apply to essential employees. Mr. Garriga said he is looking at how the cities and schools handle the situation with some employees coming to work and some who do not.

Mr. Garriga said last week he was in a meeting with the City of Olive Branch with Mayor Sam Rikard on another matter and asked how they handle the inclement weather policy with city employees. Mayor Rikard said one of their concerns is that corporations and other businesses remain open and they want to be able to continue to serve the public. He said Olive Branch allows employees to take sick leave.

Mr. Garriga said legally the Board of Supervisors must make that decision. He said last week's weather event was totally unexpected which created logistics issues. Mr. Garriga said he wanted to fill the Board in regarding the statutes and receive their input on the policy.

Supervisor Allen Latimer said if the doors are open an employee should come to work if they can.

Mr. Garriga said if a person is unable to get to work they can use their sick time or vacation time. He said there are legalities and we have to balance pay with other issues.

Road Manager Russell Dorris said if an employee in his department cannot drive to work due to weather, they send someone to pick them up and take them home. Mr Dorris said most of his employees are essential.

Supervisor Jessie Medlin asked what happens if they do not have a key to the building.

Mr. Garriga said there will be someone available to open the doors. He said we certainly do not want to jeopardize anyone's safety.

2. Veteran's Services Officer

Supervisor Allen Latimer said the Veteran's Services Officer, Steve Powell, is very busy. He noted a report the supervisors received regarding Mr. Powell's schedule. Supervisor Latimer said he was pleased to see that Mr. Powell was making visits to nursing homes and other places to make himself known and available. He said he was very pleased to see the positive feedback regarding Mr. Powell.

3. The Delta Heritage Council

County Administrator Michael Garriga said he received a phone call from Ken Murphree regarding the development of a Mississippi Delta Heritage Council legislation which allows the Mississippi Delta to begin a three year process of obtaining National Heritage Area operated under the National Parks Service. He said there is an open appointment to council

from the participating counties of Tunica, DeSoto, Tate and Panola. Mr. Garriga said there are 40 Heritage Ares in different regions and locales around the county and it is about 25 years old.

Mr. Garriga said the most important consideration as the Delta begins the process of inventorying, cataloging and writing a management plan for detailing the cultural, heritage, and tourism opportunities of the region is to put inn place all representatives of the Governing Board outlined in the federal legislation. Mr. Garriga said the Governing Board will have responsibility for the overall oversight of the Heritage Area and will designate coordinating entities that will be charged with ensuring the management plan is approved in three years by the Secretary of the Interior by working with National Park Service guidelines and running the day-to-day operation of the Heritage Area.

Mr. Garriga offered to be the appointee for DeSoto County or he would be glad for the Board to appoint anyone they saw fit.

The Board of Supervisors discussed the issue and decided that due to the time involved in the project, to ask Brian Hicks of the DeSoto Historic Museum or Kim Terrell of the Tourism Commission to serve in the appointment. No motions were made nor votes taken on this issue.

See Exhibit H.3

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to adjourn the meeting until March 1, 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 16th day of February, 2010, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Bill Russell, President
DeSoto County Board of Supervisors