

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

**ALLEN LATIMER, PRESIDENT 2011 PRESIDING**

**February 7, 2011**

**A. CALL TO ORDER**

The February 7, 2011 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Allen Latimer, Board President.

Supervisor 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 Absent
- 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. CITIZEN COMMENTS**

Supervisor Allen Latimer asked if there were any citizens who wished to make comments to the Board of Supervisors. No one came forward.

**E. APPROVAL OF JANUARY MINUTES**

The official minutes of the Board of Supervisors were read for the month of January, 2011. Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to accept the minutes of the Board of Supervisors for January, 2011 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-----ABSENT
- Supervisor Bill Russell-----YES
- Supervisor Allen Latimer-----YES
- Supervisor Tommy Lewis-----YES

**See Exhibit E**

**F. CONSENT**

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

Supervisor Jessie Medlin asked if the interfund transfer on the JAG grant concerns the AOP program. County Administrator Michael Garriga said no. They are two different grants.

Later in the meeting, Grants Administrator Joyce Herring confirmed that the interfund transfer was for the AOP program. Later in the meeting Tom Arnold said the Federal Government reduced the JAG payment for an unrelated matter.

Sheriff Bill Rasco questioned the transfer of city funds. Mr. Garriga explained this is the procedure for the agenda.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the Consent Agenda as follows:

**1. Dept. of Human Resources: Monthly Health Claims**

The following is a recap of all insurance claims funded for the month of January and paid to Humana:			
Funding Request	Date Paid	Amount	Claim Type
<b>Date</b>			
1/1/11	1/4/11	\$75,224.61	Administration Fees
1/3/11	1/5/11	\$37,581.39	Medical
1/3/11	1/5/11	\$5,523.55	Dental
1/3/11	1/5/11	\$18,004.06	Pharmacy
1/10/11	1/12/11	\$43,883.01	Medical
1/10/11	1/12/11	\$5,652.15	Dental
1/10/11	1/12/11	\$15,441.53	Pharmacy
1/17/11	1/19/11	\$42,977.43	Medical
1/17/11	1/19/11	\$8,426.10	Dental
1/17/11	1/19/11	\$13,449.84	Pharmacy
1/24/11	1/26/11	\$80,132.28	Medical
1/24/11	1/26/11	\$3,209.35	Dental
1/24/11	1/26/11	\$13,771.31	Pharmacy
1/31/11	1/31/11	\$45,915.26	Medical
1/31/11	1/31/11	\$4,703.30	Dental
1/31/11	1/31/11	\$16,790.74	Pharmacy
	<b>TOTAL</b>	<b>\$430,685.91</b>	

**2. Justice Court Report**

Criminal Cases Filed	90
Civil Cases Filed	494
Traffic Tickets Filed	663
Total Cases Filed	1,217
State Assessments	\$32,279.50
County General Fund	\$71,459.91
Total Collections	\$109,739.41

**3. Bailiff Pay- Shirley Holmes – 2@ \$120.00 each**

**4. Publication of Board Proceedings**

**5. Finance & Accounting**

**a. Budget Amendments – Detailed in Exhibit E**

**b. Interfund Loan (2)**

From: General County Fund	001-000-054	\$54,344.00
To: State Aid Find	170-000-149	\$54,344.00
From: General County Fund	001-000-054	\$150,000.00
To: I-69 Corridor Study-EDA Funds	308-000-149	\$150,000.00
From: General County Fund	001-000-054	\$750,000.00
To: Energy Grant-MDA	001-000-054	\$750,000.00

**c. Make Transfer (2)**

From: General Fund	\$150,000.00	(001-900-951)
To: I-69 Corridor Study	\$150,000.00	(308-000-387)
From: General Fund	\$8,327.56	(001-900-951)
To: 2009 JAG Grant Fund	\$8,327.56	(107-000-387)

**d. Request For Transfer of Sheriff Seized Funds**

Transfer from Sheriff-Seized Fund	(123-000-139)	\$337.00
Transfer to Sheriff- Forfeiture Fund	(120-000-238)	\$337.00

**6. Inventory Control Dispositions-Final**

**a. Facilities Management**

Asset #	Serial #	Description	Reason for Disposal	Loc. of Final Disposition
20192	1FTEF15NIN LAB5743	1992 Ford F150 Truck	Surplus/Auction	Govdeals.com

**b. IT Department**

730068	A10C1	IBM THINKPAD	OBSOLETE	I.T.
36982		TOWER COMPUTER	BROKEN/PARTS	I.T.
39473	MY888391BK	HP D7560 PRINTER	BROKEN	I.T.
30789	23894780001	MICRON PC	BROKEN	I.T.
31254	CN15HCFT211425	SAMSUNG MONITOR	BROKEN	I.T.
31455		CLONE PC	BROKEN	I.T.
31779	890CW1J	LEXMARK E320 PRINTER	BROKEN	I.T.
39210	SG93713070	HP 1220 PRINTER	BROKEN	I.T.
35707	MXBM137179	HP 3015 PRINTER	BROKEN	I.T.
36707	FK9K430006	EPSON R300 PRINTER	BROKEN	I.T.
36992	14X7585A0081F	NETGEAR SWITCH	BROKEN	I.T.
30480	KEE0044203	BAYSTACK SWITCH	BROKEN	I.T.
30481	KEB0009386	BAYSTACK SWITCH	BROKEN	I.T.
31458	0200LPWG018848	3COM SWITCH	BROKEN	I.T.
35703	62114254	RACKMOUNT SERVER	BROKEN	I.T.
38150	00179A893600	DLINK SWITCH	BROKEN	I.T.
37146	1MC16C3J0065C	NETGEAR SWITCH	BROKEN	I.T.
730039	2307426	IBM 8 PORT HUB	BROKEN	I.T.
31778	DS54C25156077	NETGEAR HUB	BROKEN	I.T.
37133	DRIR168000005	DLINK GIGABIT SWITCH	BROKEN	I.T.
36991	000FB5FC0D2F	NETGEAR SWITCH	BROKEN	I.T.
33466	E85Z3861691U	PROVIEW 18" MONITOR	BROKEN	I.T.
36690	10120543921	VISION SERVER	BROKEN	I.T.
39138	PW0738BBA0046	QUANTUM DRIVE	BROKEN	I.T.
39459	n/a	CLONE PC	OBSOLETE/PARTS	I.T.
38099	37210CF872703	ACER PC	BROKEN	I.T.
37024	Z0603000766	MSI CLONE PC	BROKEN	I.T.
35938	37210CA0C2703	ACER PC	BROKEN	I.T.
37131	KQRCV86	IBM SERVER	OBSOLETE/PARTS	I.T.
33408	9YYFP31	DELL PC	BROKEN	I.T.
35516	0716873804	HOWARD PC	BROKEN	I.T.
37115	DD0639BBB00039	QUANTUM TAPE DRIVE	BROKEN	I.T.
32600	KPGHK07	IBM SERVER	BROKEN	I.T.
36670	DR99153000390	DLINK SWITCH	BROKEN	I.T.
36718	N/A	CYBERTRON SERVER	BROKEN	I.T.
32593	GH17H9NW308165L	SAMSUNG LCD	BROKEN	I.T.
33436	E85Z3861610U	PROVIEW MONITOR	BROKEN	I.T.
33464	E85Z3861619U	PROVIEW MONITOR	BROKEN	I.T.
32592	0031485346	GATEWAY PC	BROKEN	I.T.
35710	705N671	DELL PC	BROKEN	I.T.
40027	MY87L270GD	HP PRINTER	BROKEN	I.T.
37129	AAKK89249	CANON PIXMA PRINTER	BROKEN	I.T.
38131	3716015F42703	ACER PC	BROKEN	I.T.
33466	E85Z3861691U	PROVIEW MONITOR	BROKEN	I.T.
39473	MY888391BK	HP PRINTER	BROKEN	I.T.
36508	14MP1906A00	PRINCETON MONITOR	BROKEN	I.T.

**c. Sheriffs' Department**

<b>Asset #</b>	<b>Serial #</b>	<b>Description</b>	<b>Reason for Disposal</b>	<b>Location of Final</b>
40233	JM1BB141XT03231164	1996 Mazda Protégé	Surplus/Auction	SID
38649	1J4GK48K15W548853	2005 Jeep Liberty	Surplus/Auction	SID
39825	1G2WP52K52F215332	2002 Pontiac Grand Prix	Surplus/Auction	SID
32380	1FTRW08LX1KF57959	2001 Ford F150	Surplus/Auction	SID
36556	N/A	Truck Bed Topper	Surplus/Auction	SID
39522	N/A	Cargo Loader	Surplus/Auction	SID

**Jail Laundry**

<b>Asset #</b>	<b>Serial #</b>	<b>Description</b>	<b>Reason for Disp</b>	<b>Loc at Prel.</b>
32103		Washer	Unable to Repair/surplus	Facilities Mgt.
32104		Washer	Unable to Repair/surplus	Facilities Mgt
32105		Washer	Unable to Repair/surplus	Facilities Mgt
31332	2004992978	Dryer	Unable to Repair/surplus	Facilities Mgt
31333	2004992979	Dryer	Unable to Repair/surplus	Facilities Mgt

<u>Asset #</u>	<u>Serial #</u>	<u>Description</u>	<u>Reason for Disposal</u>	<u>Location at final</u>
32301	2FAHP71W73X168725	2003 Ford Crown Vic	Surplus	DCSO
34663	2FAFP71W64X123848	2004 Ford Crown Vic	Surplus	DCSO
34665	2FAFP71W54X136753	2004 Ford Crown Vic	Surplus	DCSO
36439	2FAFP71W63X206243	2003 Ford Crown Vic	Surplus	DCSO
34680	2FAFP71W43X179883	2003 Ford Crown Vic	Surplus	DCSO
34679	2FAFP71WXX144833	2004 Ford Crown Vic	Surplus	DCSO
36441	2FAFP71W93X206219	2003 Ford Crown Vic	Surplus	DCSO
32293	2FAHP71W23X168731	2003 Ford Crown Vic	Surplus	DCSO
30840	2FAFP71W31X129215	2001 Ford Crown Vic	Surplus	DCSO
34052	2FAFP71W11X153951	2001 Ford Crown Vic	Surplus	DCSO
33598	2FAFP71W12X108297	2002 Ford Crown Vic	Surplus	DCSO
34666	2FAFP71W34X136735	2004 Ford Crown Vic	Surplus	DCSO
33601	2FAFP71W22X108289	2002 Ford Crown Vic	Surplus	DCSO
31297	2FAFP71W82X116476	2002 Ford Crown Vic	Surplus	DCSO
33146	2FAFP71W61X153881	2001 Ford Crown Vic	Surplus	DCSO
34047	2FAFP71W32X108298	2002 Ford Crown Vic	Surplus	DCSO
36443	2FAFP71W53X171176	2003 Ford Crown Vic	Surplus	DCSO
36452	2FAFP71W02X108355	2002 Ford Crown Vic	Surplus	DCSO
38692	1GNEC13R5XR102565	1999 Chevy Tahoe	Surplus	DCSO
30299	2B7HB11X0XK530721	1999 Dodge Van	Surplus	DCSO

<u>Asset #</u>	<u>Serial #</u>	<u>Description</u>	<u>Reason for Disposal</u>	<u>Location at Final</u>
32283	2FAFP71W0YX146287	2000 Crown Vic	Surplus/ Auction	Crenshaw
30842	2FAFP71W21X129213	2000 Crown Vic	Surplus /Auction	Crenshaw

<u>Asset #</u>	<u>Serial #</u>	<u>Description</u>	<u>Reason for Disposal</u>	<u>Location at Final</u>
41097	1FMEU176XVLB38933	1997 Ford Expedition	Surplus/Auction	Crenshaw
41100	1G3AJ55M7T6418664	1996 Cutlass	Surplus/Auction	Crenshaw
41101	1B3XC46R5MD165934	1991 Dodge Dynasty	Surplus/Auction	Crenshaw
41102	1FTDX18W3VKB58730	1997 Ford F150	Surplus/Auction	Crenshaw

## 7. Department of Road Management

### a. Road Report and Work Schedule

### b. Road Bond Report

**c. Adopt-A-Road: Center Hill High School-DeSoto Road**, from Intersection of Mustang Road to Intersection of Center Hill Road. Also, Kirk Road, East of Intersection of Forest Hill Irene Road (just before the bridge) to Intersection of Mustang Road. Included will be the Road Department to make the proper signage and post it along the roadway and provide the articles to remove the litter from the road.

## 8. Make Part of Minutes

### a. Lease Agreement with Olive Branch Community Emergency Food Ministry, Inc.

**b. Resolution of Appreciation for Dorthey Smith, Phillips, Mitchell, Scott and Nowak LLP**

**9. Chancery Clerk Allowance (2) - \$1,350.00 1/21/2011 \$1,750.00 1/28/2011**

**10. Appointments: Recommendation to Reappoint Mike Riley to E-911 Commission**

Term: September 7, 2010 thru September 7, 2014

The motion passed by a vote as follows:

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

See Exhibit F

**G. OLD BUSINESS**

**1. Memphis Child Advocacy Center: Resolution of Support for Local and Private Legislation**

Board Attorney Tony Nowak said previously the Board asked about sending a local and private to allow a donation to the Child Advocacy Center in Memphis. Mr. Nowak presented a resolution for a local and private which would allow them to send an amount not to exceed \$65,000 at their discretion.

Supervisor Tommy Lewis said he has no problem asking for the resolution to support this, but he would like to look into the center located in Oxford and the Region IV Mental Health Center for the service.

Supervisor Medlin asked if they would be locating a center in DeSoto County. Mr. Nowak said they talked about locating a satellite center here but there are no plans at this time.

Supervisor Bill Russell said he supports the local and private and agrees with Supervisor Lewis about looking into the center in Oxford and Region IV Mental Health Center.

Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to approve a resolution for a local and private to allow the Board of Supervisors to donate money to the Memphis Child Advocacy Center in an amount not to exceed \$65,000. The motion passed by a vote as follows:

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

**H. NEW BUSINESS**

**1. Advertising County Resources**

**a. North Mississippi Senior Expo**

Susan East appeared before the Board of Supervisors concerning the Senior Expo that is planned for Friday, May 6<sup>th</sup> from 9 a.m. to 2:00 p.m., at the Southaven Arena. Ms. East said this is the sixth annual expo and this year's theme is the "Wild West". She said last year they signed in 638 people. The Color Guard opened the program and they set the tone for the entire day. Last year the theme was "Sports In America". There were 78 vendors last year and she anticipates that many, if not more for the year. She said the Senior Expo receives support from the Area on Aging. They do a lot of advertising, but they want to know what we do to draw so many people.

Ms. East said the Board of Supervisors deserves a lot of the recognition for the attendance because of their support of the event.

Supervisor Bill Russell said he attended the last two years and the senior citizens get a lot from this event. He thanked Ms. East and said he appreciated her efforts toward this event for DeSoto County senior citizens.

After determining that this is a worthy opportunity to advertise County resources and opportunities which further social and moral standards in the community and in accordance with Section 17-3-3, of the Mississippi Code of 1972, Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to approve a donation of \$1,000 to Lifestyles Transitions for the 6<sup>th</sup> annual North Mississippi Senior Expo to be held Friday, May 6, 2011, from 9:00 a.m. to 2:00 p.m. at the Southaven Arena. The motion passed by a vote as follows:

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

**See Exhibit H.1.a**

**b. Arkabutla Physically Challenged Hunting Association**

Supervisor Allen Latimer said the Arkabutla Physically Challenged Hunting Association provides a hunt to physically challenged individuals each year. Supervisor Latimer said it is a great event and very worthwhile.

After discussing the hunt draws people from all parts of the area inside and outside DeSoto County, the Board determined that is a likely event to advertise County resources and opportunities which further social and moral standards in the community and in accordance with Section 17-3-3, of the Mississippi Code of 1972, Supervisor Allen Latimer made the motion and Supervisor Jessie Medlin seconded the motion to approve a donation of \$1,000 from advertising county resources to the Arkabutla Physically Challenged Hunting Association. The motion passed by a vote as follows:

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

**See Exhibit H.1.b**

**2. DeSoto Civic Center: Request for Financing**

Demery Grubbs of Government Consultants, Chuck Roberts, Charles Tacker and Todd Mastry of the DeSoto Convention and Visitors Bureau, appeared before the Board of Supervisors to discuss financing for new signage at the DeSoto Civic Center.

Mr. Roberts said the Civic Center is now ten years old and it is time to start replacing and improving certain things. He said for about seven or eight months they have been evaluating the building and signage. He said they engaged Daktronics to evaluate the signage and come back with a recommendation. Mr. Roberts said Daktronics recommended improving signage which will help generate business which will help increase revenue. He said signage can be controlled with only one computer from one place. Mr. Roberts said Daktronics is the only company who designs this type of signage. He said they design signs for many professional facilities. It will be a savings for the Civic Center because of other contracts and the timing of this contract. Mr. Roberts said they have an agreement with Daktronics for one million six hundred ninety five thousand dollars for new signage. It includes a new LED sign for the interstate location and an LED sign on Church Road which is smaller than the interstate sign. In addition the score boards

will be replaced with two LED score boards. The main score board is eighteen by thirty two feet long and a smaller LED score board will be on the north end of the arena. There will be an LED ribbon sign around the balcony seating. The signs are in full color and can be customized according how they want the wording to appear. All the signs will be controlled by the one computer. The wonderful part is they are already getting requests from sponsors to have their advertising on the signs. Mr. Roberts said the new signage will simply require an interested sponsor to provide their logo which is loaded into the computer and then produced on the signage. Later it can also be connected to the concession stands so they are LED which will allow advertising for sponsors. That component has not yet been approved by the CVB. Mr. Roberts said, at this time the CVB is paying for a lot of maintenance for the interstate sign. The new signage will alleviate the need for extensive maintenance.

Mr. Roberts said the Civic Center Board needs approval from the DeSoto County Board of Supervisors for the financing of the signage. He said the debt service will be approximately \$200,000. Mr. Roberts said they already have commitments for sponsorships totaling approximately \$150,000 and they think more will come in the future. The visibility with the new signage gives the Civic Center more opportunity for gaining sponsorships.

Supervisor Tommy Lewis said the interstate sign is about the only complaint he has received about the Civic Center. It is hard to read when driving on the interstate. Mr. Roberts said because they have so many events booked in the Civic Center, it is a struggle to keep up with signage. Mr. Roberts said the total price of the signage is \$1.8 million and \$1.7 million is paid to the contractor. The remainder covers other costs.

Demery Grubbs of Government Consultants said this is a type of lease financing. The Civic Center is paying for the signs over a ten year period and not actually leasing them. Mr. Grubbs said he reviewed the lease and then approached different alternatives for financing. He said he found no better rates than offered in this agreement. Mr. Grubbs recommended accepting the agreement. Mr. Grubbs said because the CVB does not have the authority to borrow money, they are asking the Board of Supervisors for approval to purchase the signage. Mr. Grubbs said the county will sign the agreement and is similar to being a co-buyer. It must come through this Board, but the money does not actually come out of county money.

Supervisor Allen Latimer asked if this affects the county's borrowing capacity. Mr. Grubbs said not at all.

Mr. Roberts introduced Todd Mastry, Assistant General Manager of the Civic Center. He said Mr. Mastry brought this opportunity to the attention of the CVB. Mr. Mastry said he previously worked for the FedEx Forum for seven years and spear headed the project for the signage. Mr. Mastry said that Daktronics was the only company to provide that type of signage and that was seven years ago when the Forum was first built. Mr. Mastry said their signage was excellent and there have been no upgrades. He spoke highly of the service and quality and said the Daktronics service technician lives in Olive Branch.

Supervisor Tommy Lewis verified that all of the bid laws have been met. Mr. Roberts said that is correct. Board Attorney Tony Nowak also confirmed the bid laws met requirements.

Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to approve the request from the DeSoto Civic Center and Visitor's Bureau for the county to approve financing of \$1.8 million for signage at the Civic Center, and to authorize the Board President to sign closing and other documents to accomplish the matter and to authorize the Smith, Phillips, Mitchell, Scott and Nowak LLP to handle in any manner necessary to bring the matter to a legal conclusion. The motion passed by a vote as follows:

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

### 3. Human Resources: Employee Benefits 2011/Open Enrollment

Human Resources Director Janna Rogers presented an open enrollment package for employee benefits for 2011. Ms. Rogers said enclosed in the packet is a summary of benefit plans and a calendar for employee meetings. She said the information and meetings is to educate the employees on changes in the program. Ms. Rogers reminded the Board that the month of February is for open enrollment with benefits starting on March 1<sup>st</sup>.

Supervisor Jessie Medlin asked Ms. Rogers to explain urgent care facilities. Ms. Rogers said the participating urgent care facility is through Baptist and includes Baptist Minor Medical facilities. These are in-network and any other urgent care is out-of-network. Ms. Rogers said Methodist Urgent Care is considered in-network only for ages up to 17 years.

Ms. Rogers said open enrollment ends February 28<sup>th</sup>.

**See Exhibit H.3**

### 4. Inventory Control Dispositions

The Board of Supervisors considered the preliminary inventory control dispositions for various departments.

Supervisor Tommy Lewis asked if the stolen radios from the Road and Bridge Department were ever located by the Sheriff's Department. Sheriff Bill Rasco said no, but they had them turned off of the frequency.

Supervisor Allen Latimer asked how the privacy of an individual is protected when computers are disposed. Assistant Inventory Clerk Joyce Herring said the hard drives are cut into tiny pieces by 5R Processors, the company who contracts with the county to dispose of county computers.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve the preliminary inventory dispositions as follows:

#### a. Chancery Clerk

<b>Asset #</b>	<b>Serial #</b>	<b>Description</b>	<b>Reason for Disposal</b>	<b>Location at Preliminary</b>
31799	28582404	Gateway E4000	Obsolete	Courthouse/outside storage
31800	28582405	Gateway E4000	Obsolete	Courthouse/outside storage
31801	28582403	Gateway E4000	Obsolete	Courthouse/outside storage
31826	291815080	Gateway E4000	Obsolete	Courthouse/outside storage
31827	29181509	Gateway E4000	Obsolete	Courthouse/outside storage
32553	29680365	Gateway E4000	Obsolete	Courthouse/outside storage
32554	29680366	Gateway E4000	Obsolete	Courthouse/outside storage
33415	578594303	Howard PC	Obsolete	Courthouse/outside storage
33431	MXD3450494	HP 0220 PC	Obsolete	Courthouse/outside storage
33434	MXD34504B4	HP 0220 PC	Obsolete	Courthouse/outside storage
33435	MXD3450B8	HP 0220 PC	Obsolete	Courthouse/outside storage
33512	PSPSV060064 42017A9EK02	ACER PC	Obsolete	Courthouse/outside storage
34829	SMXL6251055	HP Desktop PC	Obsolete	Courthouse/outside storage
36518	MXD3360J4R	HP Desktop PC	Obsolete	Courthouse/outside storage

**b. Circuit Court Reporter**

<b>Asset #</b>	<b>Serial #</b>	<b>Description</b>	<b>Reason for Disposal</b>	<b>Location at Preliminary</b>
39748	CNBJ224695	HP All in One Printer	Broken	Accounting Dept.
34199	A002147	Mira Elan Writer	Upgrade/Trade-In	Stenograph

**c. Road and Bridge**

<b>Asset #</b>	<b>Serial #</b>	<b>Description</b>	<b>Reason for Disposal</b>	<b>Location at Preliminary</b>
30137	866FYU7893	Motorola Hand Held Radio	Stolen/12-20-2010	unknown
31935	921TCN2368	Motorola Hand Held Radio	Stolen/12-20-2010	unknown
32366	921TDU2908	Motorola Hand Held Radio	Stolen/12-20-2010	unknown
33696	921TEL0884	Motorola Hand Held Radio	Stolen/12-20-2010	unknown
35961	921TJA3678	Motorola Hand Held Radio	Stolen/12-20-2010	unknown
36138	921TLN1875	Motorola Hand Held Radio	Stolen/12-20-2010	unknown

**d. Sheriff's Dept.**

<b>Asset #</b>	<b>Serial #</b>	<b>Description</b>	<b>Reason for Disposal</b>	<b>Location at Preliminary</b>
38935	1451470	Sony Camcorder	Broken	DCSO
36930	PSP300600681901C272701	Acer PC	Broken	DCSO
37040	ETL630C057616063FC4000	Acer Monitor	Broken	DCSO
38752	QYY084951210	Viewsonic Monitor	Broken	DCSO
32735	GQW6111	Dell PC	Broken	DCSO
35010	354831018532945	Nokia Cell Phone	Broken	DCSO
38588	ABSA12793	Panasonic Camcorder	Lost	See Attached A
36282	X00143774	Taser	Broken	DCSO
36283	X00143901	Taser	Broken	DCSO
36269	X00121145	Taser	Broken	DCSO
36819	165169	Taser	Broken	DCSO
34992	1HD1FHW152Y658059	2002 Harley Motorcycle	Trade-In	DCSO
36917	1HD1FHW176Y00415	2006 Harley Motorcycle	Trade-In	DCSO
39834	2FAHP71W27X128073	2007 Ford Crown Vic	Wrecked	Central Maint.

The motion passed by a vote as follows:

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

**See Exhibit H.4**

**5. Grants Administrator**

**a. DUI Grant: Accept Modification & Approve Expense for Travel to Conference**

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to accept the modification on the DUI grant numbered 11-TA-117-1 Modification No. 1 for the DeSoto County Sheriff's Department effective January 1, 2011, in the amount of \$4,000 to allow

two personnel to attend the Lifesaver’s Training as recommended by the grants administrator and grant provider to reimburse the expenses and to authorize the approval of advance travel expenses to Phoenix, AZ. The motion passed by a vote as follows:

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

**See Exhibit H.5.a**

**b. Authorization to Apply for Household Hazardous Waste Grants Administrator**

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to authorize applying for the Household Hazardous Waste Day grant and to authorize the Board President to sign the documents. The motion passed by a vote as follows:

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

**See Exhibit G.5.b**

**6. Finance & Accounting: Claims Docket**

**a. Budget Amendments**

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve a budget amendment for the purchase of a copier/fax/printer for Judge Gerald Chatham’s office in the amount of \$5,915. The motion passed by a vote as follows:

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

**b. Claims Docket**

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

Supervisor Jessie Medlin questioned the payment to the Tax Collector for Dean Road. Mr. Arnold said the payment is for taxes on the house the county bought that was in a flood zone and the county demolished the house. It was bought through a grant and taxes were settled at closing and the county had to pay the tax bill.

Supervisor Bill Russell asked about the payment on page 125 of the claims docket to the stormwater program. Mr. Arnold said that is the monthly payment to the stormwater advisory board. County Administrator Michael Garriga said it the quarterly payment. Supervisor Russell asked if the group is active. Mr. Garriga said Steve Bigelow is the chairman of the committee, Joe Frank Lauderdale represents Hernando, Scott Young represents the county and other entities are represented on the Board as well.

Supervisor Allen Latimer asked about page 11 for the payment to Shelby County Government.

Mr. Garriga said that is the local match for the MPO. He said the cities reimburse their share of this payment.

Supervisor Latimer asked about the payment list on page 104. Mr Garriga said that payment is for transporting prisoners from the Special Investigations Division to the jail.

Supervisor Latimer questioned the payment to Pickering on page 146. He said he thought the county had a credit balance with Pickering from the Starlanding Road project. Mr. Arnold said this is money that state aid provides to pay for this expense. Road Manager Russell Dorris said right now we are looking at the credit to see if we can use that money on stormwater and environmental issues. The Board discussed the fact that there is a time limit to use that money from the credit with Pickering.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Comptroller. The motion passed by a vote as follows:

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

**See Exhibit H.6.b**

## **7. Board Attorney**

### **a. Traveler's Claims Audit**

Board Attorney Tony Nowak said Traveler's Insurance audits our claims history to determine the liability and ensure county procedures are being followed. Mr. Nowak said they want to meet with County Administrator Michael Garriga, Sheriff Bill Rasco and others as well as himself. He said it may be a lengthy process.

County Administrator Michael Garriga said they will meet with the Traveler's Insurance auditors on February 15, 2011, at 1:00 p.m.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to authorize the Smith, Phillips, Mitchell, Scott and Nowak LLP to work with the County Administrator Michael Garriga, Sheriff Bill Rasco and others, and Traveler's Insurance on the claims audit. The motion passed by a vote as follows:

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

### **b. Public Records Request Policy**

Board Attorney Tony Nowak said in the previous meeting he advised the Board of Supervisors regarding the changes in the public records request laws and he has prepared the county policy to adopt the changes.

Supervisor Tommy Lewis asked if public records are available online. Chancery Clerk Sluggo Davis said some records are, but not all of them.

Mr. Nowak said the county has received requests for large amounts of records that required a lot of work on the county's behalf to produce.

Supervisor Bill Russell asked about storage of electronic records in order to avoid losing records. He also wanted to know how the records are protected. He said he would like to authorize money to back up the records in other locations in order to protect the records.

County Administrator Michael Garriga said he looked into that issue and found it be quite costly. He said he will bring information back to the Board on the subject.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve the public records request policy as recommended by the Board Attorney and as detailed in Exhibit H.7.b. The motion passed by a vote as follows:

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

#### **Exhibit H.7.b**

##### **c. Support Resolution for Local and Private**

Board Attorney Tony Nowak said this item of business was handled earlier in this meeting.

##### **d. Road Agreement with City of Hernando**

Board Attorney Tony Nowak explained the process for the road construction leading to the new jail. Mr. Nowak said the city will be involved throughout construction and inspection of the project. He said the city is asking the county to maintain the road for one year.

Supervisor Bill Russell asked the Road Manager his opinion on maintaining the road for that period of time. Road Manager Russell Dorris said he knows the road has been built to specs like other roads and it is normal for the county to maintain the road for one year. He said they do not have money in the budget to cover the cost of maintaining the road.

Supervisor Russell said we require others who build a road in the county, so we should expect this one to be handled the same way. He said the county would inspect the existing road so we would know the condition of the road in case there are in any claims to arise.

Mr. Nowak said there is a provision in the agreement where any damage that is caused by construction of the new road would be repaired between the county on the old road known as Industrial Drive West.

Sheriff Bill Rasco said the road is already torn up.

Mr. Dorris suggested setting up a fund for any maintenance required on the road. Mr. Dorris said they have inspected the road because of the bad condition of the road.

Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to approve the agreement with the City of Hernando and to treat the bonding of the road as normal county procedure for other roads, therefore, the county maintaining the road for one year without a bond. The motion passed by a vote as follows:

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

##### **e. Sheriff's Dept.**

###### **(1.) Agreement to Purchase Vehicles from MO Highway Patrol**

Board Attorney Tony Nowak said last year the county had an agreement with the Missouri Highway Patrol for the Sheriff's Department to purchase vehicles. He said the Sheriff is

requesting to purchase additional vehicles from the Missouri Hwy. Patrol and he presented an updated agreement as required by state law to allow the purchase.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve an agreement between the DeSoto County Sheriff's Department and the Missouri Highway Patrol to allow the Sheriff's Department to purchase vehicles. The motion passed by a vote as follows:

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

## **(2.) Offender Tracking Bracelet JAG Program Agreement with Memphis**

Board Attorney Tony Nowak said an MOU was submitted as part of a JAG grant requirement for tracking bracelets. He said the City of Memphis wants to share the bracelets with the county. Sheriff Bill Rasco said this would be a great asset to the county.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Smith, Phillips, Mitchell, Scott and Nowak LLP to work with the City of Memphis to develop an agreement for the county to use tracking bracelets. The motion passed by a vote as follows:

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

## **8. Appointments**

### **a. Summershill Fire Protection District**

This item was held over until Wednesday in order for Supervisor Eugene Thach to be present at the meeting.

### **b. Planning Commission -- District 4 (2)**

Supervisor Allen Latimer explained that two District Four Planning Commission members have resigned from their position. Supervisor Latimer said Frank Calvi and Eddie O'Bannon are resigning.

Supervisor Allen Latimer made the motion and Supervisor Jessie Medlin seconded the motion to accept the resignations of Frank Calvi and Eddie O'Bannon from the District Four Planning Commission and to appoint Jeannie Shannon and Melissa Storey to fill those positions in the District Four Planning Commission. The motion passed by a vote as follows:

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

**See Exhibit H.8.b**

## **9. Office of Procurement: Correction for Road Dept. Sand and Gravel Bid**

Vanessa Lynchard presented a correction to a previous error on a sand and gravel bid. Vanessa said the mileage used to determine the low bidder was incorrect. She said in area C the recommendation for raw and unprocessed gravel should have been for Castleberry as the low

bidder, Cleveland Construction as alternate 1 and Memphis Stone and Gravel should be alternate 2.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to rescind the previous order of award for sand and gravel in area C and to award the bid to Castleberry Trucking LLC as the awarded bidder, Cleveland Construction as first alternate and second alternate Memphis Stone and Gravel as accurately described in Exhibit H.9. The motion passed by a vote as follows:

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

**See Exhibit H.9**

#### **10. Environmental Services: Agreement with Environmental Business Services**

Environmental Services Director Jim Bearden said this is the year to solicit bids for collection of solid waste. He said he would like to use Jim McNaughton as a consultant to obtain quotes for this service. Mr. Bearden said he met with Mr. McNaughton regarding the solid waste proposals. He said they have to make changes to the plan to keep up with changes in the county. He said most are insignificant and include changing the names of municipal office elected officials. He said there are some minor changes that need to be made and will be a part of Mr. McNaughton's work.

Supervisor Bill Russell asked when they will start the committee meetings. Mr. Bearden said after the contract with Mr. McNaughton is approved. He said they hope will be ready and they can meet by the end of February.

Supervisor Russell said he would like the Board's opinion on recycling before the committee meetings begin.

Supervisor Allen Latimer said a couple of years ago the Board explored recycling and did not get the minimum number of people interested in recycling. He said he would like to address it with the company.

Mr. Bearden said they spoke about keeping it in the new bid. He said he received figures on Friday. According to the latest report recycling is very good. The city added 148.4 tons of recycle through their program that did not go into the landfill.

Supervisor Jessie Medlin asked the fees to hire Mr. McNaughton. Mr. Garriga said they will be between \$15,000 and \$25,000. He said an amount will be in the contract that the successful contractor pays to cover Mr. McNaughton's fees. Mr. Garriga said, to clarify, the county will be reimbursed for the fees they pay Mr. McNaughton.

Board Attorney Tony Nowak said he will bill the county at \$150 per hour and attempt to get the fees reimbursed through the contract.

Supervisor Russell said Southaven picks up recycle every week and regular garbage every two weeks.

Supervisor Latimer asked if the contractors could just add Mr. McNaughton's fees to their bid. Mr. Garriga said, theoretically, yes. Mr. Garriga clarified that this is strictly for collections.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the contract with Jim McNaughton, to seek RFP's for collection of solid waste, and to authorize the Smith, Phillips, Mitchell, Scott and Nowak LLP law firm to work on the project and related matters that need legal representation connected to the solid waste proposals and contracts.

The motion passed by a vote as follows:

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

**11. Holly Springs Road – Approval to Travel**

Supervisor Tommy Lewis said it will probably be necessary to travel to Washington to meet with the delegation and discuss Holly Springs Road.

Supervisor Bill Russell asked if this trip can be combined with the Blue Ribbon Trip so that the county can avoid making an additional trip to Washington for the Board.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to approve travel to Washington for Supervisor Tommy Lewis on the Holly Springs Road project. The motion passed by a vote as follows:

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

**12. Resolution: School Board Member Recognition Week**

Vanessa Lynchard presented a Resolution of Appreciation for the DeSoto County School Board Members and said the state promotes School Board Member Recognition Week.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the Resolution for School Board Member Recognition Week, and to authorize Supervisor Tommy Lewis to present the resolution to the Board. The motion passed by a vote as follows:

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

**See Exhibit H.12**

**13. County-Wide Litter**

Supervisor Tommy Lewis said he would like the Board to consider getting a program together for county-wide litter. He said perhaps they could place litter information on the county web site and educate the schools and get participation.

Supervisor Bill Russell said the Board discussed this at one time, but it didn't seem to work out.

County Administrator Michael Garriga said they did have meetings and got information. He suggested using the Earth Day Program in conjunction with the Great American Cleanup. Mr. Garriga said they can get players together to incorporate all these programs. Mr. Garriga said he noticed a lot of litter on the interstate and it looks really bad.

Supervisor Jessie Medlin recommended going to the schools every quarter. He said once a year is not enough.

Sheriff Bill Rasco said there are no longer state inmates at the jail who can pick up litter. Sheriff

Rasco said MDOT would come early and have the inmates would pick up litter everyday. Mr. Garriga said it seems like MDOT has state inmates and they clean up on Saturday. He said he will contact MDOT to see if that is a possibility.

Supervisor Lewis said this will be a long term education for residents.

Supervisor Allen Latimer said he thought at one time there was a program that allowed the Board of Education to let the children participate in picking up litter.

Vanessa Lynchard said they can work on the litter issue to incorporate it with Earth Day.

Supervisor Russell asked Board Attorney Tony Nowak if judges can offer inmates is a way to work off fines. Mr. Nowak said city judges to have that authority.

Supervisor Lewis asked if it would be possible to get something developed on the county web site. He said he is concerned more with prevention than pick up of litter.

Supervisor Russell said it can be brought up at the COG meetings and see if there is interest and also authorize Mr. Garriga to discuss the issue with the judges.

Vanessa said litter is part of the Earth Day Event.

## **14. District Parks**

### **a. Robinson Donald Park**

### **b. Lake Cormorant Park**

Representative of the Lady Tigers, Michael Duncan, appeared before the Board of Supervisors to discuss Robinson Donald and Lake Cormorant Parks. Mr. Duncan said he is the President of the Lady Tigers Softball Association. He said he approached Supervisor Bill Russell several months ago regarding a location for girls to play softball. They started at Lake Cormorant Park with only a backstop and bermuda grass. He said they do have an organizational Board and he explained the Board structure and organization of the association. Mr. Duncan said all money they make through fundraising goes back to the team. They do not turn any child away because of money. Mr. Duncan said they currently have five teams and are expanding to seven teams this year. He said all but one girl on the team lives in DeSoto County. He talked about the teams' investment into the softball league and their fundraisers.

Supervisor Jessie Medlin confirmed that this is competitive softball. He asked if there is a recreational league as well. Mr. Duncan said no, there has been only one request for recreational ball.

Supervisor Bill Russell said anyone is welcome to use the field when it is not being used by the Lady Tigers.

Sheriff Bill Rasco said he knows first hand what a good job Mr. Duncan has done with the teams because his granddaughter plays ball at the park.

Supervisor Allen Latimer said he had some of the same thoughts as Supervisor Medlin about the field being used for recreational ball.

Board Attorney Tony Nowak said because this park is in DeSoto County, the Board may want to consider adopting a field policy for use of the fields. They can allow the league to have first option to use the fields, DeSoto County teams could have the second option to use the fields and the public could have third option to use the fields.

Supervisor Russell said the Lady Tigers have a certified accountant and the DeSoto County Chief Financial Officer Tom Arnold will audit the books.

Supervisor Russell said a concession stand burned at Lake Cormorant Park and cannot be used. He said it can be used for storage. They have been working on how to use the insurance money

to rebuild the concession stand.

Mr. Duncan said there are organizations with indoor training facilities. Mr. Duncan said most of the indoor facilities charge \$1,500 to \$2,000 for use and they are almost always booked.

Supervisor Russell said DeSoto County Facilities Management Director Kenny Evans been working with the contractors to replace the building and the estimated cost is \$49,779.00. He said it will cost \$3,000 to move the fire damaged building. Supervisor Russell said Mr. Evans has a lot of items that can be used in the building. The total to build the facility using those items will be \$62,800. He said there is \$41,000 in insurance proceeds and he would like to donate \$22,000 from the District Three park fund to do the work on the facility. Supervisor Russell said Mr. Evans department will do the roofing and some plumbing. The ball team will do other plumbing and provide fixtures, provide and install astro-turf type material on the playing surface, build out the restroom and concession stands, rebuild the fire damaged building to use for storage and pay the utilities for the park for as long as they have contractual use of the park with the county. Supervisor Russell said this is an excellent example of what a community can do when they bring everyone together. He said the work that has been done by this organization in the parks is amazing and would have cost the county a lot more money.

Supervisor Tommy Lewis commended Mr. Duncan for his work and said he is an inspiration to others.

Supervisor Russell said there are no objections from neighbors around the park.

Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to approve the following plan at the Lake Cormorant Park:

60" X 60" Metal Bldg w/concrete floor		\$49,779
Move Old fire damaged bldg.		3,000
Heating		
Kitchen Exhaust		
AC unit (kitchen & restrooms)		
Exhaust fan (main area)		\$10,000
Plumbing rough-in		
Toilet & sink		
Electrical and Lighting		
	TOTAL	\$62,800
Funding	INSURANCE	\$41,000
	DISTRICT 3 PARK FUND	\$22,000

Lady Tiger Responsibility:

All plumbing & fixture installation

Provide & install "Astro-Turff" type material on playing surface

Restroom & concession build out (includes all materials)

Rebuild old fire damaged building for use as storage.

Pay all utilities for park (electric, gas, water) for as long as they have contractual use of the park.

And to approve an MOU for the field use policy and to waive permit fees associated with the building and inspections. The motion passed by a vote as follows:

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

Supervisor Jessie Medlin said he does not want Mr. Duncan to get the wrong impression. He said he worked with youth ball for 10-15 years in Olive Branch. He said he does not want to get away from providing recreational ball. There are 10 players in recreational ball for every one player in competitive ball and those kids also enjoy playing ball.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Smith, Phillips, Mitchell, Scott and Nowak LLP to draw up an agreement to authorize reconstruction of the building at Robinson Donald Park. The motion passed by a vote as follows:

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

**See Exhibit H.14**

## **I. EXECUTIVE SESSION**

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

## **J. OTHER ISSUES**

### **1. Planning Commission Monthly Meeting**

Supervisor Bill Russell said the business at the Planning Commission Meeting as greatly reduced and suggested combining the meeting with the first Monday Board Meeting.

Supervisor Tommy Lewis suggested adding it to the third Monday Board Meeting since the first Monday has more on the agenda.

Supervisor Jessie Medlin said that would decrease driving for the Board of Supervisors and save taxpayer's money.

County Administrator Michael Garriga said by having the meeting combined with the third Monday meeting it would delay the minor lots another 10-12 days. He suggested authorizing Planning Director Jim McDougal to handle those items.

Supervisor Medlin suggested waiting a while before making the decision.

No motions were made nor votes taken on this issue.

### **2. Holly Springs Road**

Supervisor Tommy Lewis said he would like to see if they can use the credit that Pickering owes to the county on Holly Springs Road. He said he wanted to see if we can use some of the money to buy some land to put in a wetlands mitigation bank. He said he thinks Andy Swims told him that it would take about \$6,000. He suggested getting Mr. Swims to the meeting Wednesday to give more details on the possibility.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to amend the contract with Pickering Engineering on Holly Springs Road to use a portion of the \$45,000 credit on Holly Springs Road and to authorize the Smith, Phillips, Mitchell, Scott and Nowak LLP to draw up associated paperwork and any legal matters necessary to bring the matter to a legal conclusion.

After further discussion of the issue, the Board determined they needed to know more details. Supervisor Bill Russell withdrew the motion and Supervisor Allen Latimer withdrew the second to the motion.

### 3. Planning Commission-Citizen Comments

Clare McMillan of 7136 Highway 301, Walls, MS, 38637, appeared before the Board of Supervisors regarding a building that she leased for a pizza and pub business.

Ms. McMillan said she got her permits and in the Planning Department as directed by the Planning Commission. Ms. McMillan said she met with Jim McDougal, Randy Williams and D.W. Gilbert. Ms. McMillan said she had all of the copies and permits with her if the Board needed to see them. She said one issue that came up was that she needed to install a vent-a-hood to be compliant. She did not want to spend \$1,500 for equipment for a building that she did not own. Ms. McMillan said she worked with county representatives and decided to cook the pizzas in an out building behind the building and that solved the problem. She said at that point she had paid about \$150 for permits.

Ms. McMillan said she received a letter from the Planning Department stating that she could not open the business because MDOT was widening Hwy. 301 and it would not leave adequate space for parking vehicles. The minimum number of parking spaces is fourteen for a business of that size.

Ms. McMillan said the Health Department did the inspection and they received an A which included all the work that had been done to the building.

Ms. McMillan explained that two men from the county came to her business and said they were unable to issue the Conditional Use Permit because the building did not meet the parking place requirements. Also, they said that MDOT was widening the road some time in the spring and the pavement will come too close to the building.

Ms. McMillan said she felt like Supervisor Bill Russell did not want the business in that building and now that is creating issues for the landowner who now does not want to lease the building to her. She said she didn't understand why they waited until she spent thousands of dollars on the building to tell her she was not in compliance with the county ordinances.

Supervisor Bill Russell asked the Planning Director Jim McDougal when these issues first surfaced. Mr. McDougal said the issues began when Mr. Gilbert informed her about the vent-a-hood. They devised an operation where she could cook outside. Mr. McDougal said while he was at the Road Department in a meeting on the Starlanding Road Corridor Study, Road Manager Russell Dorris told him the widening of DeSoto Road would start in the spring. He said Ms. McMillan does not have enough room for parking, but could apply for a variance. Mr. McDougal said the original \$150 she paid to go before the Board of Adjustments was returned to Ms. McMillan because Mr. McDougal realized Ms. McMillan did not need to go before the Board of Adjustments at that time. The \$150 was returned. The conditional use fee is \$150 before the Board of Adjustments. The variance fee to go before the Board of Adjustments is \$50 and that is the reason Ms. McMillan was asked to pay \$50 if she wanted to go before the Board of Adjustments for parking.

Supervisor Bill Russell said he suspects the work was done before the stop work order was issued. Ms. McMillan said they were cleaning up and doing some things to the property when the county came out and posted a stop work order sign. She said they stopped and the contractor did not start the plumbing until the bond came in.

Mr. McDougal said the final work on the property is at the owner's risk.

Supervisor Allen Latimer said if we were able to work everything out, it sounds like Ms. McMillan still might not be able to work out the lease with the property owner.

Ms. McMillan said she can put parking on the side of the property. She said she is only required to have fourteen parking places for the business.

Supervisor Latimer said the first thing to do is go before the Board of Adjustments. If they say it is okay, then go before the Planning Commission for the Use and Occupancy permit.

Mr. McDougal said he should have checked on the condition of the road before he originally told Ms. McMillan to proceed with her plan. Mr. McDougal said the difference in the time was only three or four days.

Ms. McMillan said if she had been told by Friday she would have saved \$2,000 for plumbing. Mr. McDougal said he was busy with the corridor study on Friday and was unable to call Ms. McMillan

Mr. McDougal said because Ms. McMillan was moving ahead so quickly his attempts to accommodate her may have been hasty and he probably should have stopped her earlier. In the original review of the plan, he did not take into account the road right of way.

Supervisor Latimer verified that Ms. McMillan was proceeding along under the direction of the county and got stopped because of the parking. Ms. McMillan said she was talking to a man with the Town of Walls also and he said everything was fine. She said after she met with the county people, they all came out except Mr. McDougal. They said everything was fine. Mr. McDougal came out when he left the stop work order.

Supervisor Russell said he has talked to Mr. McDougal and he thinks it is proper to go forward with returning the permits.

Ms. McMillan said she spent a total of \$171.00 for permits but she does not want it back.

No motions were made nor votes taken on this issue.

Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to recess the meeting until February 9, 2011, at 9:00 a.m. The motion passed by a vote as follows:

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

THIS the 7<sup>th</sup> day of February, 2011, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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Allen Latimer, President  
DeSoto County Board of Supervisors