

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

TOMMY LEWIS, PRESIDENT 2009 PRESIDING

January 7, 2009

A. CALL TO ORDER

The January 7, 2009 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Tommy Lewis, Board President.

Sheriff Bill Rasco, the DeSoto County Sheriff, 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. PLANNING COMMISSION AGENDA

PUBLIC HEARING

2006 International Codes and 2005 National Electric Code - The DeSoto County Board of Supervisors brought forward for consideration the adopting of the 2006 International Codes to include the International Building Code, International Residential Code, International Plumbing Code, International Mechanical Code, and International Fuel Gas Code and the adopting of the 2005 National Electric Code.

Supervisor Medlin made a Motion to open the public hearing and make the hearing notice part of the minutes. Supervisor Latimer seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

- FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN YES
- SECOND DISTRICT SUPERVISOR, EUGENE THACH ABSENT
- THIRD DISTRICT SUPERVISOR, BILL RUSSELL YES
- FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER YES
- FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS YES

Supervisor Lewis recused himself from the hearing and left the room.

Mr. Jim McDougal, Director of the DeSoto County Planning Commission, stated this item was carried over from the November 5, 2008 meeting to allow the North Mississippi Home Builders Association time to review the changes in the codes and to allow the association to hold a seminar explaining the changes. Mr. McDougal identified for the Board the proposed exceptions to adoption of the 2006 International Codes, which include the International Building Code, International Residential Code, International Plumbing Code, International Mechanical Code, and International Fuel Gas

Code and the 2005 National Electric Code. He explained that the proposed exceptions are administrative in nature regarding the appeals process and are not necessary for inclusion therein as the County's Zoning Ordinances already address the excepted provisions, or such provisions are addressed by Mississippi law.

Supervisor Medlin asked what the added cost to construction of a residence would be with the new codes. Mr. Don Duncan, Chief Building Inspector, responded that the added cost as a result of the code changes would be minimal, which he approximated to be \$500, but could be more or less depending on the builder's choice to build or install pre-built panels to meet the new seismic requirements.

Supervisor Medlin asked if there was anyone present to speak for or against this item. There was no one present.

Supervisor Russell confirmed with Mr. McDougal that the proposed exceptions to adoption of the codes were administrative in nature and would not impact contractors as they were not pertinent to buildings standards.

Supervisor Medlin expressed concern that contractors and builders are notified of the changes resulting from the new codes. Board Attorney Mr. Tony Nowak stated that an ad will be placed in the local newspaper as required public notice of the adoption of new codes and that contractors and builders would be notified in person in the Planning Commission Office when they applied for permits. Mr. Duncan confirmed that staff will walk through the changes with contractors, builders and homeowners as necessary to identify the code changes

Supervisor Latimer made a Motion to adopt the 2006 International Codes, the same being presented to the Board, to include the International Building Code, International Residential Code, International Plumbing Code, International Mechanical Code, and International Fuel Gas Code and adopt the 2005 National Electric Code each with the exceptions as recommended by staff and subject to the following:

1. Public notice of adoption of the codes shall be advertised to comply with public notice requirements; and
2. The adopted codes shall be effective as of March 1, 2009, or within the time proscribed by law.

Supervisor Russell seconded the motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN YES
SECOND DISTRICT SUPERVISOR, EUGENE THACH YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL YES
FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER YES
FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS ABSENT

Supervisor Latimer made a Motion to close the public hearing. Supervisor Russell seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN YES
SECOND DISTRICT SUPERVISOR, EUGENE THACH YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL YES
FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER YES
FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS ABSENT

MINOR LOTS

District 3

Harris Farms Minor Lot (6743) - Application is for final subdivision approval of one (1) lot of 1.5 acres and one (1) lot of 47.5 acres out of 49 acres. Subject property is located on the east side of Highway 301 and north of DeSoto Road in Section 19, Township 1, Range 8 and is zoned Agricultural-Residential (A-R). (District 3)

District 4

Talley Estate/Gillespie Estates Lot 3 (6744) - Application is for final subdivision approval of one (1) lot of 2.5 acres. Subject property is located on the south side of Starlanding Road and east of Highway 301 in Section 19, Township 2, Range 8 and is zoned Agricultural-Residential (A-R). (District 4)

District 5

Thompson Minor Lot (6745) - Application is for final subdivision approval of three (3) lots of approximately 1.5 acres each out of 4.53 acres. Subject property is located on the east side of Holly Springs Extension and south of Johnston Road in Section 23, Township 3, Range 7 and is zoned Agricultural (A). (District 5)

James Minor Lot (6747) - Application is for final subdivision approval of one (1) lot of 1.2 acres and one (1) lot of 5.8 acres out of 7 acres. Subject property is located on the east side of Malone Road and south of Byhalia Road in Section 2, Township 3, Range 7 and is zoned Agricultural (A). (District 5)

Mr. McDougal presented the applications above and stated the applications appear to be in compliance with the County's Zoning and Subdivision Ordinances.

Supervisor Russell made a Motion to approve the applications subject to staff recommendations and required dedication of public road right-of-way and Health Department approvals. Supervisor Thach seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

- FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN YES
- SECOND DISTRICT SUPERVISOR, EUGENE THACH YES
- THIRD DISTRICT SUPERVISOR, BILL RUSSELL YES
- FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER YES
- FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS YES

Planning Commission Office Review of 2008

Mr. Jim McDougal, Director of the DeSoto County Planning Commission, presented a review of the Planning Commission Office’s staff changes, education and training activities, the number of applications processed and reviewed in 2008. He then presented the Stormwater Report, Code Enforcement Report and Building Permits Report for December and 2008. Mr. McDougal recognized Mr. Randy Williams for obtaining Residential Building Inspector certification from the International Code Council and Mr. Ray Laughter and Mr. Steve Powell for their successful direction of the Stormwater and Code Enforcement Departments, respectively.

See Exhibit D

E. CONSENT

The Board of Supervisors considered the items presented on the Consent Agenda. Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the Consent Agenda and the reports and actions set forth therein as follows:

- 1. Make Part of Minutes – Municipal Jail Contracts**
- 2. Purchasing – Approval to Bid and Open Bids**
 - a. Janitorial Supplies**
 - b. Jail Food**
- 3. Purchasing - Authorization to Sign Purchase Requisitions for Departments 001-100, 001-120, 001-157, 104-176 - Charmaine McCool**
- 4. Accounting – Request to Repay Interfund Loan**

From:	Civic Center Tourism Building Fund	\$66,500.00	(384-000-149)
To:	General County Fund	\$66.500.00	(001-000-054)

- 5. Circuit Clerk Allowance (2) - \$2,500.00 \$1,663.00**

The motion passed by a vote as follows:

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

See Exhibit E

F. OLD BUSINESS

- 1. Starlanding Underpass**

County Engineer Andy Swims and Jamie Pittman of Pickering Engineering appeared before the Board of Supervisors to continue the discussion on the drainage issues on Starlanding Road. Mr. Swims reminded the Board that they asked him to determine a long term resolution to return the Peyton’s driveway to the original condition.

Mr. Pittman presented statistics that were derived by using models. He said they ran models based on the 2 year, 5 year and 10 year storm event. Mr. Pittman said, based on the criteria that the Board Attorney presented, we can only restore the driveway to the way it was at the start of

the project. Mr. Pittman said, based on those guidelines, he and Mr. Swims recommend the 2 year storm design which is two, six foot pipes.

Mr. Swims said this means, based on historical data, the flood should not occur more than once every two years. He said this does mean there will not be more than one event in two years.

Supervisor Bill Russell asked if we could offer for the Peyton's to pay the difference between the large and small pipe. Ms. Peyton said her husband offered to do the labor in exchange for the pipes. She said that Mr. Peyton cannot do the work now because he is working out of town, but he can do the work later.

Mr. Swims said he wants to make sure the Board is aware there will be maintenance issues with the driveway. He said we need to make sure to get a release from liability from the Peyton's. Ms. Peyton has said she will agree to what they were told in the beginning, which is the driveway will be restored to the same or better than it was before the project. Ms. Peyton agreed that under that circumstance, that would be fine.

Mr. Pittman said if we are going to wait for Mr. Peyton, it will be two months before we can act on the flooding issue. The engineers discussed the design of the job site.

Supervisor Allen Latimer said the Peyton's have said the water has always come over the drive, but now it washes out the driveway and before the project, it did not wash away. Supervisor Latimer said the Peyton's are only asking that the driveway be as good as it was before the start of the project. They need it to be passable.

Supervisor Jessie Medlin asked if the arch pipe is needed. Both Mr. Swims and Mr. Pittman said no.

Supervisor Eugene Thach asked if this issue is being coordinated with State Aid. Mr. Swims said they are aware of the situation, but this will be County funded. Supervisor Thach asked if this money will come from State Aid. Mr. Pittman said this will have to be County money. Mr. Pittman said if we go through the State, it will probably be February before we can go before them with the issue. Mr. Pittman said there is money in contingency for the pipe. He said if we do not have overruns, it will be fine. If there are overruns, we will have to present those issues back to the County for payment.

Supervisor Tommy Lewis asked who will install the pipe. Mr. Pittman said the County will do the work. Supervisor Lewis clarified that the cost is approximately \$10,000 to accomplish this according to the estimate. Mr. Swims said that is right.

Supervisor Russell asked how we got to the point where the pipes were not included in the bid. Mr. Swims said they were not included in the bid. He said the remainder were curb and gutter situations. Supervisor Russell said he is not happy with the situation and he is not happy with Pickering. Those present discussed how this situation occurred.

Supervisor Thach asked what will happen to the money if there is any left in the project. Mr. Pittman said it will come back to the County.

Supervisor Medlin asked the length of time the large pipes will be there. Mr. Pittman said it depends on the weather in January and February. He said they will probably be there until March. Supervisor Medlin verified that Mr. Swims was recommending the six to eight foot pipe and concrete over the top of the driveway. Mr. Swims said that is correct.

After conferring with her husband, Ms. Peyton reported that since they were told the driveway would be in the same condition or better before the project began, they want the County to fix the problem without any additional work from the landowners.

Mr. Nowak asked if it would be more feasible for the County to maintain the property until the pipes are removed or to fix the situation now.

Supervisor Thach said we need a permanent solution.

Ms. Peyton said the current fix for the problem is not holding up now. She said, if the driveway is fixed like it was before, there will be no issue with the improvement.

Mr. Nowak said if the Board makes a determination that the design has caused the problem, the County can do that work which is necessary to correct any problems caused by the County, but not make improvements beyond that. He said the engineers say that the rip rap, concrete and other measures will fix it. He said the Board can consider all of the reports they have heard.

Supervisor Allen Latimer made the motion, based on all of the findings that the County’s project is causing additional washing and damage to Peyton’s driveway, for the County to do the work necessary to maintain and restore the Peyton’s driveway on Starlanding Road, according to the recommendations of the engineers to assure the driveway is restored back to the original condition and subject to no more washing than was occurring before the project on Starlanding Road Underpass began. Also based on the fact that there is enough evidence before the Board to determine this project has caused the damage to the Peyton’s driveway and it is the County’s responsibility to restore the driveway to the original form.

The motion passed by a vote as follows:

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

Supervisor Allen Latimer made the motion and Supervisor Tommy Lewis seconded the motion to put the engineer’s report, pictures and recommendations into these minutes of the Board of Supervisors. 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

G. NEW BUSINESS

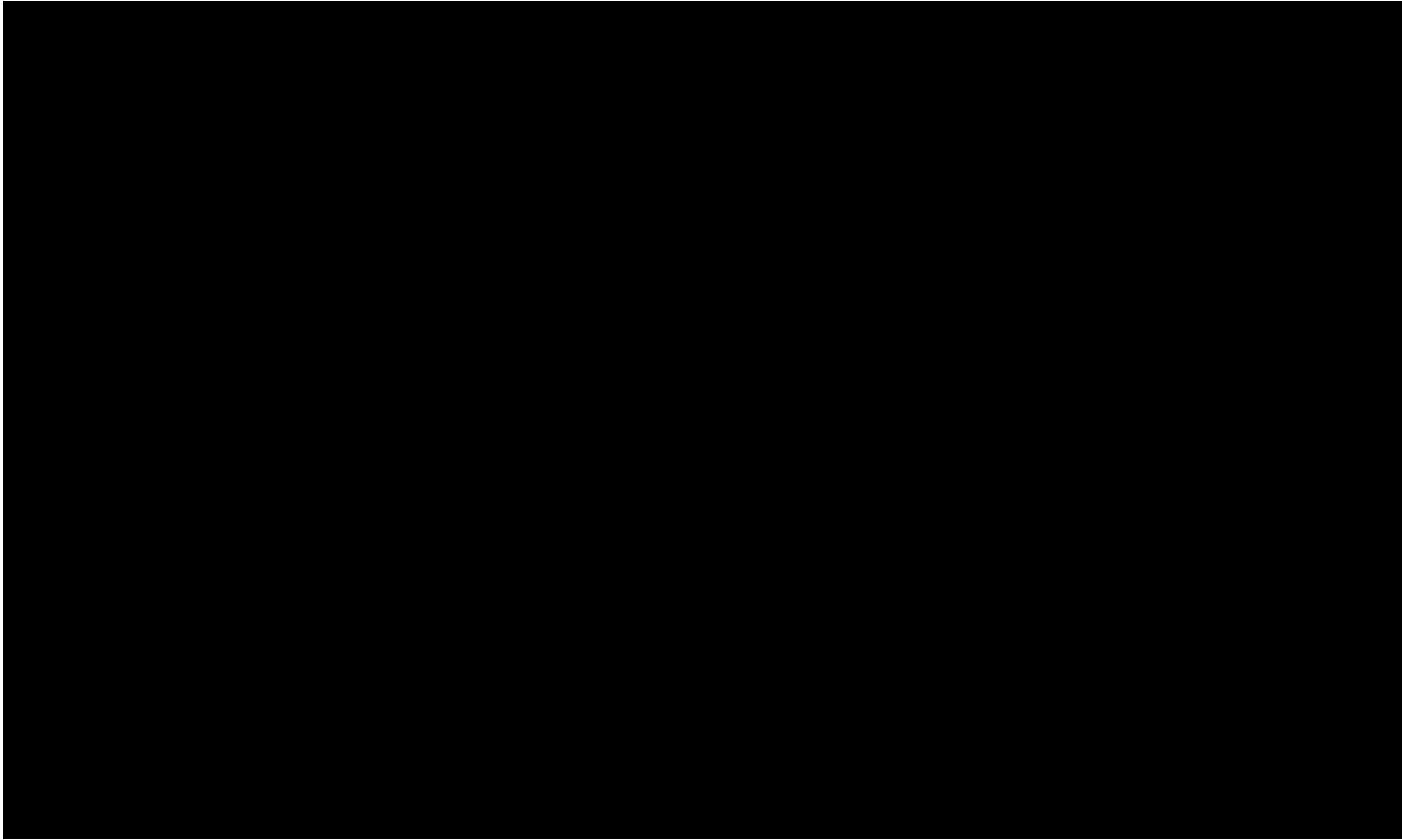
1. Bids Under Advisement – Sand & Gravel

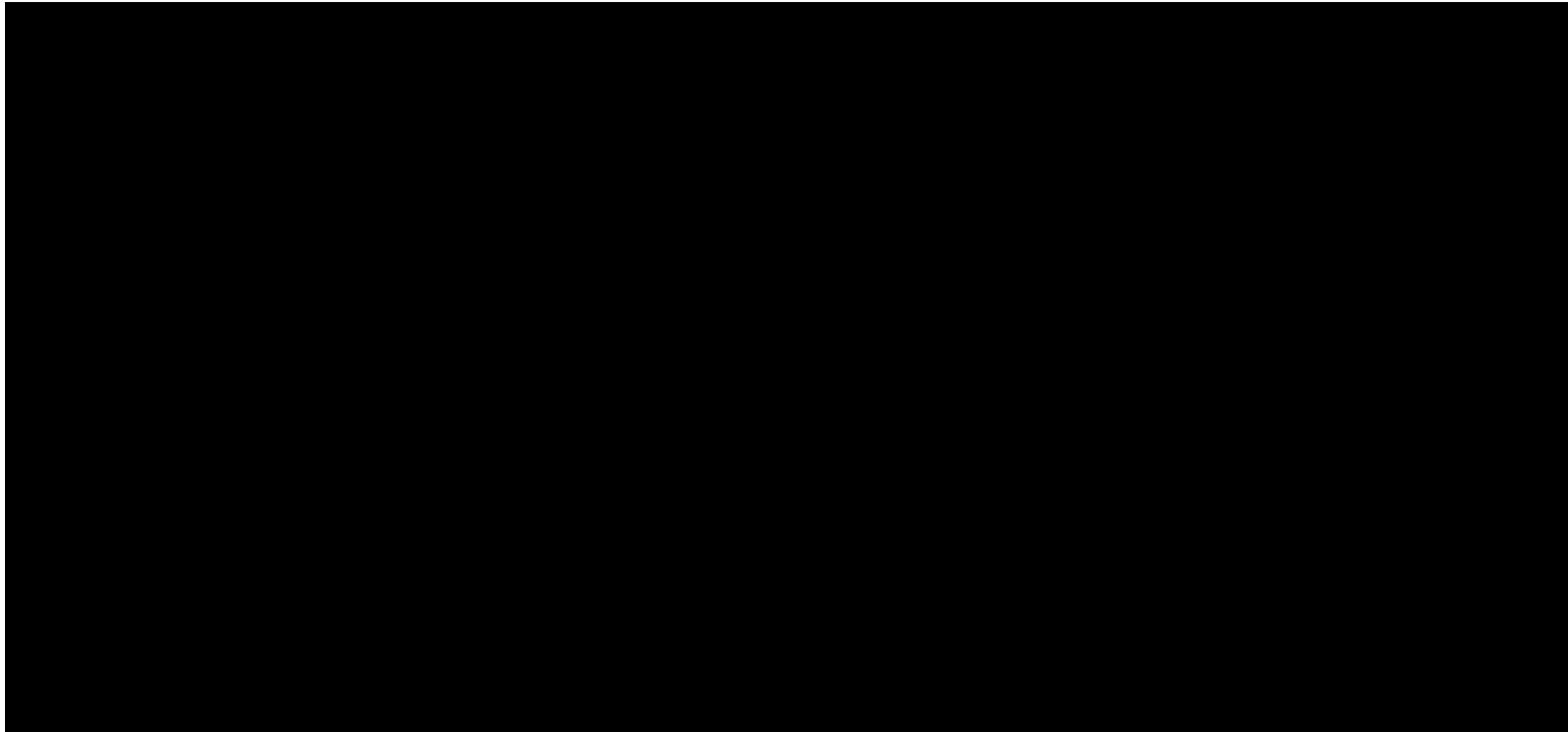
Vanessa Lynchard presented the bids for sand and gravel. Vanessa said she spoke to the auditor and was told that the County could be divided into sections and could be awarded in sections. Otherwise, one bidder would get the award. She said the first designated area is “A” Western County Line East to Baldwin Road. The designated area “B” is Baldwin Rd. East to Getwell Road. And the third designated area is “C” Getwell Road East to Eastern County Line.

Vanessa said that based on the best and lowest bid, section “A” and “B” are recommended to Memphis Stone & Gravel with first alternate, Cleveland Construction and second alternate is Pickle Sand & Gravel. Vanessa said that section “C” is recommended to Castleberry. The first alternate is recommended to be Cleveland Construction and second alternate is recommended to Standard Construction.

At the recommendation of Purchase Clerk Vanessa Lynchard that the bids are the lowest and best bids, Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to accept the recommendation of the Purchase Clerk to award the bid for sand and gravel as detailed in Exhibit G.1 sections “A” and “B” are awarded to Memphis Stone & Gravel with first alternate, Cleveland Construction and second alternate is Pickle Sand & Gravel.

Section "C" is awarded to Castleberry with the first alternate is Cleveland Construction and the second alternate Standard Construction as follows:





Bid Response - Designated Area "C" Getwell Road East to Eastern County Line														
	CLEVELAND CONSTRUCTION INC			PICKLE SAND & GRAVEL			CASTLEBERRY TRUCKING LLC			MEMPHIS STONE & GRAVEL CO			STANDARD CONSTRUCTION	
	1ST Pit Laughter Rd	2ND Pit Love Rd	3RD Pit Grays Creek Rd.	1ST Pit Mosby Road	2ND Pit NONE	3RD Pit NONE	1ST Pit Miller Road & Hwy 178	2ND Pit NONE	3RD Pit NONE	2325 Pleasant Hill Rd (Anderson Pit)	3410 North Robertson Road (Billingsley Pit)	4053 Hogfoot Rd (Perry Pit Senatobia)	1ST Pit 1338 Hwy 309 N. Byhalia MS(Nichols Pit)	2ND Pit None
Clay Based Gravel	3.50 yd/ 4.83 ton + 12.5 = 17.33	3.50 yd/ 4.83 ton + 38.80 = 43.63	4.50 yd/ 6.21 ton + 33.00 = 39.21	3.50 yd/ 4.83 ton + 38.80 = 43.63	No Bid	No Bid	4.00 Ton + 10.48 = 14.48	No Bid	No Bid	5.40 ton + 19.3 = 24.70	5.40 ton + 31.42 = 36.82	No Bid	5.45 ton + 30.20 = 35.65	No Bid
Sand Based Gravel	3.50 yd/ 4.83 ton + 12.5 = 17.33	3.50 yd/ 4.83 ton + 38.80 = 43.63	No Bid	3.50 yd/ 4.83 ton + 38.80 = 43.63	No Bid	No Bid	No Bid	No Bid	No Bid	5.40 ton + 19.3 = 24.70	5.40 ton + 31.42 = 36.82	No Bid	5.20 ton + 30.20 = 35.40	No Bid
Pit Run Sand	3.50 yd/ 4.83 ton + 12.5 = 17.33	3.50 yd/ 4.83 ton + 38.80 = 43.63	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	4.90 ton + 19.30 = 24.20	No Bid	No Bid	5.05 ton + 30.20 = 35.25	No Bid
Washed Sand	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	6.60 ton + 19.30 = 25.90	No Bid	No Bid	6.25 ton + 30.20 = 36.45	No Bid
Washed Pea Gravel	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	13.35 ton + 19.30 =32.65	No Bid	No Bid	13.30 ton + 30.20 = 43.50	No Bid
Washed Oversized Rock	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	13.35 ton + 19.30 =32.65	No Bid	No Bid	14.80 ton + 30.20 = 45.00	No Bid
Fill Dirt	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
RECOMMENDATION: Award - Castleberry ; 1st Alternate - Cleveland Construction; 2nd Alternate - Standard Construction														

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.1

2. Board Attorney

a. Metro Narcotics – Notice of Termination

Board Attorney Tony Nowak said there have been questions about the status of the interlocal agreement with the City Hernando for Metro Narcotics participation. He said the City and County have determined that is to everyone’s benefit to terminate the interlocal agreement with the City of Hernando. He said in doing so, the easiest option is for the County to put the City on notice confirming the desire to terminate the contract.

Supervisor Bill Rasco said there is no conflict within Metro Narcotics now. He said the City of Hernando wants to expend their services in Hernando. He said the other cities have all pulled out of the Metro Narcotics agreement and formed their own units. He said as part of the Metro Unit the officer may have to go to another area in the County. He said the city simply wants their officers to work within the City of Hernando on drug issues.

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to approve sending notice to the City of Hernando to end the Metro Narcotics participation between the County and the City. The motion passed by a vote as follows:

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

b. Horn Lake Sewer District – Approve Interlocal Agreement

Board Attorney Tony Nowak said that sometime ago the Board approved entering into an interlocal agreement with the City and Horn Lake Creek Interceptor Sewer District to allow them to use County purchasing prices. He said this interlocal agreement allows this to happen.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to approve the interlocal agreement between DeSoto County and the Horn Lake Creek Interceptor Sewer District to allow the District to purchase through the County bids. 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

c. Board Attorney – Approve Contract

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the contract with the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to provide legal services as the Board of Supervisors’ attorney for 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

3. EMA – Approval of Sole Source

Vanessa Lynchard presented a request for sole source to be determined for the Hurst Jaws of Life purchase in EMS. She said the EMS Department has Hurst equipment and the ancillary equipment will only work on this system. Board Attorney Tony Nowak said using other equipment will void all warranties with the County’s existing Jaws of Life equipment and there are no other options. This has previously been determined to be appropriate for sole source designation.

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to approve a sole source purchase for EMS for Hurst Jaws of Life equipment. 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.3

I. OTHER ISSUES

1. Search and Rescue

Sheriff Bill Rasco said he does not think the Search and Rescue people receive enough credit for all they do for the County. He said they do a great job and are concerned about what they do. Without them giving of their time, it would be very costly to the County. They deserve recognition.

The Board of Supervisors agreed with Supervisor Tommy Lewis when he said they certainly do a great job and they do it on a volunteer basis.

2. Olive Branch Food Pantry

Supervisor Jessie Medlin said legislation was passed last year to allow the County to upgrade the building where the Olive Branch Food Pantry is located. Supervisor Medlin said, at their request, he is going to meet with them tomorrow to discuss additional space needs. Supervisor Medlin said we can get a portable building connected to the back of their building to give them additional space according to the Director of Buildings and Grounds. He said he would like to know if the Board has any adverse reaction to possibly purchasing a portable building for the Olive Branch Food Pantry out of the District 1 Park Fund.

Board Attorney Tony Nowak said that would be a legal expenditure from the Park Fund.

Supervisor Medlin said these are hard economic times and the food is needed by many people. He said that previously the Food Pantry was picking up food from the Memphis Food Bank and due to a change in their process, the Food Bank now has food delivered to their doors by the Food Bank, but the minimum amount of food available has increased from 1500 pounds to 4000 pounds per delivery and there is not adequate space to store that much food.

3. Roads – DeSoto Road

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to approve payment to Gene Norwood for two appraisals on DeSoto Road in the amount of \$500 each. 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 Jessie Medlin recused himself from the discussion on this item.

Board Attorney Tony Nowak said in one of the handouts the Board had agreed to expand Tchulahoma Road but that has not formally been done. He said that resolution has not been formally adopted and sent to MDOT obligating the Board of Supervisors to extend Tchulahoma Road in anticipation of I-269. Mr. Nowak said he wanted to clarify this to the Board.

Supervisor Tommy Lewis said that he received a question from County Consulting Engineer Daniel Murphy about what we were going to do on the roads. Supervisor Lewis said that Daniel Murphy has done the work on DeSoto Road and Getwell Road. He said the bridges are on the State Aid route and he has the engineering available on those roads as well.

Supervisor Bill Russell said he would feel better if Road Manager Russell Dorris advised the Board on that engineering.

Supervisor Allen Latimer asked if we should proceed without knowing if we will receive the stimulus money.

Supervisor Russell said he thinks the Road Manager told him that he has some money in his budget to do some of this work regardless of the stimulus money.

5. Drainage Project

Supervisor Eugene Thach presented a letter dated December 11, 2008, from Charles Weirich who resides at 8490 Deer Creek Circle in Olive Branch. He said the letter discussed a drainage issue on his property caused in part by developments upstream.

County Engineer Andy Swims said Mr. Weirich told him the ditch has gotten bigger over time. Mr. Swims said the County did an NRCS project some time ago in the area. The area has some erosion. Mr. Swims said he does not think it is something the County can get involved in because it is on private property, but we can contact NRCS about it.

Supervisor Thach said, whatever happens on one side of the County, should happen in the other side of the County as well. **See Exhibit I .5**

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to recess the meeting until January 20, 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 7th day of January, 2009, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Tommy Lewis, President
DeSoto County Board of Supervisors