

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

BILL RUSSELL, PRESIDENT 2010 PRESIDING

January 6, 2010

A. CALL TO ORDER

The January 6, 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

Sheriff Bill Rasco presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. PLANNING COMMISSION AGENDA

**DeSoto County Board of Supervisors
 Planning Agenda
 January 6, 2010**

PUBLIC HEARING

2006 International Building Code - The DeSoto County Board of Supervisors will consider adopting amendments to the 2006 International Residential Code, Section R309, regarding garages and carports.

Supervisor Medlin made a Motion to open a Public Hearing to consider adopting amendments to the 2006 International Residential Code, Section R309, regarding garages and carports. 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

Mr. McDougal stated the proposed amendment would increase the minimum required thickness of sheetrock inside all garages and carports from one-half (1/2) inch to five-eighths (5/8) inch, rather than only in garages with living quarters above them as it is currently required. He stated this will help with holding back the fire until the fire department is able to get on site to try and contain the fire, which should help increase safety of the residents as well as reduce loss of property. Mr. McDougal stated the projected construction cost increase per house is approximately \$30 to use 5/8-inch sheetrock in

place of 1/2-inch in an average size, two-car garage. Mr. McDougal stated if the amendment is adopted the proposed effective date would be March 1, 2010.

Supervisor Latimer asked if this change in required thickness of the sheetrock gives a higher fire rating will that lower homeowners' fire insurance rates. Mr. Bobby Storey, DeSoto County Fire Marshal, stated he is not sure if it would lower insurance, but the 5/8-inch sheetrock is fire rated material, where 1/2-inch sheet rock is not fire rated, and this will help to hold back fire to give the fire department time to get to the home and try to control the fire. Mr. Randy Williams stated he has researched and found that only 5/8- inch sheetrock and thicker have a fire rated version.

Supervisor Lewis asked if fire rated sheetrock is marked to show it is fire rated. Mr. Storey clarified that Type "x" is printed on fire rated sheetrock.

Supervisor Russell asked if detached garages will require only the wall closest to the residence to have the 5/8-inch fire-rated sheetrock. Mr. Williams confirmed that only the wall closest to the residential structure would be required to have the fire-rated sheetrock installed.

Supervisor Russell asked if anyone was present to speak for or against the application. No one was present.

Supervisor Latimer made a Motion to close the Public Hearing. Supervisor Lewis 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 stated that supply houses will need to be made aware of the change in the 2006 International Residential Building Code, so they will be able to make the sub-contractors aware of the change as well. Mr. McDougal stated the Planning office will compose a letter concerning the changes and make sure known distributors are copied on the letter.

Supervisor Lewis made a Motion to adopt the amendments to Section R309 of the 2006 International Residential Building Code, as proposed, and the same go into effect with less than 60 days notice due to the fact this change is necessary to address and resolve public health and safety concerns, with these amendments to become effective on March 1, 2010. 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

CONSENT AGENDA

Minor Lot

District 1

Nick Dunning Minor Lot (6775) – Application is for final subdivision approval of one (1) lot of 3.75 acres. Subject property is located on the north side of Miller Road and east of Bethel Road in Section 18, Township 2, Range 5 and is zoned Agricultural-Residential (A-R). (District 1)

Mr. McDougal presented the application above and stated it appears to be in compliance with the County's Zoning and Subdivision Ordinances, subject to right-of-way dedication and Health Department approval.

Supervisor Russell asked if anyone was present to speak for or against the application. No one was present.

Supervisor Medlin made a Motion to approve the Consent Agenda subject to staff recommendations and required dedication of public road right-of-way and Health Department approvals. 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

Other:

- 1. Planning Commission Office Year in Review 2009**

Mr. McDougal gave an overview of the “Year in Review” for the Planning Commission office for 2009. He stated that quite a few people in the office completed training and attended conferences throughout the year to update skills.

Mr. McDougal stated a new zoning map will be brought to the Board of Supervisors at the February 3, 2009 meeting to be considered for adoption to reflect all rezonings approved in 2009.

Supervisor Medlin mentioned the importance of making sure developers are keeping grass clipped on lots not yet developed in subdivisions for public health and safety reasons. Supervisor Medlin then asked what recourse the County has to make sure the grass is clipped if a bank owns the property. Mr. Tony Nowak, Board Attorney, advised the same recourse applies to banks as well as individual land owners and that the issue with dealing with a bank is substantially the same process the County has to follow when addressing a developer. He advised the complications have been with the property owner goes into bankruptcy. Supervisor Russell stated there are several properties in District 3 with the same problem of keeping the grass clipped and that the County has had to take the banks to court in the past to enforce the grass being clipped.

2. Planning Commission & Board of Adjustment Officer Elections for 2010

Mr. McDougal stated Officer Elections were held for both the Planning Commission and the Board of Adjustments and that the Board of Adjustment nominations from the 2009 Year were kept the same and are as follows:

- Chairman – Mr. Billy Smith
- Vice-Chairman – Mr. Michael Hatcher
- Secretary – Mr. Benny Norwood

The Officer Elections for 2010 for the Planning Commission are as follows:

- Chairman – Mr. Robin James
- Vice-Chairman – Ms. Pat Hefley
- Secretary – Ms. Joan Robertson

3. Planning Commission Appointment for the 5th District

Supervisor Lewis presented Mr. Greg Ryan to fill the second seat for the 5th District to the Planning Commission.

Supervisor Lewis made a Motion to approve the appointment of Mr. Greg Ryan to the Planning Commission for the 5th District. Supervisor Latimer seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

4. Update on I-69/269 International Trade Corridor Study

Mr. McDougal stated the Planning Commission has identified two potential consulting teams to interview for the I-69/269 International Trade Corridor Study. He then stated the first team is McBride Dale Clarion, which is based in Cincinnati, OH and the second team is PB Americas, Inc. based out of Nashville, TN. Mr. McDougal stated he hopes to have a recommendation from the Planning Commission to present to the Board at the February 3, 2009 meeting.

Supervisor Medlin asked if the teams that submitted Statements of Qualifications have local people working with them. Mr. McDougal stated some of the teams have local team members.

See Exhibit D

E. CONSENT

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

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to approve the Consent Agenda and the reports and actions set forth therein as follows:

1. Grants-Approve Closeout of JABG Grant

2. Appointments

a. Assistant Receiving Clerks – Updated and Corrected List

Adult Drug Court	Melinda Chamberlin	Extension Service	Gale Rutt
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Animal Services	Monica Mock	Family & Children	Teresa Fleming
Bldg & Grounds	Donica Witts	Family & Children	Oretha Valentine
Chancery Clerk	Janet Knight	Justice Court	Charlene Tully
Chancery Clerk	Susan Patrick	Justice Court	Michelle Edge
Circuit Clerk	Suzette Harwell	Justice Court	Pamela Johnson
Circuit Clerk	Allison Pullen	Juvenile Court	Marilyn Culver
Circuit Clerk / Drug Court	Chesley Lynch	Juvenile Drug Court	Candance McCook
County Court	Marilyn Culver	Narc & Street Crime	Tammie Mannon
County Court	Rikki Ogle	Road Management	Amy Cooper
Courthouse / Adm	Dixie Lamb	Road Management	Gail Bernard
Courthouse / Adm	Colleen Magee	Sheriff Department	Missy Rochelle
DHS / Child Support	Patricia Williams	Sheriff Department	Kelli Gilliland
DHS / Child Support	Livia Harris	Sheriff Department	Debra Logan
E-911	Debbie Dunnaway	Tax Collector – HDO	Elizabeth Riley
Election Commission	Danny Klein	Tax Collector – OB	Pam Williamson
Election Commission	Paul Beale	Tax Collector – SH	Tracy Riley
Emergency Svcs	Tommy Rae Houck	Youth Services	Marilyn Culver
Extension Service	Myra Wells	Youth Services	Rikki Ogle

b. Assistant Requisition Clerks – Updated and Corrected List

Accounting	Tom Arnold	Constables	Michael Garriga
Accounting	Sarah Clenney	Constables	Joe Holmes
Animal Control Ofc	Larry Houston	Coroner	Jeffery Ponders
Board of Supervisors	Charmaine McCool	County Administrator	Michael Garriga
Board of Supervisors	Jeannie Colvin	County Administrator	Charmaine McCool
Building & Grounds	Kenneth Evans	County Administrator	Jeannie Colvin
Building & Grounds	Shawn Houston	County Attorney	Craig Treadway
Chancery Court	Mitchell Lundy	County Court	Celeste Wilson
Chancery Court	Melanie Wells	County Court	Allen Couch

Chancery Court	Vicki Cobb	County Court – Adm	Celeste Wilson
Chancery Court	Paoli Banchetti	County Court – Adm	Allen Couch
Chancery Court	Percy Lynchard	County Engineer	Andy Swims
Chancery Court	Linda Stinson	Dept of Human Services	Jeannie Weathers
Chancery Court – Adm	Percy Lynchard	Dept of Human Services	Kennette Hill
Chancery Court – Adm	Linda Stinson	Dept of Road Management	Russell Dorris
Chancery Court - Land & Ct	Beverly Cleveland	Dept of Road Management	Andrea Black
Chancery Court - Land & Ct	Misty Heffner	Dept of Road Management	Stanley Rochelle
Chancery Court - Land & Ct	Joyce Sims	Dept of Road Management	Jimmy Cox
Circuit Adult Drug Ct	Craig Sheley	Dept of Rd Management	Bill Williams
Circuit Clerk Ofc	Dale Thompson	Dept of Rd Mgt - Drainage	Kim Northcutt
Circuit Court – Adm	Bobby Chamberlin	District Attorney Ofc	John Champion
Circuit Court – Adm	Andy Baker	E-911	Jesse Kennedy
Circuit Court – Adm	Jimmy McClure	Election	Dale Thompson
Circuit Court – Adm	Robert Chamberlin	Election	Marla Treadway

Election Commissioners	Carl Payne	Law Library	Charmaine McCool
Election Commissioners	Tina Hill	Law Library	Jeannie Colvin
Emergency Medical Svcs	Bobby Storey	PBX	Charmaine McCool
Emergency Medical Svcs	Chris Olson	PBX	Jeannie Colvin
Emergency Mgt Services	Bobby Storey	Planning Commission	Jim McDougal
Emergency Mgt Services	Chris Olson	Planning Commission	Connie Scott
Environmental Services	Jim McDougal	Purchase Dept	Charmaine McCool
Environmental	Connie Scott	Purchase	Jeannie

Services		Dept	Colvin
Extension Services	Joy Anderson	Sheriff's Dept	Sheriff Bill Rasco
Family & Childrens Svcs	John Reynolds	Sheriff's Dept	Donna Ford
Family & Childrens Svcs	Mary Vernon	Sheriff's Dept	Sherry Herndon
Family & Childrens Svcs	Carrie Munson	Sheriff's Dept	Jerry Owensby
Fire Coordinator	Bobby Storey	Sheriff's Dept	April Box
Fire Coordinator	Chris Olson	SD – Narcotics & Streetcrime	Sheriff Bill Rasco
Garbage & Solid Waste	Jim McDougal	SD – Narcotics & Streetcrime	Fred Perez
Garbage & Solid Waste	Connie Scott	SD – Narcotics & Streetcrime	Donna Ford
GIS	Matt Hanks	SD – Narcotics & Streetcrime	Charles Lamphere
Grant Writer	Joyce Herring	Tax Assessor	Linda White
Human Resources	Janna Rogers	Tax Assessor	Deanna Turner
H R – Self Funded Ins	Janna Rogers	Tax Collector	Carol Carpenter
Information Technology	Larry Wood	Transportation Planning	Jim McDougal
Justice Court	Debbie Rutherford	Transportation Planning	Connie Scott
Justice Court	Shirley Beshears	Veteran's Administration	Steve Powell
Justice Ct - Judges	Ken Adams	Youth Services	Allen Couch
Juvenile Drug Court	Sammy Webb	Youth Services	Celeste Wilson

c. E-911 County Dispatch – (Sheriff's Appointees) Deanna Davis & Fred Levinton

Bobby Storey	Board of Supervisors Appointee	Indefinite
Tim Roland	EMS	Indefinite
Tim Curtis	Fire/EMA	Indefinite
Deanna Davis	Sheriff	Indefinite
Fred Levinton	Sheriff	Indefinite

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 Tommy Lewis made the motion and Supervisor Allen Latimer seconded the motion to appoint Greg Ryan as a District 5 appointee to the 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-----NO
 Supervisor Tommy Lewis-----YES

See Exhibit E

F. OLD BUSINESS

1. Worker’s Compensation (Follow Up)

Ric Stallings of Harris, Madden and Powell, appeared before the Board of Supervisors to answer their questions regarding worker’s compensation insurance renewal. He said, from last year to this year, the premium increased 4% due to the experience mod of a three year base. Mr. Stallings said they do not include the year currently completed but go back for three years which is 2006, 2007 and 2008 of claims. They estimate the claims on the current county payroll. Mr. Stallings said an independent source does the experience mod. He said the experience mod went from 119 to 132. Mr. Stallings said the figures for 2006 are driving the increase and the 2006 claims were high. He said the claims for 2006 will drop off and the 2009 claims will be included. The 2009 claims were low. Mr. Stallings said much of the increase was removed by discounts that were provided by the companies.

Supervisor Bill Russell questioned whether there was an increase in payroll last year. Mr. Stallings said yes, the payroll increased \$459,000 plus. Janna Rogers said that related to head count.

Supervisor Bill Russell thanked Mr. Stallings for getting the \$70,000 for the county.

See Exhibit F.1

2. Purchasing – Bids Under Advisement

a. Gasoline & Diesel

Purchase Clerk Vanessa Lynchard presented bids for gasoline and diesel fuel for the Road Department. The average bulk rate for gasoline is \$1.89 and the daily price for diesel is \$1.82. For comparison, Vanessa explained that the price for gasoline with Fuelman is \$1.83 per gallon and \$1.95 for diesel. Vanessa recommended calling for daily pricing for gasoline and diesel and presented usage for FY 09 as follows:

LOCATION	PRODUCT	TANK SIZE	USAGE	FY09 EXPENSE
			(October 2008 – September 2009)	Gasoline - Bulk
Dept. of Road Management Shop (Nesbit)				Total \$79,663.50
	87 Octane Gasoline	3,000 gallon tank	30,350 gallons	Average Price/gallon = \$1.89
	#2 Highway Diesel	20,000 gallon tank	77,000 gallons	
Road Maintenance Shop (Fairhaven)				FOR COMPARISON
				Fuelman

	87 Octane Gasoline	500 gallon tank	4,300 gallons	Total \$80,506.50
	#2 Highway Diesel	500 gallon tank	0	Average Price/gallon = \$1.91
Road Maintenance Shop				
(Walls)				
	87 Octane Gasoline	500 gallon tank	5000 gallons	
	#2 Highway Diesel	500 gallon tank	0	
Road Maintenance Shop				
(Eudora)				
	87 Octane Gasoline	500 gallon tank	2,500 gallons	
	#2 Highway Diesel	500 gallon tank	0	

Vanessa presented the bid tabulation as follows:

Equipment: Annual Bids - Gasoline and Diesel			Bid File Number: 10-156-001	
Bid Opening: 2:00 p.m.			Bid Date: December 15, 2009	
LOCATION	PRODUCT	M.C. HERRINGTON	SAYLE OIL	HURON SMITH
Dept of Road Management Shop (Nesbit)	Gasoline	Daily Pricing	Daily Pricing	Daily Pricing
	Diesel	Daily Pricing	Daily Pricing	Daily Pricing
Road Management Shop (Fairhaven)	Gasoline	Daily Pricing	Daily Pricing	Daily Pricing
	Diesel	Daily Pricing	Daily Pricing	Daily Pricing
Road Management Shop (Walls)	Gasoline	Daily Pricing	Daily Pricing	Daily Pricing
	Diesel	Daily Pricing	Daily Pricing	Daily Pricing
Road Management Shop (Eudora)	Gasoline	Daily Pricing	Daily Pricing	Daily Pricing
	Diesel	Daily Pricing	Daily Pricing	Daily Pricing
	Emergency Delivery Fee to Satellite Shops	\$30	None	None
RECOMMENDATION:		Call for daily pricing with new guidelines		

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve the recommendation to call for daily pricing for gasoline and diesel for the Road Department in relation to bid file number 10-156-001. 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.2.a

b. Sand & Gravel

Vanessa presented the explained the bid tabulations for sand and gravel for the Road Department. She said the bids listed in the yellow color are the low bids, bids listed in orange are the first alternates and bids listed in green are the second alternates as follows:

	CLEVELAND CONSTRUCTION INC		PICKLE SAND & GRAVEL		CASTLEBERRY TRUCKING LLC		MEMPHIS STONE & GRAVEL CO		STANDARD CONSTRUCTION			
	1ST Pit Llaughter Rd - 13.10 miles	2ND Pit Love Rd - 11.98 miles	3RD Pit Grays Creek Rd. - 11.94 miles	1ST Pit Mosby Road 11.98 miles	1ST Pit Miller Road & Hwy 178 28.71 miles	2ND Pit NONE	3RD Pit NONE	2325 Pleasant Hill Rd (Anderson Pit) - 7.89 miles	3410 North Robertson Road (Billingsley Pit) - 4.94 miles	4053 Hogfoot Rd (Perry Pit Senatobia) - 32.68 miles	1ST Pit 1338 Hwy 309 N. Byhalia MS(Nichols Pit)	2ND Pit None
	4.80 yd/ 18.08 haul =24.71	4.00 yd/ 5.52 ton + 23.96 haul = 29.48	5.50 yd/ 7.59 ton + 23.88 haul = 31.47	4.20 yd/ 5.80 ton + 23.96 = 29.76	No Bid	No Bid	No Bid	5.40 ton + 15.78 = 21.18	5.40 ton + 9.88 = 15.28	4.05 ton + 65.36 = 69.41	No Bid	No Bid
Clay Based Gravel	4.80 yd/ 6.63 ton + 18.08 haul =24.71	4.00 yd/ 5.52 ton + 23.96 haul = 29.48	5.50 yd/ 7.59 ton + 23.88 haul = 31.47	4.20 yd/ 5.80 ton + 23.96 = 29.76	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
Sand Based Gravel	4.80 yd/ 6.63 ton + 18.08 haul =24.71	4.00 yd/ 5.52 ton + 23.96 haul = 29.48	5.50 yd/ 7.59 ton + 23.88 haul = 31.47	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
Pit Run Sand	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	5.70 ton + 15.78 = 21.48	No Bid	4.50 ton + 65.36 = 69.86	No Bid	No Bid
Washed Sand	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
Washed Pea Gravel	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
Washed Oversized Rock	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	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
RECOMMENDATION:	Lowest Bidder YELLOW			1st Alternate - SALMON				2nd Alternate - Green				
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 - Rd - 19.29 6.45 miles	2ND Pit Love Creek Rd. - 16.50 miles	3RD Pit Mosby Road 19.29 miles	1ST Pit Miller Road & Hwy 178 - 5.24 miles	3RD Pit NONE	2ND Pit NONE	3RD Pit NONE	2325 Pleasant Hill Rd (Anderson Pit) - 9.67 miles	3410 North Robertson Road (Billingsley Pit) - 15.71 miles	4053 Hogfoot Rd (Perry Pit Senatobia) - 37.39 miles	1ST Pit 1338 Hwy 309 N. Byhalia MS(Nichols Pit) - 2ND Pit 15.10 miles None
Clay Based Gravel	4.80 yd/ 6.63 ton + 12.90 haul =19.53	4.00 yd/ 5.52 ton + 38.58 haul = 44.10	5.50 yd/ 7.59 ton + 33.00 haul = 40.59	4.00 Ton + 10.48 = 14.48	No Bid	No Bid	5.40 ton + 19.34 = 24.74	5.40 ton + 31.42 = 36.82	5.50 ton + 30.20 = 35.70	No Bid	No Bid
Sand Based Gravel	4.80 yd/ 6.63 ton + 12.90 haul =19.53	4.00 yd/ 5.52 ton + 38.58 haul = 44.10	5.50 yd/ 7.59 ton + 33.00 haul = 40.59	No Bid	No Bid	No Bid	No Bid	No Bid	5.50 ton + 30.20 = 35.70	No Bid	No Bid
Pit Run Sand	4.80 yd/ 6.63 ton + 12.90 haul =19.53	4.00 yd/ 5.52 ton + 38.58 haul = 44.10	5.50 yd/ 7.59 ton + 33.00 haul = 40.59	No Bid	No Bid	No Bid	5.70 ton + 19.34 = 25.04	No Bid	5.25 ton + 30.20 = 35.45	No Bid	No Bid
Washed Sand	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	6.75 ton + 30.20 = 36.95	No Bid	No Bid
Washed Pea Gravel	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	14.00 ton + 30.20 = 44.20	No Bid	No Bid
Washed Oversized Rock	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	15.00 ton + 30.20 = 45.20	No Bid	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
RECOMMENDATION:	Lowest Bidder YELLOW		1st Alternate - SALMON	2nd Alternate - Green							

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the bids for sand and gravel for the Road Department in relation to bid file number 10-156-011, as the lowest and best bids and as described in the above bid tabulation. 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.2.b

c. Corrugated Metal Culverts 54” – 96”

Vanessa said the prices for the 54” – 96” metal culverts are on the rise. She said there is a substantial increase of 37% if we use the same amount as last year. Vanessa said the Road Department never knows which size pipe they will use per job. She recommended G & O Supply Inc. as the lowest and best bid and Contech Inc. as the alternate bid as presented in the following bid tabulations:

BID TABULATION											
Equipment: Corrugated Metal Culverts 54"-96"				Bid File Number: 0 10-156-010							
Bid Opening: 10:00 a.m.				Bid opening: November 17, 2009							
DELIVERED BY VENDOR TO COUNTY											
G & O Supply Inc.											
Contech Inc											
Diameter	Corrugation	Guage	FY09 Usage	Round Price LF	Total Based on FY09 Usage	Arch LF	Total Based on FY09 Usage	Round Price LF	Total Based on FY09 Usage	Arch LF	Total Based on FY09 Usage
54"	3" x 1"	14	0	\$45.97		\$50.56		\$47.53		\$52.32	
60"	3" x 1"	14	1	\$50.49		\$55.53	\$ 2,776.50	\$52.48		\$57.44	\$2,872.00
66"	3" x 1"	14	0	\$58.41	\$ -	\$64.25		\$60.35		\$66.79	
72"	3" x 1"	12	5	\$86.83	\$ 10,419.60	\$121.57	\$ 6,078.50	\$89.74	\$ 10,768.80	\$125.63	\$6,281.50
84"	3" x 1"	12	0	\$101.05	\$ -	\$142.40		\$104.88		\$147.14	
96"	3" x 1"	12	0	\$116.03	\$ -	\$163.24		\$120.90		\$179.56	
BAND											
54"	2'	14	2	\$91.94	\$ 183.88	\$101.12		\$95.06	190.12	\$104.64	
60"	2'	14	3	\$100.98	\$ 302.94	\$111.06		\$104.96	314.88	\$114.88	
66"	2'	14	0	\$116.82	\$ -	\$128.50		\$120.70		\$133.58	
72"	2'	12	2	\$173.66	\$ 347.32	\$243.14		\$179.48	358.96	\$251.26	
84"	2'	12	0	\$202.10	\$ -	\$284.80		\$209.76		\$294.28	
96"	2'	12	0	\$232.06	\$ -	\$326.48		\$241.80		\$359.12	
TOTAL					\$1,279.88	\$1,686.56	\$ 8,855.00	\$1,327.63	11,632.76	\$1,776.88	\$9,153.50
Total 0 Usage											

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to approve the G & O Supply Inc. as the lowest and best bid and Contech Inc. as the alternate bid for corrugated metal culverts 54” – 96” for the Road Department in relation to bid file number 10-156-010, and as described above. 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.2.c

d. Corrugated Metal Culverts 8”– 48”

Vanessa presented the bids for the metal culverts, 8”-48”. She said that if we have the same usage as last year, there will be an increase in cost by 24.81%. Road Manager Russell Dorris

said there should not be as much usage this year. Vanessa recommended GNO as the lowest and best bid and Contech, Inc as the alternate bids as follows:

BID TABULATION						
Equipment: Corrugated Metal Culverts 8" - 48"			Bid File Number: 10-156-009			
Bid Opening: 10:00 a.m.			Bid opening: November 17, 2009			
DELIVERED BY VENDOR TO COUNTY						
Diameter	Corrugation	Gauge	G & O Supply Inc.		Contech Inc	
			Round Price LF	Arch LF	Round Price LF	Arch LF
8"	2 2/3" x 1/2"	16	\$5.51	No Bid	\$5.69	No Bid
10"	2 2/3" x 1/2"	16	\$6.89	No Bid	\$7.11	No Bid
12"	2 2/3" x 1/2"	16	\$7.18	No Bid	\$7.43	No Bid
15"	2 2/3" x 1/2"	16	\$8.61	9.48	\$8.91	\$9.80
18"	2 2/3" x 1/2"	16	\$10.76	11.84	\$11.21	\$12.24
21"	2 2/3" x 1/2"	16	\$12.20	13.42	\$12.73	\$14.00
24"	2 2/3" x 1/2"	16	\$13.64	15.01	\$14.11	\$15.44
27"	2 2/3" x 1/2"	16	No Bid	No Bid	\$16.25	\$17.54
30"	2 2/3" x 1/2"	14	\$21.53	23.68	\$22.27	\$24.53
36"	2 2/3" x 1/2"	14	\$25.83	28.42	\$26.92	\$29.61
42"	2 2/3" x 1/2"	14	\$31.65	34.81	\$33.14	\$36.31
48"	2 2/3" x 1/2"	14(12)	\$36.19	53.88	\$37.38	\$55.67
BAND						
8"	2'	16	\$11.02	No Bid	\$11.38	No Bid
10"	2'	16	\$13.78	No Bid	\$14.22	No Bid
12"	2'	16	\$14.36	No Bid	\$14.86	No Bid
15"	2'	16	\$17.22	18.96	\$17.82	\$19.60
18"	2'	16	\$21.52	23.68	\$22.42	\$24.48
21"	2'	16	\$24.40	26.84	\$25.46	\$28.00
24"	2'	16	\$27.28	30.02	\$28.22	\$30.88
27"	2'	16	No Bid	No Bid	\$32.46	\$35.08
30"	2'	16	\$43.06	47.36	\$44.54	\$49.06
36"	2'	14	\$51.66	56.84	\$53.84	\$59.22
42"	2'	14	\$63.30	69.62	\$66.28	\$72.62
48"	2'	14(12)	\$72.38	107.76	\$74.76	\$111.34
PICKED UP BY COUNTY FROM VENDOR'S LOCATION						
Diameter	Corrugation	Gauge	G & O Supply Inc. 333 Stonewall Rd Byhalia, MS		Contech Inc 2590 Old Leland Rd. Greenville, MS	
			Round Price LF	Arch LF	Round Price LF	Arch LF
8"	2 2/3" x 1/2"	16	\$5.39	No Bid	\$5.57	No bid
10"	2 2/3" x 1/2"	16	\$6.73	No Bid	\$6.97	No bid
12"	2 2/3" x 1/2"	16	\$7.02	No Bid	\$7.28	No bid
15"	2 2/3" x 1/2"	16	\$8.42	9.27	\$8.73	\$9.60
18"	2 2/3" x 1/2"	16	\$10.52	11.58	\$10.99	\$12.00
21"	2 2/3" x 1/2"	16	\$11.93	13.12	\$12.48	\$13.72
24"	2 2/3" x 1/2"	16	\$13.33	14.67	\$13.83	\$15.13
27"	2 2/3" x 1/2"	16	No Bid	No Bid	\$15.91	\$17.19
30"	2 2/3" x 1/2"	14	\$21.06	23.16	\$21.82	\$24.04
36"	2 2/3" x 1/2"	14	\$25.26	27.76	\$26.38	\$29.02
42"	2 2/3" x 1/2"	14	\$30.94	34.06	\$32.48	\$35.58
48"	2 2/3" x 1/2"	14	\$35.37	52.68	\$36.63	\$54.57
BAND						
8"	2'	16	\$10.78	No Bid	\$11.14	No Bid
10"	2'	16	\$13.46	No Bid	\$13.94	No Bid
12"	2'	16	\$14.04	No Bid	\$14.56	No Bid
15"	2'	16	\$16.84	18.54	\$17.46	\$19.20
18"	2'	16	\$21.04	23.16	\$21.98	\$24.00
21"	2'	16	\$23.86	26.24	\$24.96	\$27.44
24"	2'	16	\$26.67	29.34	\$27.66	\$30.26
27"	2'	16	No Bid	No Bid	\$31.82	\$34.38
30"	2'	16	\$42.12	46.32	\$43.64	\$48.08
36"	2'	14	\$50.52	55.58	\$52.76	\$58.04
42"	2'	14	\$61.88	68.06	\$64.96	\$71.16
48"	2'	14	\$70.74	105.36	\$73.26	\$109.14

BID TABULATION						
Equipment: Corrugated Metal Culverts 8" - 48"			Bid File Number: 10-156-009			
Bid Opening: 10:00 a.m.			Bid opening: November 17, 2009			
DELIVERED BY VENDOR TO COUNTY						
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			Round Price LF	Arch LF	Round Price LF	Arch LF
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12"	2 2/3" x 1/2"	16	\$7.18	No Bid	\$7.43	No Bid
15"	2 2/3" x 1/2"	16	\$8.61	9.48	\$8.91	\$9.80
18"	2 2/3" x 1/2"	16	\$10.76	11.84	\$11.21	\$12.24
21"	2 2/3" x 1/2"	16	\$12.20	13.42	\$12.73	\$14.00
24"	2 2/3" x 1/2"	16	\$13.64	15.01	\$14.11	\$15.44
27"	2 2/3" x 1/2"	16	No Bid	No Bid	\$16.25	\$17.54
30"	2 2/3" x 1/2"	14	\$21.53	23.68	\$22.27	\$24.53
36"	2 2/3" x 1/2"	14	\$25.83	28.42	\$26.92	\$29.61
42"	2 2/3" x 1/2"	14	\$31.65	34.81	\$33.14	\$36.31
48"	2 2/3" x 1/2"	14(12)	\$36.19	53.88	\$37.38	\$55.67
BAND						
8"	2'	16	\$11.02	No Bid	\$11.38	No Bid
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12"	2'	16	\$14.36	No Bid	\$14.86	No Bid
15"	2'	16	\$17.22	18.96	\$17.82	\$19.60
18"	2'	16	\$21.52	23.68	\$22.42	\$24.48
21"	2'	16	\$24.40	26.84	\$25.46	\$28.00
24"	2'	16	\$27.28	30.02	\$28.22	\$30.88
27"	2'	16	No Bid	No Bid	\$32.46	\$35.08
30"	2'	16	\$43.06	47.36	\$44.54	\$49.06
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42"	2'	14	\$63.30	69.62	\$66.28	\$72.62
48"	2'	14(12)	\$72.38	107.76	\$74.76	\$111.34
PICKED UP BY COUNTY FROM VENDOR'S LOCATION						
Diameter	Corrugation	Gauge	G & O Supply Inc. 333 Stonewall Rd Byhalia, MS		Contech Inc 2590 Old Leland Rd. Greenville, MS	
			Round Price LF	Arch LF	Round Price LF	Arch LF
8"	2 2/3" x 1/2"	16	\$5.39	No Bid	\$5.57	No bid
10"	2 2/3" x 1/2"	16	\$6.73	No Bid	\$6.97	No bid
12"	2 2/3" x 1/2"	16	\$7.02	No Bid	\$7.28	No bid
15"	2 2/3" x 1/2"	16	\$8.42	9.27	\$8.73	\$9.60
18"	2 2/3" x 1/2"	16	\$10.52	11.58	\$10.99	\$12.00
21"	2 2/3" x 1/2"	16	\$11.93	13.12	\$12.48	\$13.72
24"	2 2/3" x 1/2"	16	\$13.33	14.67	\$13.83	\$15.13
27"	2 2/3" x 1/2"	16	No Bid	No Bid	\$15.91	\$17.19
30"	2 2/3" x 1/2"	14	\$21.06	23.16	\$21.82	\$24.04
36"	2 2/3" x 1/2"	14	\$25.26	27.76	\$26.38	\$29.02
42"	2 2/3" x 1/2"	14	\$30.94	34.06	\$32.48	\$35.58
48"	2 2/3" x 1/2"	14	\$35.37	52.68	\$36.63	\$54.57
BAND						
8"	2'	16	\$10.78	No Bid	\$11.14	No Bid
10"	2'	16	\$13.46	No Bid	\$13.94	No Bid
12"	2'	16	\$14.04	No Bid	\$14.56	No Bid
15"	2'	16	\$16.84	18.54	\$17.46	\$19.20
18"	2'	16	\$21.04	23.16	\$21.98	\$24.00
21"	2'	16	\$23.86	26.24	\$24.96	\$27.44
24"	2'	16	\$26.67	29.34	\$27.66	\$30.26
27"	2'	16	No Bid	No Bid	\$31.82	\$34.38
30"	2'	16	\$42.12	46.32	\$43.64	\$48.08
36"	2'	14	\$50.52	55.58	\$52.76	\$58.04
42"	2'	14	\$61.88	68.06	\$64.96	\$71.16
48"	2'	14	\$70.74	105.36	\$73.26	\$109.14

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to approve awarding the bid for corrugated metal culverts 8” – 48” to G&O Inc. and Contech, Inc. as the alternate bidder in relation to bid file number 10-156-009, and as described in the above bid tabulation. 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.2.d

e. Crushed Limestone & Rip Rap

Vanessa presented the bid tabulation for crushed limestone and rip rap and explained that it was bid by item. She suggested awarding the bid to Vulcan Materials Co. who is the low bidder, first alternate is Fullen Dock and Warehouse, Inc. and second alternate to Martin Marietta Materials as follows:

BID TABULATION									
Equipment: Crushed Limestone & Rip Rap			Bid File Number: 10-156-011						
Bid Opening: 10:00 a.m.			Bid Opening: November 17, 2009						
FULLEN DOCK & WAREHOUSE INC.			VULCAN MATERIALS CO.			MARTIN MARIETTA MATERIALS			
BID ITEM	1074 Harbor		15581 Graves Rd, Lake Cormorant, MS						
	Price /Ton	Based on FY09	Price/Ton	Based on FY09	Price/Ton	Based on FY09	Price /Ton	Based on FY09	Price /Ton
CR610 Limestone Base	14.50	\$ 208,075.00	16.00	\$ 229,600.00	\$16.00	\$ 229,600.00	17.50	\$ 251,125.00	25.00
#57 Limestone	16.50	\$ 3,300.00	17.50	\$ 3,500.00	\$17.50	\$ 3,500.00	19.00	\$ 3,800.00	28.00
#7 Limestone	No Bid	\$ -	19.00		\$19.00		20.00		No Bid
#8 Limestone	17.50	\$ 7,000.00	19.00	\$ 7,600.00	\$19.00	\$ 7,600.00	No Bid		No Bid
#4 Stone (2" - 1")	16.50	\$ -	19.00	\$ -	\$19.00	\$ -	17.00		28.00
#4 Stone (4" - 3")	17.00	\$ 11,900.00	19.75	\$ 13,825.00	\$19.75	\$ 13,825.00	No Bid		38.00
3" - 6" Rip Rap (Grablon Stone)	25.00	\$ 55,250.00	24.50	\$ 54,145.00	\$24.50	\$ 54,145.00	25.00	\$ 55,250.00	40.00
90# Rip Rap	22.30	\$ -	24.50	\$ -	\$24.50	\$ -	25.00		38.00
125# Rip Rap	22.30	\$ 185,090.00	24.50	\$ 203,350.00	\$24.50	\$ 203,350.00	No Bid		38.00
200# Rip Rap	24.30	\$ 12,150.00	24.50	\$ 12,250.00	\$24.50	\$ 12,250.00	25.00	\$ 12,500.00	40.00
300# Rip Rap	25.00	\$ 8,750.00	24.50	\$ 8,575.00	\$24.50	\$ 8,575.00	No Bid		46.00
Ag Lime	17.00	\$ -	No Bid	\$ -	No Bid	\$ -	No Bid		No Bid
Comparison Fullen Dock vs Vulcan		\$ 491,515.00		\$ 532,845.00		\$ 532,845.00			
comparison Fullen Dock vs Vulcan vs Martin Marietta		\$ 278,775.00		\$ 299,495.00		\$ 299,495.00		\$322,675.00	
Hauling allowance per ton	\$	2.00							
RECOMMENDATION:	AWARD		Vulcan Materials Co.						
	1st Alternate -		Fullen Dock & Warehouse Inc.						
	2nd Alternate -		Martin Marietta Materials						

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve awarding the bid for crushed limestone and rip rap, to Vulcan Materials Co., as the lowest and best bidder, first alternate to Fullen Dock and Warehouse, Inc. and second alternate to Martin Marietta Materials in relation to bid file number 10-156-011 and as described above. 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.2.e

f. Hot Mix Asphalt Paving

Vanessa presented the bid tabulation for hot mix asphalt paving in relation to bid file number

10-156-002. She said the comparison page shows a decrease in the budget if the usage remains the same as last year. Vanessa explained the low bids are listed in yellow, first alternate is blue and the second alternate is green.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve awarding the bid for hot mix asphalt paving to the lowest and best bid per item in yellow, first alternate per item in blue and the second alternate per item in green as described in bid file number 10-156-002 as follows:

Equipment: Annual Bids - Hot Mix Asphalt Paving			Bid File Number: 10-156-002	
Bid Opening: 2:00 p.m.			Bid Date: November 20, 2009	
OVERLAY (per ton)	STANDARD CONSTRUCTION (Alternate-Yes)	LEHMAN ROBERTS (Alternate-Yes)	DESOTO PAVING (Alternate-Yes)	APAC-TN (Yes-Alternate)
0-50 tons	\$ 135.00	\$ 94.25	\$ 99.75	\$ 93.00
51-100 tons	\$ 95.00	\$ 74.10	\$ 89.00	\$ 93.00
101-200 tons	\$ 82.50	\$ 74.10	\$ 82.00	\$ 93.00
Greater than 201 tons	\$ 75.00	\$ 74.10	\$ 74.00	\$ 93.00
PATCHING (per ton)	STANDARD CONSTRUCTION	LEHMAN ROBERTS	DESOTO PAVING	APAC-TN
0-50 tons	\$ 175.00	\$ 95.00	\$ 115.00	\$ 129.00
51-100 tons	\$ 110.00	\$ 95.00	\$ 115.00	\$ 129.00
101-200 tons	\$ 97.50	\$ 95.00	\$ 115.00	\$ 129.00
Greater than 201 tons	\$ 87.50	\$ 95.00	\$ 115.00	\$ 129.00
BUSHING (per ton)	STANDARD CONSTRUCTION	LEHMAN ROBERTS	DESOTO PAVING	APAC-TN
0-50 tons	\$ 155.00	\$ 94.25	\$ 99.75	\$ 110.00
51-100 tons	\$ 102.50	\$ 74.10	\$ 89.00	\$ 110.00
101-200 tons	\$ 90.00	\$ 74.10	\$ 82.00	\$ 110.00
Greater than 201 tons	\$ 82.50	\$ 74.10	\$ 74.00	\$ 110.00
RECOMMENDATION: Accept low bid per item in yellow, First Alternate in blue, Second Alternate in green				

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.2.f

G. NEW BUSINESS

1. Ability Works Contract

Board Attorney Tony Nowak presented a renewal of a lease for Vocational Rehab formerly known as Allied Enterprises. Mr. Nowak said it continues the previous twenty year lease with another twenty year lease at three hundred dollars per month. He said this money is meant to cover the county's expense for insurance and any other expenses. Per the lease, the monthly rental will adjust, should the County's insurance costs other expenses increase so that the rent always covers the County's expense.

Vanessa Lynchard explained that Allied Enterprises built the building they occupy which is located on county property. They pay the county an amount to cover insurance and other county expenses only.

Supervisor Jessie Medlin gave examples of the work that is performed by Vocational Rehab. He said they do a good job and serve a wonderful purpose in the county.

Supervisor Allen Latimer asked for clarification that the county does own the property. Vanessa Lynchard said yes, it is owned by the county.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the lease agreement with Ability Works and to authorize the Board President to sign the agreement. 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.1

2. Purchasing – Approval to Make Emergency Purchases

Purchase Clerk Vanessa Lynchard said, in anticipation of the bad weather that is being predicted, she is recommending that the Board designate certain individuals to make emergency purchases in accordance with Section 31-7-1-(f) of the Mississippi Code. Vanessa said, according to state law, if a governing authority, or governing authority acting through it's designee, shall determine that an emergency exists in regards to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governing authority, then the provisions for competitive shall not apply, and any officer or agent of such governing authority having general or special authority thereof, in making such purchase or repair shall approve the bill presented therefore, and he shall certify in writing thereon from whom such person was made, or with whom such repair contract was made. At the next Board Meeting following the emergency or repair contract, documentation of the purchase or repair contract, including a description of the commodity purchased the price thereof and the nature of the emergency shall be presented to the Board and shall be placed on the minutes of the Board of such governing authority.

Board Attorney Tony Nowak explained the process of declaring a local state of emergency as follows:

1. The Board must call a special meeting, giving each Board member 24 hours notice. While the statute doesn't require any other notice he advised that notice also be posted at the Admin Bldg and Courthouse.
2. Board declares local state of emergency due to natural emergency. It should be declared a Major emergency if the extent of emergency exceeds local ability to respond to and other counties or the state help is needed. Otherwise, its a minor emergency.
3. The state of emergency needs to be reviewed not less than every 30 days but should be as soon after the emergency as is practical.
4. When the local emergency management act allows, the director of EMA can declare a state of emergency, but he would have to check the statute to confirm this. However, he is not sure if our local act allows this or not. , Even if the EMA has the authority, and the local act so allows, the Dept. of EMA is considered a public body (just found an AG opinion on that) and must follow open meetings act so EMA would have to call a special meeting. However, they only need to provide 1 hour notice but posting to the public-he suggested posting at Admin Bldg and Courthouse as well as posting on internet.

If calling a Board meeting it can be held via telephone. All that is required is that there be 1 phone that the public can listen in on if they want. Thus, the call could be initiated in the Board room and put on speaker phone, if people are present, and all the supervisors could simply participate by phone. This same process would apply if EMA calls the declaration of emergency.

Vanessa recommended that the County Administrator, Road Manager, Sheriff, Director of Emergency Services, Purchase Clerk and Director of Buildings and Grounds be designated to make such emergency purchases.

Supervisor Eugene Thach asked if the Board of Supervisors can still call a meeting in case of an emergency. Board Attorney Tony Nowak responded yes.

Supervisor Bill Russell asked if this applied to a small emergency. Mr. Nowak said not a small emergency such as a vehicle off of the road.

Supervisor Russell asked if an ambulance runs off the road, can they call a wrecker. Vanessa said wreckers do not need a purchase order.

Road Manager Russell Dorris said if an emergency occurs, he needs authority to make purchases.

County Administrator Michael Garriga said, at the end of the day, the job needs to be done and there are ways that can be accomplished.

Vanessa clarified how to handle certain situations so they would be covered under state law. She said that in the case of an emergency, is that the need should be presented and justified by the next day.

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to authorize the County Administrator, Road Manager, Sheriff, Director of Emergency Services, Purchase Clerk and Director of Buildings and Grounds be designated to make purchases on behalf of DeSoto County in the case of an emergency. 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.2

H. EXECUTIVE SESSION

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

I. OTHER ISSUES

1. Inventory-County Property

Supervisor Tommy Lewis said a few meetings ago, the Board discussed property. Supervisor Lewis said he thinks the county has forty acres of land along Old Highway 304, east of Hurricane Creek. He would like to see if that land has any potential for a wetlands bank. Supervisor Lewis said, in the past, the county has bought land to put into the wetlands bank. He said it would be a savings to the county. He said we will be needing wetlands on the Holly Springs Road project.

Vanessa Lynchard said she would work with the Inventory Clerk to get a map of county property to present to the Board.

2. United Way Campaign

County Administrator Michael Garriga said the county is gearing up for the United Way Campaign. He said we have committee established of county employees. Mr. Garriga asked the Board for information on how they would like to proceed with the campaign. Mr. Garriga said we can let United Way have access to every office, but he wants to ensure people that if they do not participate, it will not be a negative toward them. Mr. Garriga said we could take a softer approach and include information about United Way with employee pay checks.

Supervisor Jessie Medlin said he likes the idea of passing out the literature to the employees. Supervisor Medlin said he wants to make sure employees do not feel pressured to participate.

Supervisor Eugene Thach said the United Way people come in and want you to sign up. If you do not sign up, others in the organization will say you did not participate. He said he does not want to be involved in anything like that. Supervisor Thach said he does not want employees to feel trapped.

Supervisor Bill Russell said having United Way people talk to county employees, gives them information on where their contribution goes. Supervisor Russell said in his previous job, United Way never pressured anyone to participate. They just explained how the program worked. It was very clear that it was the employee's decision. Supervisor Russell said there will be no pressure from the United Way people. Supervisor Russell said he feels strongly that United Way should come in and talk to the county employees. He said that doing so would create a stronger program.

President and CEO of DeSoto County Economic Development Council Jim Flanagan said there are fifteen agencies that are direct recipients of United Way funds in DeSoto County.

Supervisor Medlin said if we bring in AFLAC and then United Way, it will interrupt employees from working. How would you turn down other agencies who wanted to make their presentations to the employees?

Supervisor Bill Russell made the motion to allow United Way to have face to face meetings with the Board of Supervisors' employees. There was no second to the motion.

Supervisor Eugene Thach said he feels the same as Supervisor Medlin. He thinks there needs to be limits.

Mr. Garriga said we can approach the issue either way the Board desires.

Supervisor Lewis said if we put a letter in with the pay stubs, we could ask the employees if they would like a face to face presentation with a United Way agent and we would know their feelings.

Supervisor Latimer said he has no objection for employees who want to meet with United Way but it should not be mandatory. He thinks no employee should be required to attend such a meeting. He would not want United Way or any organization to come into the county and make the employees feel pressured. He said a face to face meeting can cause pressure for the employee to give their money. If we set up a meeting for the employee to attend if they desire, then he is all for that but would not want employees to be required to attend the meeting.

Supervisor Russell said he was involved with United Way for 35 years. There was never any pressure applied to anyone and no one saw your donation card.

Supervisor Thach asked if Mr. Garriga should meet with the "Employee Committee" and decide what they would like to do. Supervisor Thach said he does not think employees should be required to attend the meetings. In addition, any money donated to United Way should be used in DeSoto County.

Mr. Garriga said he would meet with the "Employee Committee" and report back to the Board.

3. Inclement Weather Policy

County Administrator Michael Garriga said since the weather conditions are unpredictable, he is planning to open county buildings unless the conditions are treacherous or dangerous. The Board of Supervisors indicated their expectations for the County Administrator to make the decision based on current conditions.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to recess the meeting until January 19, 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 6th day of January, 2010, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Bill Russell, President
DeSoto County Board of Supervisors