

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

Tommy Lewis, PRESIDENT 2009 PRESIDING

July 7, 2009

A. CALL TO ORDER

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

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

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

B. INVOCATION

Supervisor Allen Latimer presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF JUNE MINUTES

The official minutes of the Board of Supervisors were read for the month of June, 2009 pursuant to Section 19-3-27 of the Mississippi Code of 1972, Annotated.

Supervisor Eugene Thach made the motion and Supervisor Bill Russell seconded the motion to approve the minutes for the month of June, 2009. The motion passed by a vote as follows:

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

See Exhibit D

E. CONSENT

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

Supervisor Allen Latimer asked if one of the cities does not want the generators, can the County have them. Vanessa Lynchard and Board Attorney Jody Neyman said the County can get additional generators regardless of whether the cities take theirs or not.

Supervisor Jessie Medlin asked about the renewal of the lease for the AOP facility. County Administrator Michael Garriga said the lease expires June 30th and will be renewed on a monthly basis.

Supervisor Latimer asked about replacing the stop signs that were taken by vandals from intersections which signs were posted according to the road regulations. Supervisor Latimer said the removal of the signs creates a dangerous situation. He encouraged the newspaper reporters to plead with the public to consider the dangers of removing the signs.

Road Manager Russell Dorris said, periodically there is a problem with the removal of signs. Supervisor Latimer said that could cause a serious accident. He asked that people consider the consequences before removing the signs.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to approve the Consent Agenda and the reports and actions set forth therein as follows:

1. Accounting

a. Ratify Note Payment

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

Hancock Bank Ck#046085 issued 6/24/09
 Principal \$ 20,833.33
 Interest \$ 6,816.99
 \$ 27,650.32

b. Quarterly Budget Allocations

For Quarter Ending September 30, 2009

TAX ASSESSOR:

Department 103.....\$325,816.50

TAX COLLECTOR:

Department 104.....\$332,838.75

SHERIFF:

Department 200 (Sheriff Administration).....\$ 294,799.25
 Department 201 (Aviation).....\$ 21,887.50
 Department 202 (Patrol/Law Enforcement).....\$ 1,966,257.75
 Department 220 (Custody of Prisoners).....\$ 982,511.00
 Department 222 (Prisoners' Medical Expense) ...\$ 233,541.50
 Department 223 (Juvenile Detention).....\$ 233,721.50
 Department 225 (Rescue Unit).....\$ 4,200.25
 Department 227 (Narcotics Division).....\$ 193,057.75

TOTAL.....\$3,929,976.50

c. Volunteer Fire Dept. Tax Distribution Fund FY 09

FIRST TAX DISTRIBUTION FY09					
				\$ 412,030.17	
	Population				
	Per	Percent	60% total	40% total	
District	District	of Total	(dist. Equal)	(dist. pop.)	Total
Alphaba, Cockrum,					
Ingram's Mill	1,975	5.80%	\$27,468.68	\$9,559.10	37,027.78
Bridgetown	3,596	10.57%	\$27,468.68	\$17,420.64	44,889.32
Eudora	3,703	10.88%	\$27,468.68	\$17,931.55	45,400.23

Fairhaven	3,020	8.87%	\$27,468.68	\$14,618.83	42,087.51
Lewisburg	3,285	9.65%	\$27,468.68	\$15,904.36	43,373.04
Love	3,078	9.04%	\$27,468.68	\$14,899.01	42,367.69
Nesbit	3,037	8.92%	\$27,468.68	\$14,701.24	42,169.92
Summers Hill	2,458	7.22%	\$27,468.67	\$11,899.43	39,368.10
Walls	9,880	29.05%	\$27,468.67	\$47,877.91	75,346.58
Total	34,032	100.00%	\$247,218.10	\$164,812.07	412,030.17

FIRST TAX DISTRIBUTION FY09					
INSURANCE REBATE FUNDS					
	Population				
	Per	Percent	60% total	40% total	
District	District	of Total	(dist. Equal)	(dist. pop.)	Total
Alphaba, Cockrum,					
Ingram's Mill	1,975	5.80%	\$13,121.15	\$4,566.16	17,687.31
Bridgetown	3,596	10.57%	\$13,121.15	\$8,321.43	21,442.58
Eudora	3,703	10.88%	\$13,121.15	\$8,565.48	21,686.63
Fairhaven	3,020	8.87%	\$13,121.14	\$6,983.07	20,104.21
Lewisburg	3,285	9.65%	\$13,121.14	\$7,597.14	20,718.28
Love	3,078	9.04%	\$13,121.14	\$7,116.91	20,238.05
Nesbit	3,037	8.92%	\$13,121.14	\$7,022.44	20,143.58
Summers Hill	2,458	7.22%	\$13,121.14	\$5,684.08	18,805.22
Walls	9,880	29.05%	\$13,121.14	\$22,870.15	35,991.29
Total	34,032	100.00%	\$118,090.29	\$78,726.86	196,817.15

2. Justice Court Report

Criminal Cases Filed – 169	State Assessments -	\$ 62,833.22
Civil Cases Filed – 416	County General Fund -	\$105,339.36
Traffic Tickets Filed – 1,228	Total Collections -	\$168,172.58
Total Cases Filed – 1,813		

3. Bailiff Pay

Joe Holmes - \$285.00 Jason Motz -\$140.00 Liz Medlin - \$380.00 Lee Hodge - \$135.00
\$175.00

4. Approval of Publication of Board Proceedings

5. Grants

a. Accept EMPG Grant and Board President to Sign

b. Renew AOP Facility Lease – Monthly

6. Department of Road Management

a. Road Report and Work Schedule

b. Road Bond Report

c. General Engineering Services Agreement – Waggoner Engineering, Inc.

7. EMA – Ratify State of Emergency Resolution (6/12/09)

8. Extend Pharmacy Bid with Henry Schien for 6 Months per Bid Option

9. Disallowance of Homestead Exemption for Parcel Number 1079 3024 0 00021.00

10. Interlocal Agreement (Southaven) – Justice Court Building Improvements

11. Constable Annual Financial Report – Lee Hodge

12. Make Part of Minutes

a. Original Sales Resolution dated June 24, 2009 – G.O. Bond – Series 2009 - \$16 Million

b. Copy of Proof of Publication of Notice of Bond Sale

c. Resolution Approving Interlocal Agreement for Purchase of Generators

d. Interlocal between DC DCRUA and Hernando, Horn Lake, Olive Branch and Southaven for Hazardous Mitigation Grants Funds for Purchase of Generators

e. Resolution Approving Interlocal Agreement for Purchase of Sirens

f. Interlocal Agreement between DC and Hernando, Olive Branch, Southaven and Walls for use of Hazardous Mitigation Grant Funds for Purchase of sirens.

13. Chancery Clerk Allowance - \$1,650.00

14. R.J. Young Co. Inc. – Amend Ricoh Copier Agreement

The motion passed by a vote as follows:

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

See Exhibit E

F. OLD BUSINESS

1. Board Attorney – Lost/Abandoned or Mislplaced Personal Property

Board Attorney Jody Neyman presented a proposed ordinance for lost, abandoned or misplaced property left by prisoners at the DeSoto County Sheriff’s Department.

Mr. Neyman said, at the last meeting, the proposed ordinance was circulated to the Board for their review and a Public Meeting was held at that time. He said that no one came forward to comment on the ordinance.

Mr. Neyman said this ordinance was prepared in accordance with state statute 19-3-40 and mirrors the language in laws for municipalities to dispose of abandoned property.

Supervisor Bill Russell asked if the items can be combined and advertised in one advertisement. Mr. Neyman said yes.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to adopt the ordinance providing for the disposition of lost/abandoned or misplaced personal property in the DeSoto County Sheriff's Department, and for related purposes. The motion passed by a vote as follows:

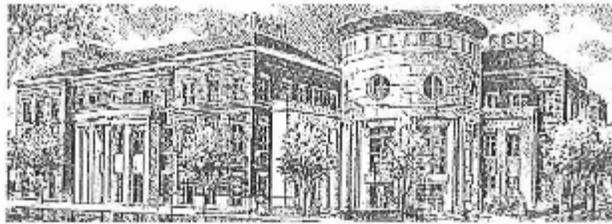
Supervisor Jessie Medlin-----YES
 Supervisor Eugene C. Thach-----YES
 Supervisor Bill Russell-----YES
 Supervisor Allen Latimer-----YES
 Supervisor Tommy Lewis-----YES

See Exhibit F.1

G. NEW BUSINESS

1. 9:00 a.m. - Tax Assessor - Presentation of Tax Rolls

Tax Assessor Parker Pickle presented the tax rolls to the Board of Supervisors as follows:



DeSoto County, Mississippi
Parker Pickle, Tax Assessor

Total Assessed Value
 July 7, 2009
 July Re-Cap

Full County Taxes

Real	1,026,852,335
Personal	150,857,189
Public Utilities	29,848,902
Mobile Homes	1,363,787
Automobiles	<u>224,510,980</u>
Total	1,433,433,193

School Tax Only

Real	55,429,070
Personal	<u>13,285,510</u>
Total For Schools	68,714,580

Fee in Lieu Value

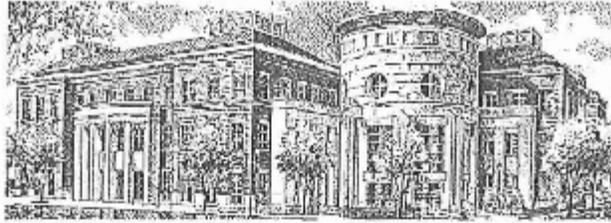
Real	10,145,107
Personal	<u>54,347,058</u>
Total	64,492,165

Total Assessed Value 2009	1,566,639,938
Total Assessed Value 2008	<u>1,535,816,507</u>
Increase	30,823,431

2% Increase

Parker Pickle
 DeSoto County Tax Assessor

365 Lusher Street, Suite 100
 Hernando, MS 38632
 (662) 429-1335



DeSoto County, Mississippi
Parker Pickle, Tax Assessor

Total Appraised Value
July 7, 2009

Real Property	9,183,404,419
Personal Property	1,094,283,174
Public Utilities	99,496,340
Mobile Homes	9,093,225
Automobiles	748,352,481
Total Appraised Value	11,134,629,639

Fee In Lieu

Real	67,634,046
Personal	362,313,720
Total	429,947,766

2009 Total Appraised Value	11,564,577,405
2008 Total Appraised Value	11,244,876,858
Increase	319,700,547

2.84% Increase in Appraised Value


Parker Pickle
DeSoto County Tax Assessor

365 Lasher Street, Suite 100
Herranda, MS 38632
(662) 429-1335

ASSESSMENT OF DESOTO COUNTY, JANUARY 1, 20 09
As shown by the rolls thereof filed by the County Assessor of said County with the Clerk of the Board of Supervisors of said County, on the 7TH day of JULY, 20 09

Classes of Personal Property	1 True Value of all Properties Reflected in Columns 2 and 3				Ratio %	2 Assessed Valuation (Use whole dollar no cents.)			3 DO NOT INCLUDE THIS VALUE IN COLUMN 2	Mfg. Products (School Tax Only)
	Billions	Millions	Thousands	Hunds.		Billions	Thousands	Hunds.		
A. Automobiles		748	352	481	30	224	510	980		
B. Mobile Homes		9	093	225	15	1	363	986		
1. Boats & Poles		260	238	291	15	37	449	017	1,586	818
2. Machinery and Equipment		467	620	860	15	58	833	617	11,309	539
3. Lumber & Lumber		33	194	402	15	4	979	185		
4. Inventories		316	787	866	15	47	200	771	317	477
5. Stocks (Publicly Traded)										
6. Bonds (Publicly Traded)		362	313	720	15	54	347	058		
7. Miscellaneous		16	441	755		2	394	599	71	676
8. Miscellaneous Properties (Properties 2001 P.S. 87 (S. 2001))										
C. Grand Total	2	214	042	600		431	079	213	13,285	510
D. Total Subject to Levies Tax										

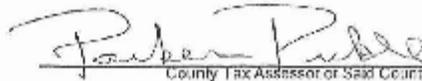
Total Number of Personal Property Parcels Assessed 44,922

REAL PROPERTY - 20 09

Class of Land	1 True Value of all Properties Reflected in Columns 2 and 3				Ratio %	2 Assessed Valuation			3 DO NOT INCLUDE THIS VALUE IN COLUMN 2	No. Acres	
	Billions	Millions	Thousands	Hunds.		Billions	Thousands	Hunds.			
1 Class 1 lands	1	227	668	424	10	122	766	910			
2 Class 1 Improvements	4	676	863	938	10	467	683	179			
3 Cultivable Lands (excluding improvements)		165	154	585	15	24	773	503			
4 Building & Improvements on country lands		80	902	497	15	12	135	330			
5 Uncultivable lands (including improvements & timber)		11	873	834	15	1	781	148			
6 Real estate in cities, towns & villages		921	636	759	15	131	891	893	6,354	254	
7 Buildings & Improvements in business	2	099	304	382	15	265	820	372	49,074	816	
8 In Lieu (27-31-134)		67	634	046	15	10	145	107			
A. Total acreage & Valuation subject to tax	9	251	038	465		1,036	997	442	55,429	070	250,578.82
9 U.S. Government land											13,522.31
10 Exempt land & school land											2,805.68
11 State, County, Municipal land											7,723.17
12 Acres assessed by tax commission											
B. TOTAL LAND IN COUNTY											274,629.98
C. Lands subject to levies taxes											

Total Number of Real Property Parcels Assessed 69,589

Witness my hand, this the 7TH day of JULY, 20 09


County Tax Assessor of Said County

STATE OF MISSISSIPPI
DeSoto County,



2009
July
Supervisor's Court July 6th 2009 Term.

**ORDER OF THE BOARD OF SUPERVISORS
RE: REAL AND PERSONAL PROPERTY ASSESSMENT ROLLS**

This day came on to be considered by the Board of Supervisors of DeSoto County, the matter of the assessment of personal property for the year 2009 and of real property for the year 2009 and it appearing affirmatively to this Board

that Parker Pickle, Tax Assessor of said County, has completed the assessment of both real and personal property for the said year; that the said assessor filed the real and personal property assessment rolls with the clerk of this Board of Supervisors on or

before the 6th of July, 2009 as provided by law; and that said assessor made an affidavit and appended it to each of said rolls; that said affidavit showed that he has faithfully endeavored to ascertain and assess all the persons and property in said county; that he did not omit any person or thing, and did not place upon, or accept, an under-valuation of any property, through fear, favor or partiality; that he required every taxpayer to make the oath required to be taken by the person rendering a list of his taxable property, wherever possible; that the said assessor filed with the rolls, under oath, a list showing the name of every taxpayer who failed or refused to make oath to his tax list; that this Board of Supervisor, immediately at its July 6th, 2009 meeting proceeded to

equalize the said rolls, and has completed such equalization at least ten days before its August 3rd, 2009 meeting; That said Tax Assessor attended the meeting of this Board of Supervisors, while it was considering said assessments of persons and property, from day to day, and that he rendered all assistance which his knowledge and information enabled him to give; and that at the said meeting, this Board of Supervisors did then and there cause to be assessed all persons and things, found to be omitted from said rolls, and caused to be correctly valued all property found to be under-valued; that this Board carefully examined the land roll and saw that it embraced all the land in said county, and that it represented said lands as being the property of individuals, or the State, or the United States, according to the fact; that it was taxable or not taxable according to law; that all such property is correctly described so as to be identified with certainty; that there are no double assessments; that all land improperly omitted from the real property rolls has been added thereto by this Board of Supervisors, or under its direction; that all land incorrectly and insufficiently described has been properly described; that all land which was not classed correctly or was under-valued has been classified and valued properly; that all corrections have been made in said rolls; and that all things required by law, have been done;

IT IS THEREFORE, ORDERED by the Board of Supervisors of the said County, that the said assessment rolls, and the assessments therein contained, be, and they are hereby approved, with corrections, subject to the right of parties in interest to be heard on all objections hereafter made by them, and subject to further changes and corrections by this Board, as Authorized by law.

It is further ordered by this Board of Supervisors that a notice be posted at the Courthouse, or Courthouses, in said County, and be published in DeSoto Times-Tribune & DeSoto Appeal, a newspaper published at

Hernando & Southaven, Mississippi, notifying the public and the taxpayers of said county:

- 1. That the said assessment rolls, so equalized, are ready for inspection and examination, and,
- 2. This Board will be in session for the purpose of hearing objections to the said assessments which may be filed, at the Courthouse in

the office of Chancery Clerk, said County and State, on the 3rd day of August, 2009 and,

- 3. This Board will remain in session from day to day until all objections, lawfully filed, shall have been disposed of, and all proper corrections made in the roll.

It is further ordered by this Board that notice shall be given to the public and to the taxpayers of said county in the following form:

"PUBLIC NOTICE"

"TO THE PUBLIC AND TO THE TAXPAYERS OF DeSoto COUNTY, MISSISSIPPI:

You are hereby notified that the real and personal property assessment rolls of the above named county, for the year 2009 have been equalized according to law, and that said rolls are ready for inspection and examination and that any objections to said rolls or any assessment therein contained, shall be made in writing and filed with the clerk of the Board of Supervisors of said

County, on or before the 3rd of August, 2009 at his office in the Courthouse of said county, and that all assessments to which no objection is then and there made, will be finally approved by said Board of Supervisors, and that all assessments to which objection is made, and which may be corrected and properly determined by this Board, will be made final by this Board of Supervisors, and that said rolls and the assessments contained therein will be approved by this Board of Supervisors; and last,

- 1. This Board will be in session, for the purpose of hearing objections to the said assessments which may be filed, at the courthouse in the Chancery Clerk's Office of DeSoto County and State on the 3rd day of August, 2009
- 2. This Board of Supervisors will remain in session from day to day until all objections, lawfully filed, shall have been disposed of and all proper corrections made in the said rolls.

*Witness the signature and seal of the said Board of Supervisors the 6th day of July, 2009, and,

*THE BOARD OF SUPERVISORS OF DeSoto COUNTY

By _____ President Tommy Lewis

Ordered and adjudged the 6th day of July, 2009 _____ W. B. Davis

President Tommy Lewis

Mr. Pickle explained the re-cap and said the Tax Assessor's office added almost \$31 million this year to the tax rolls. He said that car tag purchases were down by \$42 million. Mr. Pickle said that residential was also down but commercial and industrial were up and homesteads were down about 2,000. He said homesteads do seem to be coming back somewhat. Mr. Pickle said they did not change any values on residential this year. He said the Assessor's office will continue to work during the month of July to perfect the rolls.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to accept the presentation of the tax rolls as presented by the Tax Assessor and to instruct notification to the public that the tax rolls are available and on display for review. 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. Dept. of Human Resources – Health Claims

Director of Human Resources Janna Rogers, and Human Resources Manager, Vickie Richmann presented a change in the format of the monthly health claims report to the Board of Supervisors. Mrs. Rogers said they do receive a lot of data regarding health claims and they wanted to present it to the Board and explain the reports.

Mrs. Richmann said they wanted to compare past and present activity which is reflected in the graphs. She said the red line reflects the current budget which will enable the Supervisors to see the progression of the activity as it relates to the budget. Also, the report shows the different areas that health claims are taking the greatest hits. She pointed out the trend in the cash balance and noted there have been decreases in some months.

Supervisor Bill Russell asked what happened in the last three months that caused claims to be so high. Mrs. Richmann said there are peaks during certain time of the year.

Supervisor Allen Latimer asked has the number of claims increased or has the cost of medical services increased. Mrs. Richmann said the number of claims is the same but the cost has increased.

Supervisor Russell asked what steps the County will take if this trend continues. County Administrator Michael Garriga said the changes that were implemented this year have not seemed to have a big impact on the health claims. Mrs. Rogers said we will continue to analyze the data to determine the cause of the increase. She said it will be compared nationally to ensure that the County is receiving the best discounts from Humana. Mrs. Rogers said the Board can then decide whether to increase the cost share for each employee. She said she will talk to Humana later this year to obtain the information necessary and make a recommendation to the Board. Mrs. Rogers said she will present the information and make the recommendation to the Board in enough time for the Board to make a decision by the end of the year. She said the department is planning ahead as much as possible and working with vendors and analyzing data.

Supervisor Jessie Medlin asked if the report can include the prior month’s claims. Mrs. Rogers said yes.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to approve and ratify the health claims as presented by the Department of Human Resources as follows:

Funding Request	Date Paid	Amount	Claim Type
Date			
6/1/08	6/1/09	\$70,872.77	Administration Fees
6/1/09	6/2/09	\$4,199.58	Medical
6/1/09	6/2/09	\$2,446.85	Dental
6/1/09	6/2/09	\$12,127.56	Pharmacy
6/8/09	6/9/09	\$107,442.42	Medical
6/8/09	6/9/09	\$5,174.95	Dental
6/8/09	6/9/09	\$20,658.30	Pharmacy
6/16/09	6/16/09	\$143,851.29	Medical
6/16/09	6/16/09	\$5,122.60	Dental
6/16/09	6/16/09	\$18,872.90	Pharmacy
6/23/09	6/24/09	\$49,642.69	Medical
6/23/09	6/24/09	\$5,906.75	Dental
6/23/09	6/24/09	\$8,893.96	Pharmacy
6/29/09	6/30/09	\$80,666.25	Medical
6/29/09	6/30/09	\$7,783.70	Dental
6/29/09	6/30/09	\$14,487.64	Pharmacy
	TOTAL	\$558,150.21	

June Book Balance		\$2,901,050.02	
May Book Balance		\$3,090,066.13	
April Book Balance		\$3,165,701.38	
March Book Balance		\$3,297,402.06	
February Book Balance		\$3,180,415.80	
January Book Balance		\$3,205,610.20	

The motion passed by a vote as follows:

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

See Exhibit G.2

3. Accounting – Claims Docket

Stephanie Hanks, Accounting Clerk, and Tom Arnold, Comptroller, presented the claims docket to the Board of Supervisors. Ms. Hanks read the claims docket.

Comptroller Tom Arnold said that health claims are wired therefore, they do not appear on the claims docket.

Supervisor Allen Latimer said that prisoner medical expenses are higher. He asked if this figure includes reimbursements from the cities. Mr. Arnold said the claims do not include the reimbursements. He said the reimbursements are added later as revenue.

Accounting Clerk Stephanie Hanks presented the items in accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code annotated, Supervisor Eugene Thach 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-----YES
Supervisor Bill Russell-----YES
Supervisor Allen Latimer-----YES
Supervisor Tommy Lewis-----YES

At the recommendation of the Comptroller Tom Arnold, Supervisor Allen Latimer made the motion and Supervisor Jessie Medlin seconded the motion to approve a travel advance in the amount \$46 per day for a total of \$276 and authorized the clerk to write the check to cover meals for Andrew McColgan of the GIS department to attend the annual conference in San Diego from July 12th and returning on July 17th. 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

4. 10:00 a.m. - Greenways Update

Greenways Coordinator Larry Jarrett appeared before the Board of Supervisors to update them on the progress of the greenway. Mr. Jarrett said they are currently working on right of way and hope to have all the right of way needed for the greenway from Baldwin Road to the River. Mr. Jarrett said there are a lot of homeowners from Highway 61 to Baldwin Road. He said they are working on that phase and then will go back to the east side.

Mr. Jarrett introduced Mike Davis who is the landscape architect for the greenways project. There are two loops on the trail. The northern loop is three-fourths of a mile and they are doing the construction this summer. He said they plan to have a substantial amount completed by fall.

Supervisor Bill Russell asked if there will be an announcement for a grand opening. Mr. Jarrett said yes.

Mr. Jarrett said they will have an outdoor classroom. He said education is an important aspect of the program.

Mr. Jarrett discussed the blue way. He said any problems on the blue way are to be reported to the DeSoto County Sheriff's Department. He discussed duck hunting and precautions that should be taken during the hunting season. He said the hunting season will be the worst time of year for canoeing so it may not be a problem.

Mr. Jarrett said the greenways committee has been discussing an adopt a stream program. He said the stormwater program will help to educate the public. He said they will probably do that on a watershed basis.

Supervisor Tommy Lewis said he is concerned about rail lines. He said that he wants to see it remain so that it can eventually transport people and provide other services.

Supervisor Bill Russell said the railroad has been sold. He asked if Mr. Jarrett has had contact with anyone to inform them. Mr. Jarrett said he talked about the railroad closing with the president of the new company. He said they talked about rail banking.

Supervisor Tommy Lewis thanked Mr. Jarrett for the thorough update.

5. Appoint Committee to Evaluate Energy Performance RFQ

At the recommendation of the County Administrator Michael Garriga, Supervisor Eugene Thach made the motion and Supervisor Bill Russell seconded the motion to appoint the County Administrator, Director of Administrative Services, Grants Administrator, Director of Building and Grounds, Supervisor Eugene Thach and Supervisor Allen Latimer as the committee to evaluate the RFQ's for energy performance. The motion passed by a vote as follows:

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

6. Board Attorney

a. DeSoto Road – Walls Water Line Relocation

Board Attorney Jody Neyman said, with the expansion of DeSoto Road, existing water lines need to be relocated. The County is requiring the relocation of the waterlines therefore the County must pay for the relocation of the water lines.

Supervisor Bill Russell asked if the same is true for moving electricity as well. Mr. Neyman said no.

Mr. Neyman said the estimated cost of relocating the water lines is \$142,000 and that includes \$6,000 of contingency funding.

Supervisor Tommy Lewis asked if they are required to follow County bid laws in doing the work. Mr. Neyman said yes, if the County does the work but that the Water Association is not bound by the same laws.

Supervisor Russell asked if the County is required to pay them now. Mr. Neyman said no. The County will reimburse them for their expenses.

Road Manager Russell Dorris asked if they allowed for the difference in cost between the six inch pipe and the upgrade to the eight inch pipe that will be installed as an improvement to their water system. Mr. Neyman said yes, it has been accounted for in the cost estimates.

Supervisor Eugene Thach made the motion and Supervisor Bill Russell seconded the motion to approve an agreement with Walls Water for the relocation of water lines on DeSoto Road and to authorize the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to handle execution of the documents. The motion passed by a vote as follows:

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

b. Craft Road/Olive Branch

Board Attorney Jody Neyman said that Olive Branch owes the County \$2.3 million for their portion of the extension of Craft Road. He said that Olive Branch does not have the money and are asking the County to revise the agreement to allow an extension in order for them to issue a bond to pay back any monies owed.

Supervisor Eugene Thach made the motion and Supervisor Bill Russell seconded the motion to approve extending the agreement with Olive Branch.

After discussing the issue, Supervisor Bill Russell asked if there is language that should be put in the agreement regarding a payment date in the event Olive Branch decides not to pay the County. County Administrator Michael Garriga said there may need to be a specific payment date for payment into the agreement. He explained that the previous agreement allowed for the bill to be paid 30 days after it was received by the city from the County.

Supervisor Allen Latimer asked, if we include a date and Olive Branch does not pay by that date, what will happen. Mr. Neyman said the matter can be taken to court or the date can be extended by the City and the County amending the agreement.

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to carry the item over until July 8, 2009.

The Board discussed that the City of Olive Branch has a Board Meeting later on today and carrying the item over may delay the action on behalf of the city if they do not have the information from the County.

Supervisor Bill Russell made the motion and Eugene Thach seconded the motion to approve extending the agreement with the City of Olive Branch for repayment for their portion of the extension of Craft Road.

After discussing the need to include a specific due date for payment in the agreement, Supervisor Russell withdrew the motion and Supervisor Thach withdrew the second.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to approve the interlocal agreement with the City of Olive Branch to secure repayment by the City

of Olive Branch for their portion of the extension on Craft Road with payment to be made by September 30, 2009. The motion passed by a vote as follows:

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

c. NRCS Projects

- (1.) Malone Road**
- (2.) Gwynn Road**

Board Attorney Jody Neyman discussed an opportunity for NRCS projects. Mr. Neyman said the Board will be required to submit paperwork to participate in the projects.

Assistant County Engineer Scott Young said the projects are funded 100% by NRCS. The County's only obligation will be to obtain the temporary construction easement and move utilities if necessary. Mr. Neyman stated that NRCS requires that a title opinion must be issued by the County attorney to certify that the owners of the properties have given the County and NRCS to enter on the premises. Mr. Neyman stated that his office would have to be authorized by the Board to procure the title work and assist NRCS and the County Engineer's Office.

Supervisor Allen Latimer made the motion and Supervisor Bill Russell seconded the motion to approve NRCS projects for the 2009 demonstration erosion control/Delta Headwaters site 3 on Malone Road, three quarters mile south of Byhalia Road, and site 6 on Gwynn Road, one half mile south of Starlanding Road and to authorize the County to obtain construction easements and move utilities if necessary and to authorize the law firm of Smith, Phillips, Mitchell, Scott and Nowak Law Firm to represent the County in that matter. The motion passed by a vote as follows:

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

7. Appointments - E-911

Vanessa Lynchard explained that the E-911 Commission is short on representation from the County. She said that Greg Phillips is the County Fire appointee and he works for the City of Olive Branch. Vanessa said if Mr. Phillips is moved to represent the City of Olive Branch, the Board can appoint the Director of EMS, Bobby Storey, to represent the County Fire on the E-911 Commission.

Supervisor Tommy Lewis asked if the City of Olive Branch has responded to the appointment. Vanessa said she has not received anything from the City of Olive Branch.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to appoint Bobby Storey as the DeSoto County Fire appointee to the E-911 Commission to fill the unexpired term of Greg Phillips who will be moved to the position for the City of Olive Branch on the E-911 Commission Board to fill the unexpired term of Bob Lincoln.

See Exhibit G.7

8. Dept. of Road Management – Walls Fire Dept. Parking Lot

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to approve two holes in the parking lot of the Walls Fire Department at an estimated cost of \$8,991.24. 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

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. Highway 301 and Starlanding Road

Road Manager Russell Dorris said we are in agreement there should be a traffic control device at the intersection of Highway 301 and Starlanding Road. He said that MDOT has agreed to do the finish work if the County will do the preliminary work. Mr. Dorris said this is likely to result in a four way stop with turn lanes. He said no right of way or utility relocation is required on the project.

Mr. Dorris said that MDOT will do the drainage, road widening, asphalt and basically all that is required.

Supervisor Bill Russell said that MDOT said if the County does the basic construction to add turn lanes, they will lay the asphalt and finish work. MDOT said there will be no signals because there is not enough traffic at this time to warrant a signal.

Mr. Dorris said he does not have a cost estimate but does not think it will cost a great deal of money. He said the work should be accomplished in the existing right of way.

No action was taken on this item.

2. Wilson Mills Road and Starlanding Road

Assistant County Engineer Scott Young said the Board needs to discuss a turn lanes on Wilson Mills and Starlanding Roads. He said we will need right of way on this project.

Supervisor Allen Latimer asked if there is money in the budget for the project.

Road Manager Russell Dorris yes, but it is not ear-marked for this project. He said the Road Department has been very frugal with the budget.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to authorize the Road Department to look into the right of way and turn lane at Wilson Mills and Starlanding Roads and determine the cost and report back to the Board of Supervisors. 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 Jessie Medlin seconded the motion to recess the meeting until July 8, 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 July, 2009, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Tommy Lewis, President
DeSoto County Board of Supervisors