

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

BILL RUSSELL, PRESIDENT 2010 PRESIDING

June 7, 2010

A. CALL TO ORDER

The June 7, 2010, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Bill Russell, Board President.

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

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

B. INVOCATION

Deputy Carl Hurt presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF MAY MINUTES

The official minutes of the Board of Supervisors were read for the month of May, 2010 pursuant to Section 19-3-27 of the Mississippi Code of 1972, Annotated.

Supervisor Allen Latimer asked if jail sites would be interpreted as any incarceration facility. The County Administrator said yes.

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to approve the May, 2010 minutes. 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

See Exhibit D

E. CONSENT

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

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

1. Dept. of Human Resources-Health Claims

The following is a recap of all insurance claims funded for the month of March and paid to Humana:

Funding Request	Date Paid	Amount	Claim Type
Date			
5/1/10	5/4/10	\$75,641.70	Administration Fees
5/3/10	5/4/10	\$85,996.01	Medical
5/3/10	5/4/10	\$4,916.75	Dental
5/3/10	5/4/10	\$13,923.33	Pharmacy
5/10/10	5/11/10	\$33,822.47	Medical
5/10/10	5/11/10	\$4,333.95	Dental
5/10/10	5/11/10	\$16,807.71	Pharmacy
5/17/10	5/18/10	\$60,467.14	Medical
5/17/10	5/18/10	\$4,687.30	Dental
5/17/10	5/18/10	\$19,592.59	Pharmacy
5/24/10	5/25/10	\$36,471.75	Medical
5/24/10	5/25/10	\$3,897.05	Dental
5/24/10	5/25/10	\$14,467.44	Pharmacy
	TOTAL	\$375,025.19	

2. Justice Court Report

Criminal Cases Filed – 137	State Assessments -	\$99,162.60
Civil Cases Filed – 447	County General Fund -	\$127,391.68
Traffic Tickets Filed – 1,276	Total Collections -	\$226,554.28
Total Cases Filed – 1,860		

3. Bailiff Pay

Liz Medlin - \$285.00 Lee Hodge - \$95.00 Shirley Holmes - \$230.00 Jason Motz - \$95.00

4. Approval of Publication of Board Proceedings

5. Make Part of Minutes:

- a. NRDC-McKesson-In Lieu of Taxes Agreement and Memorandum of Understanding**
- b. Interlocal Agreement-Town of Walls for General Road and Engineering Services**
- c. Youth Court-Appointment of Juvenile Drug Court Case Manager**

6. Inventory Dispositions-Final: County Buildings

Asset #	Serial #	Description	Reason for Disposal	Disposed of By	Location of Final Disposition
902014	n/a	Metro Heliport Bldg.	Removal for new construction of Hernando Health Department	KE	Demolished by Windham-McDonald

7. Safety Officer’s Report (1)

8. Appoint Gia Matheny as Assistant Receiving Clerk

9. Grants: Accept Solid Waste Tire Grants Administrator

10. Department of Road Management

a. Road Report and Work Schedule

b. Road Bond Report

11. Chancery Clerk Allowance (2) - \$1,200.00 \$1,400.00

12. Tax Assessor: Petition for Increases and Reductions Real & Personal Property Assessments

PETITION FOR REDUCTION OF ASSESSMENT									
STATE OF MISSISSIPPI						COUNTY <u>DeSoto</u>			
TAX ASSESSOR <u>Park Pickle</u>						REAL/PERSONAL <u>2009 ROLL</u>			
PAGE	LINE	DISTRICT	OWNER	PARCEL NUMBER	ASSESSMENT AS ON ROLL			AMT. OF CHANGE	REASON FOR CHANGE
					IMPROVEMENTS	LAND	TOTAL		
1253	8	5000	Banks James E. Etu	3087-36000-000230	0	1000	1000	1000	1
4560	3	3400	Sexton William N	1084-17000-0000100	0	16,321	16,321	9525	2
1583	13	4100	Bradford Terrace LLC	2081-36000-0000600	400,654	38,625	439,279	78,189	2
976	4	5030	Cole, Percy Etal	3063-07000-0000600	0	5,880	5,880	3,360	2
976	5	5030	Kinte Anwar	3063-07000-0000602	0	5,880	5,880	3,360	2
976	6	5030	Cole Adolphus D. Etu	3063-07000-0000603	0	5,880	5,880	3,360	2
976	7	5030	Cole Daniel Etal	3063-07000-0000604	0	3,000	3,000	2,100	2
976	8	5030	Cole James	3063-07000-0000605	0	5,880	5,880	3,360	2
976	9	5030	Davis Harold	3063-07000-0000606	0	5,880	5,880	3,360	2
976	10	5030	Cole Adolphus	3063-07000-0000607	0	5,880	5,880	3,360	2
976	11	5030	James Aaron Etal	3063-07000-0000608	0	3920	3920	1680	2
976	14	5030	Cole Andrew Sr.	3063-07000-0000612	0	2370	2370	1185	2
TOTALS CARRIED TO FORM 71-028					400,654	100,523	501,177	113,238	
Reason for change of assessments									
(1) Duplicate assessment (2) Clerical error (3) Calculation error									
(4) Erroneous assessments (5) Incorrect acreage (6) Buildings were not on the land									

PETITION FOR REDUCTION OF ASSESSMENT									
STATE OF MISSISSIPPI						COUNTY <u>DeSoto</u>			
TAX ASSESSOR <u>Park</u>						REAL/PERSONAL <u>2009 ROLL</u>			
PAGE	LINE	DISTRICT	OWNER	PARCEL NUMBER	ASSESSMENT AS ON ROLL			AMT. OF CHANGE	REASON FOR CHANGE
					IMPROVEMENTS	LAND	TOTAL		
1468	1	5000	Taylor, Bertha L.L.	4081-02000-0001700	0	5520	5520	4140	2
1468	2	5000	Logan T.D.	4081-02000-0001701	0	3680	3680	2760	2
1468	3	5000	Woods, Lee R.	4081-02000-0001702	0	3680	3680	2300	2
1468	4	5000	Woods, Larry Etal	4081-02000-0001703	0	5520	5520	4140	2
1468	5	5000	Lewis, Dillie Estate	4081-02000-0001800	0	450	450	300	2
1470	12	5000	Lewis, Dillie Estate	4081-11000-0002600	0	1950	1950	1800	2
3557	6	1300	McGee, Kevin Etu	1069-32260-0000200	78,864	7500	86,364	28,788	2
1769	6	5101	Angel Refael Etal	3074-1801.4-0000601	0	99,317	99,317	39,727	2
3917	6	1300	Bowen William Edges	2062-04070-0000202	2,788	7262	10,050	3572	2
1762	12	5101	Cooper Madeline	3074-1800.3-0001201	4100	1747	5847	4100	6
3457	3	1300	Smith Randy K. Etu	1069-3008.0-0000100	39,015	4752	43,767	4717	2
1520	5	5000	Laighter Robert W	4081-1401.0-00482.00	9641	2250	11,891	3764	2
TOTALS CARRIED TO FORM 71-028					134,408	143,628	278,036	100,248	
Reason for change of assessments									
(1) Duplicate assessment (2) Clerical error (3) Calculation error									
(4) Erroneous assessments (5) incorrect acreage (6) Buildings were not on the land									

PETITION FOR REDUCTION OF ASSESSMENT										
STATE OF MISSISSIPPI						COUNTY <u>Desoto</u>				
TAX ASSESSOR <u>Parker Pickle</u>						REAL/PERSONAL <u>2009 ROLL</u>				
PAGE	LINE	TAX	DISTRICT	OWNER	PARCEL NUMBER	IMPROVEMENTS	LAND	TOTAL	AMT OF CHANGE	REASON FOR CHANGE
	4066			Ranfor Redi-Mix	3898-000	70699	-0-	70699	70699	4
	1300			David Zammit	3464-000	1149	-0-	1149	1149	4
	4200			Happy Home Taproom	3840-000	216	-0-	216	216	4
	3200			TCF Equipment	3620-000	28769	-0-	28769	28769	4
	2400			Cash Depot	1725-000	278	-0-	278	117	3
	2400			Cash Depot	1725-001	278	-0-	278	117	3
	3200			Cash Depot	1725-002	278	-0-	278	117	3
	5101			State Farm Mutual	1250-000	2130	-0-	2130	1131	2
	4000			Susquehanna Farm	1660-001	1754	-0-	1754	1754	1
	1300			Catalyst Energy Vend	404-000	750	-0-	750	750	1
	1300			Mid-America Engine	1460-000	41143	-0-	41143	41143	4
	2400			LIT Construction	0009-001	68256	-0-	68256	68148	4
TOTAL & CARRIED TO FORM 71-028						835700	-0-	835700	214110	

Reason for change of assessments:

(1) Duplicate assessment (2) Clerical error (3) Calculation error
 (4) Erroneous assessments (5) Incorrect acreage (6) Buildings were not on the land

PETITION FOR REDUCTION OF ASSESSMENT										
STATE OF MISSISSIPPI						COUNTY <u>Desoto</u>				
TAX ASSESSOR <u>Parker Pickle</u>						REAL/PERSONAL <u>2009 ROLL</u>				
PAGE	LINE	TAX	DISTRICT	OWNER	PARCEL NUMBER	IMPROVEMENTS	LAND	TOTAL	AMT OF CHANGE	REASON FOR CHANGE
	2400			Tygris Vendor Finance	2640-000	44838	-0-	44838	4076	4
	5400			Rudco Western Furniture	3480-000	27095	-0-	27095	2150	3
	1900			Greenbank Animal	1649-000	9355	-0-	9355	2189	1
	5400			SMA Services	3727-000	4950	-0-	4950	2950	4
	2400			Cocaine Hills	301-000	2578	-0-	2578	2578	4
	1300			Kaye Physical Therapy	2993-000	3354	-0-	3354	672	3
	1300			Supplex Corp	3994-000	201277	-0-	201277	1758	2
	5101			De Lage Landen	865-005	11616	-0-	11616	10041	4
	1300			Lowe-Eastman Kodak	1056-002	3485	-0-	3485	3485	1
	2002			BTP Enterprises	001-000	348617	-0-	348617	32018	4
	2400			Mazuma Capital	4171-000	564042	-0-	564042	564040	1
	2400			Teane US Inc	4160-000	596150	-0-	596150	243419	1
TOTAL & CARRIED TO FORM 71-028						1,503,601	-0-	1,503,601	84,178	

Reason for change of assessments:

(1) Duplicate assessment (2) Clerical error (3) Calculation error
 (4) Erroneous assessments (5) Incorrect acreage (6) Buildings were not on the land

FORM 71-028
 (Rev. 10/07)

NOTICE TO INCREASE THE ASSESSMENT OF REAL/PERSONAL PROPERTY

STATE OF MISSISSIPPI COUNTY Desoto
 assessed to Mazuma Capital
 in 2400 Road District School District _____ Municipality _____
 To the Board of Supervisors of Desoto County, Mississippi
 Now comes Parker Pickle and gives notice as required by Section 27-25-107,
 Code of 1972, that the assessment of the property herein described should be increased; the
 said property being assessed on the 152009 personal Assessment ROLL of said County.

The additional assessment that is assessed to the said property should be INCREASED as shown below:

Page	Line	Parcel Number	Land Value	Improvements	Total Value	Total Increase
		5052000	-0-	576288	576288	576288

Reason for increase lesser to pay taxes
 Witness my signature this the 1 day of June, 2009
Parker Pickle Tax Assessor
 Acceptance by Taxpayer: _____ Date: _____

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

See Exhibit E

F. OLD BUSINESS

1. Jail Committee Report (Executive Session)

The Board of Supervisors determined that this item involved issues that made it appropriate and necessary to hear in Executive Session. See Executive Session, Session I.

After Executive Session, Session I, Supervisor Bill Russell said the Board of Supervisors discussed the property acquisition issue relative to the jail expansion. He said all that can be reported to the public is that there will be another discussion on Wednesday.

2. Animal Shelter-Animal Planet

Director of Administrative Services, Vanessa Lynchard and Director of Animal Control, Larry Houston, appeared before the Board of Supervisors to present information about the DeSoto County Animal Shelter being featured on the Animal Planet TV program.

Vanessa said the employees at the Shelter do a wonderful job. She said the Animal Planet staff has filmed at the Shelter several times.

Mr. Houston said discussions about the Animal Planet program began about one year ago with Shelly Bookwalter. Vanessa said that Shelly could not appear before the Board today because she is enroute to New York to promote the program on the Today Show and talk about her work with placing dogs in caring homes. Vanessa said that Al Roker of the Today Show adopted a dog through Shelly’s program.

Mr. Houston said he has known Shelly for several years and that she started a program placing older dogs about seven years ago. Mr. Houston said it is easier to place puppies than older dogs therefore the older dogs have to be euthanized. He said Shelly does a fantastic job of placing older dogs so that the Shelter does not have to put them to sleep. Shelly is a tremendous help to the DeSoto County Animal Shelter. Shelly has a program in place that will transport dogs to Atlanta, GA and Philadelphia, PA. Mr. Houston said the dogs are transported in a specialized vehicle and the program is set up extremely well.

Mr. Houston said this is going to be a great movie. He said that film crews started filming and riding with the Animal Shelter staff about a year ago. They followed the animal from the time it is picked up until it is adopted. Mr. Houston said there will be eight episodes beginning June 19th at 7:00 p.m.

Supervisor Bill Russell asked if DeSoto County is in all eight episodes and Mr. Houston said yes.

Mr. Houston said Shelly Bookwalter uses her own time and money and raises money as well as taking the animals to the vet. She cares for a lot of the animals in her home and is very involved in making sure the animals are placed in a caring home. Vanessa said Shelly has been a constant friend to the Shelter and to Larry in helping place dogs. Vanessa presented a resolution of appreciation for Shelly Bookwalter’s contribution to the DeSoto County Animal Shelter and caring for animals throughout the county as follows:

RESOLUTION OF APPRECIATION

Shelly Bookwalter

Shelly Bookwalter has worked with the DeSoto County Animal Shelter to find homes—not just houses—for animals since the shelter opened. She is a committed advocate for the shelter and has found good and loving homes for numerous shelter

animals. Ms. Bookwalter’s approach to helping animals incorporates thinking “outside the box.” Her tireless efforts have led to many partnerships that have resulted in placement of animals. In addition Shelly Bookwalter has provided diligent support to the DeSoto County Animal Shelter by addressing many needs at the shelter to help the animals or staff. She kept her faith in the shelter through many struggles to develop an affordable program that bridged the gap between compassion and responsible government.

Ms. Bookwalter developed a program to adopt pets from the shelter, while searching for good owners both locally and throughout the country. Her commitment is not just to save the lives of animals, but to ensure they have a quality of life with families that will love and care for them and to educate the public on the importance of spaying and neutering animals. Ms. Bookwalter’s efforts are much greater than the word “commendable” can describe.

In the future, the staff at the DeSoto County Animal Shelter looks forward to collaborating with Shelly Bookwalter on issues of mutual interest at the shelter. Her tireless efforts are an extraordinary example for others to follow.

Be it further resolved that the DeSoto County Board of Supervisors and the Animal Shelter staff look forward to the help and support of Shelly Bookwalter to adopt animals at the shelter and to promote the shelter so others will understand the importance of adopting shelter animals. The DeSoto County Board of Supervisors extends its sincere appreciation to Shelly Bookwalter for her tireless efforts on behalf of the DeSoto County Animal Shelter and wishes her continued success in her efforts to educate the public on animal issues and to promote a good quality of life of shelter animals.

This the 7th day of June, 2010, ordered and approved by the DeSoto County Board of Supervisors.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve a resolution of appreciation for Shelly Bookwalter and her work with the DeSoto County Animal Shelter and taking care of all animals throughout DeSoto County. The motion passed by a vote as follows:

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

Supervisor Allen Latimer thanked Mr. Houston and his staff and Vanessa for their work making the Animal Shelter such a success and said what an honor it is to be on the Animal Planet Program. Mr. Houston thanked the Board of Supervisors for their support of the Animal Shelter.

G. NEW BUSINESS

1. NRCS

a. Delta Headwaters Project

NRCS Director Scott Griffith said we got some money to fix two sites. One is a ditch near the Road Department on Gwynn Road and the other is located on Malone Road south of Byhalia Road. He said there is a total of \$374,000 plus for the project. It may not cost that much. This is the 100% federally funded with the County share being to obtain the temporary construction easements and relocate any utility lines that may come within the way of construction. Assistant County Engineer Scott Young said the easements are complete and all landowners have signed for this project. Mr. Griffith said they are requesting approval of the project agreement.

Supervisor Allen Latimer asked if there will be any responsibility on the county for maintenance. Mr. Griffith said yes, if there are any maintenance issues but there should be no maintenance required on the project.

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to approve the Board President to sign the documents in connection with the Delta Headwaters Project on Gwynn and Nail Roads. 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-----ABSENT

b. Temporary Easement to Horn Lake Creek

NRCS Director Scott Griffith said, after recent floods, we found a problem on the bridge over Horn Lake Creek to the edge of the golf course. He said they need to make application for that project. The total cost is \$120,400 and the county's share is \$30,100 and NRCS' share will be \$90,300. He said some part of the county's contribution will be in kind because of engineering that will be done in house.

Supervisor Bill Russell said North Creek has approached him about the situation. He asked that we let them know what we are doing and who the successful contractor is on the project so they will be able to get a price for doing work on their property.

Supervisor Allen Latimer made the motion and Supervisor Bill Russell seconded the motion to apply for the grant for an NRCS project on Horn Lake Creek and to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to work on the right of way and any other matters regarding the project in any manner necessary to complete the project. 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.b

2. DCRUA: Bank Stabilization-Camp Creek Watershed

Jim Ditto appeared before the Board of Supervisors representing DCRUA regarding an issue with erosion problems in all areas of the Camp Creek Watershed. He said the Corps has a contract to do four thousand feet of work on College Road. He said DCRUA has some bad caving on Camp Creek south of College Road. Mr. Ditto said there is money available and as a result, they submitted an application for the Bean Patch Creek area. He presented pictures of that area and there was a question about who would be the sponsor on the project. Mr. Ditto said, since DCRUA has the most involvement in this situation, they request that DCRUA be allowed to be the sponsor.

Supervisor Bill Russell asked what obligation DCRUA has to work on this issue. Mr. Ditto said they are obligated with right of way acquisition. He said since the original project agreement was made with the Board of Supervisors, the county would be required to release the project to DCRUA.

After discussing the issues, Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve the County's withdrawal as the sponsor and accept DCRUA as the sponsor for the work on the bank stabilization project in Camp Creek Watershed and to authorize the Board President to execute any documents necessary to accomplish this. 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. Inventory Dispositions-Preliminary

Inventory Clerk Amy Henley presented the preliminary inventory dispositions for the Chancery Court Administrator and Department of Emergency Services and to donate the items to other counties for use by their Search and Rescue Units as follows:

a. Chancery Court Administrator

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary
30516	MX931R1B20G	HP Printer	Broken	Building & Grnds

b. Dept. of Emergency Services & Approve Donation to Other Counties

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary
12011	6889	Boat Alpha	Surplus	EMA
12001	1341	Boat Alpha Trailer	Surplus	EMA
12010	4888	Boat Bravo	Surplus	EMA
12000	1201	Boat Trailer	Surplus	EMA

Donation:

Asset #	Serial #	Recipient
12011	Boat Alpha	Greene County EMA
12001	Boat Alpha Trailer	Greene County EMA
12010	Boat Bravo	Panola County EMA
12000	Boat Trailer	Panola County EMA

Supervisor Allen Latimer made the motion and Supervisor Jessie Medlin seconded the motion to approve the preliminary inventory dispositions for the Chancery Court Administrator and Department of Emergency Services and to donate the items from EMS to other counties for use by their Search and Rescue, the waiving of any public bid for the sale of such items being in the best interest of the taxpayers of DeSoto County and the citizens of the State, as describe in Exhibit G.3.b. 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. Accounting

a. Budget Amendments

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

- 1.) For various departments for worker’s comp to one department.
- 2.) Circuit Clerk-increased use of office supplies due to the increase in petitions and orders for youth court.
- 3.) Tax Collector-adjust line item to correct billing error on maintenance contract.
- 4.) Coroner & County-Wide Telephone-adjust maintenance contracts for additional telephone systems added during the year.
- 5.) Information Technology-set up line item to pay unemployment claim filed and charged to county.
- 6.) Circuit Clerk-adjust line item for purchase of binders and folders for circuit court.
- 7.) Coroner-new line item for purchase of new laptop computer.
- 8.) Sheriff’s Dept.-various accounts for budget deficits.
- 9.) Sheriff’s Dept.-adjust unemployment line to pay additional claims from personnel and purchase additional vehicles.
- 10.) Family & Children-adjust regular telephone budget for higher costs for equipment due to increased calls by larger staff.
- 11.) Circuit Court Reporters & Administrators-adjust mileage costs and dues for reporters and additional costs for salaries and postage stamps.
- 12.) Bridge and culvert fund-increase line item for higher than anticipated legal fees and cell phone costs.
- 13.) Holly Springs Road-adjust line item for additional legal fees-proceed with the Holly Springs Road Bridge Project.

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to approve the budget amendments as presented by the Comptroller and as detailed in Exhibit G.4.a. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Eugene C. Thach-----YES
 Supervisor Bill Russell-----YES

Supervisor Allen Latimer-----YES
Supervisor Tommy Lewis-----YES

See Exhibit G.4.a

b. Claims Docket

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

Supervisor Jessie Medlin asked where it shows if a person pays for their own phone. Ms. Hanks said it is not shown on the claims docket.

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

See Exhibit G.4.b

5. District 2 Park Funds

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to approve donating \$15,000 to the City of Southaven and \$15,000 to the City of Olive Branch from the District 2 Park Fund for their parks and recreation program. The motion passed by a vote as follows:

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

6. Dept. of Road Management

a. Hallum Estates Flooding

Road Manager Russell Dorris presented photos of flooding of Hallum Estates on May 14, 2010. The pictures showed the results of the flooding on the road. Mr. Dorris said it is in the best interest of the health, safety, and welfare of the public, to work off of the county's right of way to check and clean out ditches and remove any blockage which is hindering proper drainage.

At the recommendation of the Road Manager, in order to protect the health, safety and welfare of the public and to protect and preserve the safety and conditions of County public roads, in Hallum Estates, Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to allow the Road Department to work off of the county's right of way in Hallum States to check and clean out ditches and remove any blockage which may be hindering proper drainage. 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.6.a

b. Fountain Gate Drive

Road Manager Russell Dorris presented a letter that was written to the property owners, Milton and Diana Bell of 2634 Fountain Gate drive in Hernando, concerning abnormal water flow in a ditch in front of their property. Mr. Dorris said they have run tests on samples of the water and this is natural drainage and does not contain any contaminates such as sewerage or chlorine. The yard and the shoulder of the roadway next to the pavement are wet during all months of the year.

Mr. Dorris said the property owners are requesting that the county allow them to install culverts within the county’s right of way to eliminate the surface water. Normally a subdivision that has been designed with open ditch sections is better left open. Mr. Dorris said, due to this particular elevation, it could be better to allow them to drain the ditch with an enclosed culvert system. It could possibly allow the surface water to connect to the underground roadway cross drain culvert and into the normal existing drainage systems. Mr. Dorris said this solution would help to protect the health, safety and welfare of the citizens of DeSoto County.

Supervisor Tommy Lewis said he looked at the issue and he thinks it is the only solution.

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to allow the Bells to install a culvert to use the underground drainage system and they will bear all costs of installation and maintenance to this system. In addition, if there is any back water or roadway flooding caused by this installation, it will be their responsibility to eliminate any of these hazards and accept the consequences thereof. Included in the motion, it is the recommendation of the Road Manager that the Bells have a qualified licensed engineer to design this system and present it to the county engineer for his inspection and approval prior to beginning work on the project. 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.6.b

7. Facilities Management-Approve Affinity Lawn Care Contract for Landscaping Services

Board Attorney Tony Nowak said he has looked at the Affinity Contract for landscaping services and made a few changes.

At the recommendation of the Board Attorney, Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve the revised contract with Affinity Landscape for landscaping services in the county and as detailed in Exhibit G.7. 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.7

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. Roads-Valley Brook Drive (City of Horn Lake)

Road Manager Russell Dorris requested permission to work on an LSBP project on Valley Brook in Horn Lake. He said the design has already been sent to State Aid. We do not anticipate needing any additional right of way, but would like approval in case right of way is necessary. He said there may be unforeseen problems with an underground electrical apparatus. However, we have designed around that.

Supervisor Allen Latimer asked when they would start working on the project. Mr. Dorris said hopefully before the end of summer.

Supervisor Allen Latimer made the motion and Supervisor Bill Russell seconded the motion to allow the Board Attorney to work on right of way acquisition if necessary and to allow the Road Department to start work on the LSBP project on Valley Brook in the City of Horn Lake. 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-----ABSENT

2. Subdivisions-Lake of the Hills

Supervisor Allen Latimer said Director of EMS Bobby Storey gave him a letter regarding the house that burned in Lake of the Hills Subdivision. Supervisor Latimer said the Lake of the Hills Homeowner’s Association wants to know whether this is a responsibility of the county or the HOA.

Supervisor Allen Latimer made the motion and Supervisor Bill Russell seconded the motion to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to look into the house that is burned in Lake of the Hills Subdivision and determine if it is the county’s responsibility to remove the burned house. 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. NRCS Project /Horn Lake Creek Drainage District

Road Manager Russell Dorris said there is an NRCS Project going on that involves a partnership with Horn Lake Creek Drainage District. He said it will require a temporary construction easement from the county which we have already prepared for the Board’s approval.

Supervisor Allen Latimer made the motion and Supervisor Jessie Medlin seconded the motion to approve a temporary construction easement for on County property for Horn Lake Creek Drainage District for an NRCS project. 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. Facilities Management/Exterior Renovation Justice Court Bond

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to approve the county to sign a bond and for Kenny Evans to be the superintendent of the Justice Court renovation. 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

5. Delta Council

Supervisor Eugene Thach said he has been asked to serve on the Board of the Delta Council.

Supervisor Eugene Thach made the motion and Supervisor Bill Russell seconded the motion to approve expenses for travel for Supervisor Eugene Thach to any meetings associated with the Delta Council. The motion passed by a vote as follows:

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

6. WWII Event

The Board of Supervisors thanked the newspapers for their help in getting the word out to the public regarding the WWII event being held on June 26th at 10:00 a.m. on the courthouse lawn.

7. Flags at County Buildings

Supervisor Bill Russell said he was approached by a group that supports the public safety monument. He said this issue came up from a group of people when the two police officers were shot and killed in Arkansas recently. Supervisor Russell said that the County Administrator has done some research and it is clear that there are only certain times the flag can be lowered. Supervisor Russell said the public safety monument supporters have asked if we can have a standing order for the flag to be lowered at the site of the public safety monument if any member of public safety is killed or the other surrounding states.

County Administrator Michael Garriga said the only way we can do something is if the state approves such action and that is required for approval by the governor. Mr. Garriga said we are working with them now to find their position on such a standing order.

Supervisor Russell asked if we could write a letter to officially request that DeSoto County make the decisions for the flag located at the public safety monument.

Sheriff Bill Rasco said, because DeSoto County is so closely located to other such areas and we also work with them on a regular basis, he would like to be able to lower the flag. They do work with these other areas and after you work with them and develop relationships, you do care about them. He said other jurisdictions do this regularly.

Supervisor Russell said the request is to ask the governor to lower the state flag to half staff when a Mississippi public safety officer or public safety officer of the neighboring states is killed.

Supervisor Jessie Medlin said he thinks we need some sort of request from the jurisdiction that is being affected before we take such action.

Supervisor Eugene Thach said it will be hard for them to do that for other counties.

Supervisor Allen Latimer said the governor's office will have to make this determination. Mr. Garriga said they are researching the issue now. A formal request will only help. He said the governor's office needs to provide the specific rules. He suggested writing a letter for clarification of the policy.

Supervisor Thach asked why the governor would stop with one state surrounding DeSoto County. It seems it would be all states or nothing.

No motions were made nor votes taken on this issue.

8. Late Bill-Human Resources

In addition, Mr. Arnold presented a late bill for a travel voucher submitted by the Human Resources Director in the amount of \$300 plus for a trip to Dallas for a seminar on compensation.

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to approve the late bill in the amount of \$300 plus for the Human Resources Director are travel expenses to Dallas for a compensation seminar. 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 I.8

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to recess the meeting until June 9, 2010, at 9:00 a.m. The motion passed by a vote as follows:

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

THIS the 7th day of June, 2010, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Bill Russell, President
DeSoto County Board of Supervisors