

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

**TOMMY LEWIS, VICE PRESIDENT 2011 PRESIDING**

**March 21, 2011**

**A. CALL TO ORDER**

The March 21, 2011 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Tommy Lewis, Board Vice 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 Absent
- 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. CITIZEN COMMENTS**

Supervisor Tommy Lewis asked if there was anyone present who wished to address the Board of Supervisors. No one came forward.

**E. CONSENT**

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

Supervisor Jessie Medlin asked County Administrator Michael Garriga why the grant from Keep Mississippi Beautiful for Earth Day was turned down. Mr. Garriga said their money was short. He said the county applied for brochures for the Earth Day Event.

Vanessa Lynchard said that their funds were limited, and they did not feel they could support this application.

Supervisor Bill Russell asked if there was anyone present who wished to address the Board of Supervisors about the petitions for changes in tax assessments. No one came forward.

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

**1. Dept. of Emergency Services: Accept Restricted Donation from Delta Trauma**

**Care Region Inc. - Year End Supplemental Distribution - \$5,909.76**

**2. Petitions: Reduction & Increases of Personal Tax Assessments**

**Petition for Reduction of Taxes-Personal Property of Various School Dist. Various Totals: 1,261,795**

Parcel	Land	Improvements	Total Value	Change
Various	0	3,127,272	3,127,272	1,261,795

PAGE	LINE	TAX DISTRICT	OWNER	PARCEL No.	IMPROVEMENTS	LAND	TOTAL	AMT OF CHANGE	REASON FOR CHANGE
235	6		Vision Baseball	5362-000	9,061	0	9,061	8,289	4
310	2		JT Carwash	3079-001	5,301	0	5,301	5,301	4
233	1		United Rentals	1743-000	562,231	0	562,231	55,625	3
341	1		Quizno's #8871	3420-000	7,780	0	7,780	7,780	4
262	4		Matthew's Appraisal Group	2339-000	574	0	574	574	4
161	1		Patterson Warehouses	315-000	54,808	0	54,808	54,808	4
49	5		Grands	3519-000	1,518	0	1,518	1,518	4
238	3		Wireless Direct	3018-000	1,000	0	1,000	1,000	4
335	9		Paragon Home Loans	3413-000	1,229	0	1,229	1,229	4
371	4		Rexam	1583-008	85,414	0	85,414	85,414	7
371	2		Rexam	1583-009	13,289	0	13,289	13,289	7
371	3		Rexam	1583-010	11,192	0	11,192	11,192	7
371	5		Rexam	1583-011	26,100	0	26,100	26,100	7
371	4		Rexam	1583-012	10,555	0	10,555	10,555	7
371	1		Rexam	1583-013	38,299	0	38,299	38,299	7
				Totals carried to form 71-026	828351		828351	320973	

PAGE	LINE	TAX DISTRICT	OWNER	PARCEL NUMBER	IMPROVEMENTS	LAND	TOTAL	AMT OF CHANGE	REASON FOR CHANGE
372	1	1300	Rexam	1583-014	61687	0	61687	61687	7
372		1300	Rexam	1583-015	117729	0	117729	117729	7
340	6	2407	Proliance	1464-001	11604	0	11604	11604	8
340	7	1400	Proliance	1464-000	510293	0	510293	85234	8
120	2	3201	The Groom Shoppe	275-000	2244	0	2244	1800	4
162	6	1306	Diamond Comic	3983-001	632922	0	632922	16582	4
382	1	3502	Wells Fargo Financial	1816-004	179	0	179	179	4
120	3	1300	HP Financial	660-001	14902	0	14902	13469	2
189	2	1300	Ralcorp Holdings	4339-000	49592	0	49592	4508	4
168	4	1300	Prudential Collins – Maury	3602-000	903	0	903	903	1
32	1	2400	Beauty Systems Group	1149-002	21839	0	21839	21839	1
163	6	5101	Exxon Tigermart	1717-000	40015	0	40015	6265	4
				Totals carried to form 71-026	1,463,749		1,463,749	341799	
<b>Reason for change of assessments</b>									
<b>(1) Duplicate assessment</b>				<b>(2) Clerical Error</b>	<b>(3) Calculation Error</b>				
<b>(4) Erroneous Assessments</b>				<b>(5) Incorrect Acreage</b>	<b>(6) Buildings were not on the land</b>				

PAGE	LINE	TAX DISTRICT	OWNER	PARCEL NUMBER	IMPROVEMENTS	LAND	TOTAL	AMT OF CHANGE	REASON FOR CHANGE
89	1	3003	Mac-Gray Services, Inc.	1201-001	710	0	710	710	1
17	6	1300	Mac-Gray Services, Inc.	1201-005	371	0	371	371	1

17	7	1300	Mac-Gray Services, Inc.	1201-011	248	0	248	248	1
98	6	1300	EZ Cash II LC	1973-000	3536	0	3536	3158	4
18	7	1300	Caremed #634210	2686-000	81727	0	81727	43691	4
114	5	5406	American Music & Sound	3133-001	97614	0	97614	8874	4
235	2	2400	SC Kiosks Inc.	1894-000	57944	0	57944	50835	4
314	1	2400	L&T Construction	2209-001	525188	0	525188	437252	4
56	7	5100	L&T Construction	2209-000	9105	0	9105	2151	4
289	8	2400	Southland Chrysler – Jeep	2190-000	43241	0	43241	43241	1
24	1	1300	Angus Chemical	3055-001	1162	0	1162	1162	4
242	3	2400	Sunsations	3590-000	14326	0	14326	7330	1
			Totals carried to form 71-026		835172		835172	599023	
Reason for change of assessments									
(1) Duplicate Assessment			(2) Clerical Error	(3) Calculation Error					

Assessed	Parcel Number	Land Value	Improvements	Total Value	Total Increases
EQ Acquisitions 2003 Inc.	4175-003	0	17,981	17,981	17,981
Rexam Beverage	1583-000	0	1,822,984	1,822,984	326,940
William Sonoma Retail Services	355-001	0	1,331,102	1,331,102	1,041,124

**3. Finance & Accounting**

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

b. **Interfund Transfer**

From: General Fund                      \$5,350.00      (001-900-951)  
 To: Road Maintenance Fund      \$5,350.00      (156-000-387)

**4. Appointment of Special Prosecutor to County Court**-William B. Seale Cause no. S2010-0039

**5. Make Part of Minutes: Denial of Grant Application for Keep Mississippi Beautiful Grant**

**6. Office of Procurement: Bid Renewal with G & K for Uniforms in Department of Road Management**

**7. Safety Report**

**8. Chancery Clerk Allowance (2) - \$1,100.00      \$1,966.66**

The motion passed by a vote as follows:

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

**See Exhibit E.1**

**F. OLD BUSINESS**

**1. Jacobs Land Donation**

Board Attorney Tony Nowak said the Board received a letter whereby Jacobs Land offered to donate land to the county which is located in the City of Horn Lake. Mr. Nowak said the Board asked Mr. Nowak to look into why the City of Horn Lake did not accept property when it was offered to the City. Mr. Nowak said that Horn Lake says the title to the property is an issue. After the city researched title, they found there was no way to get a clear title. Mr. Nowak said said the Board may be able to get clear title to the property with some work but the amount of work will depend on exactly what the title defects are.

Supervisor Tommy Lewis asked if anyone knows how much tax money the county now gets on the parcel. Mr. Nowak said he does not know.

Supervisor Jessie Medlin suggested letting the City of Horn Lake deal with the offer.

Supervisor Bill Russell said he would like to spend a few hundred dollars to identify the problems to see if there is any interest among the Board of Supervisors in acquiring the land.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to allow the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to get a title search on the property connected to the Jacobs Land Donation and to make a recommendation on the offer of the land donation and determine the amount of taxes the county gets on the property. The motion passed by a vote as follows:

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

**G. NEW BUSINESS**

**1. 2011 Redistricting Plan – Republican Executive Committee - Precinct Changes**

Republican Committee Chairman Kevin Blackwell appeared before the Board of Supervisors and said he wanted to raise awareness to the Board regarding precinct changes in connection with redistricting. Mr. Blackwell reminded the Board of Supervisors that recently the county adopted a plan for the 2011 Redistricting. Those plans will result in the need for some precinct changes. Mr. Blackwell said addressing this need will provide the Board of Supervisors with a unique opportunity to get the changes in the precincts right for the next ten years. Mr. Blackwell said currently there are forty precincts and he thinks that is too many. He said he recently sent a letter to the Election Commissioners asking them to reduce the number of precincts. He also asked them to contain the city precincts so there is no overlap into the county. Mr. Blackwell asked the Board to take that into consideration. Mr. Blackwell said he has heard that the Election Commissioners want to increase the number of precincts. He said the precinct locations are a lightning rod for complaints. Mr. Blackwell said people argue that it confuses people about their precinct. He said we have a lot of precincts close together.

Mr. Blackwell said he wanted the Board to know that many complaints are brought to him about the precincts due to his position with the Republican Party. He said he thinks this confusion may add to voter apathy. He suggested using current municipal precincts for polling places and in the others use school boundaries for the polling areas and schools for the precincts. Mr. Blackwell said that Superintendent Kuykendall would not have a problem with that. Mr. Blackwell said the Ingrams Mill precinct is not encouraging for the voters at all with the condition of the building and the restroom facilities. He said signage is also a problem. He said we need to do what makes sense and what is practical.

Supervisor Jessie Medlin said Mr. Blackwell is right about the Ingrams Mill precinct. He said we are looking at some new places for that precinct.

Supervisor Bill Russell said he has received the same phone calls about the precincts as well as calls from several mayors. He said the Mayors would like our precincts to match the municipal precincts. He said the mayors seem to think this can be done. The Election Commissioners say it cannot be done. He said there are a lot of people involved and he would like to recommend forming a committee of two Board members to meet with the Mayors and Election Commissioners to see if this is feasible. Mr. Blackwell said it seems to make sense to reduce the number of precincts, but it does need to be looked at closer.

Board Attorney Tony Nowak said that Chris Watson is the Board's consultant and he would need to be on the committee as well. He further noted that Mr. Watson would be meeting with the Election Commissioners and others to discuss this issue as part of revising the voting precincts as a result of the redistricting.

Supervisor Medlin said they need to remember that the cities may change their boundaries before the next election. Mr. Nowak and Mr. Garriga both agreed. Supervisor Medlin said that is correct but we need to have the discussions so that all parties can agree.

Supervisor Medlin said if you reduce the number too much, you will discourage the people from voting. Supervisor Lewis agreed.

Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to form a committee of two supervisors to meet with the mayors and Election Commissioners about the polling place changes. After discussion, the Board of Supervisors appointed Supervisor Bill Russell and County Administrator Michael Garriga to the committee. The motion failed by a vote as follows:

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

Supervisor Thach said he is concerned about the Board getting involved in this process.

Supervisor Medlin said one of the biggest problems is the voters do not look at their voter registration card.

## **2. Planning Commission**

### **a. Third Bridge Study: Public Meeting Schedule**

Planning Director Jim McDougal said the Memphis MPO and the Department of Transportation in Tennessee, Mississippi and Arkansas are sponsoring an environmental impact study for a third bridge over the river. He said they have been working for several months and are now ready to conduct public meetings in the next few weeks. Mr. McDougal said Monday, March 28, a meeting for DeSoto County will be conducted at the M.R. Dye Library from 4:00 till 6:30.

Mr. McDougal presented a timeline and the proposed alignment along I-69 to Millington. Mr. McDougal said they will narrow it to three sites and study those more closely.

Supervisor Bill Russell asked what happened to the study that was done two or three years ago. He said the results of that study appeared that the bridge would be built in Memphis south of the Harahan Bridge. Mr. McDougal said that was a feasibility study only. No motions were made nor votes taken on this item.

**See Exhibit G.2.a**

**b. Scrivener’s Error on Bridgetown Subdivision Plat**

Planning Director Jim McDougal said a scrivener’s error needs to be corrected on the Bridgetown Subdivision Section E final plat. He said the north property line of lot 674 needs to be corrected to read 120 feet instead of 60 feet. The north property line of lot 675 should read 121.22 feet instead of 60 feet.

Supervisor Tommy Lewis asked if there was anyone present who wished to make comments about these changes. No one came forward.

Supervisor Lewis asked if these are the lots the homeowners association put in. Mr. McDougal said yes. Supervisor Lewis said it is easy to see that this is just an error.

Chancery Clerk Sluggo Davis said he needs a copy of the changes in the Chancery Clerk’s office.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to approve correcting a scrivener’s error in the Bridgetown Subdivision Section E final plat to change the north property line of lot 674 to 120 feet instead of 60 feet and north property line of lot 675 should read 121.22 feet instead of 60 feet. The motion passed by a vote as follows:

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

**See Exhibit G.2.b**

**3. Honor Award for Star Landing Road Underpass Project**

County Engineer Andy Swims said he attended an engineering designs awards council meeting. Mr. Swims said the Pickering Firm submitted Star Landing Road Underpass Project to be considered for an award. Star Landing Underpass was selected for an honor award for excellence. Mr. Swims said there were eleven other competitors and they were all quite impressive. Mr. Swims presented the plaque that was awarded to the Board of Supervisors for the 2011 Engineering Excellence Honor Award for the project.

Supervisor Eugene Thach made the motion and Supervisor Bill Russell to accept the 2011 Engineering Excellence Honor Award for the Star Landing Road Underpass 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-----ABSENT
- Supervisor Tommy Lewis-----YES

**See Exhibit G.3**

**4. Finance & Accounting: Supplemental Claims Docket**

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

Supervisor Jessie Medlin asked if this is the first payment for the corridor study on page 69. Ms. Hanks said no, it is not the first payment.

Supervisor Tommy Lewis asked about an update on page 70 of the docket for the jail renovation.

County Administrator Michael Garriga said the design is almost complete and the architect will appear before the Board very soon to give an update on the project. Mr. Garriga said engineering is 75% complete. He said we hope this project will continue moving forward at a good pace.

Supervisor Bill Russell asked if there will be a ground breaking at the jail site. Mr. Garriga said yes.

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 Jessie Medlin seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Chief Financial Officer. The motion passed by a vote as follows:

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

**See Exhibit G.4**

#### **5. Board Attorney: 2011 Redistricting Contract with Circuit Clerk**

Board Attorney Tony Nowak said Circuit Court Clerk Dale Thompson is eligible to receive certain fees for services in changing and updating books and other services related to the redistricting. Mr. Nowak said it is a lot of work involved for that office in connection with redistricting. Mr. Nowak said the Circuit Clerk is entitled to receive up to \$25,300 under the statute, and she is requesting \$25,000 to be paid in equal monthly installments paid through September 30, 2011.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to approve the contract for services for the Circuit Court Clerk for redistricting duties for the county at a rate of \$25,000 paid in equal monthly installments paid through September 30, 2011. The motion passed by a vote as follows:

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

**See Exhibit G.5**

#### **6. Human Resources: Procurement of Broker Services**

Human Resources Director Janna Rogers said they would like to make a recommendation to the Board to implement a process to procure insurance brokers and insurance for the county. Ms. Rogers said this item was previously discussed in the Board Meeting. She said the county uses a number of insurance products that represent a high cost in the county budget. Ms. Rogers said they recommend a committee approach in the selection of an insurance broker and insurance products. She said they recommend the committee be composed of a number of individuals. Ms. Rogers said first, they would like to put out a request for broker services to represent each line. She said the lines in which we are seeking broker services are general liability insurance, group health, life, disability, supplemental and worker's compensation. Ms. Rogers said they recommend the committee consist of one member of the Board of Supervisors, one Elected Official, County Administrator, Procurement Director, Human Resources Director, County Board Attorney and the County Chief Financial Officer. She said they would like to start the process and they have prepared a proposal to seek broker services. Ms. Rogers said before they prepare the bid qualifications, they would like the Boards' approval of the committee to review the proposal before it is publicized.

Supervisor Tommy Lewis asked how the broker is compensated. Ms. Rogers said typically the broker receives commissions from the insurance company. All companies pay a percentage of

the commissions. She said they hope a broker of record can act on the county's behalf. Ms. Rogers said the committee could select a broker for all lines or a different broker for each line of services. Ms. Rogers said the insurance company pays their commission. She said the committee would look at the association between the broker and the company giving the committee the opportunity to know the percentage of payment between the company and broker. The committee will also have awareness of the opportunity offered to the county. She said the committee can scrutinize each of the products lines to obtain information. Ms. Rogers said they are not recommending the broker act independently in the selection for the services. She said they want the county to be part of the process.

Supervisor Jessie Medlin verified that currently the county uses Rex Haynes and Ric Stallings for the services. Mr. Garriga agreed, but said they have never been identified as brokers of record. Mr. Garriga said the county is growing and we must ensure that we are keeping up with the best opportunities for insurance for the county. Mr. Garriga clarified that this recommendation has nothing to do with any issues or misrepresentation on behalf of our current brokers. He said they both do a fine job.

Supervisor Bill Russell asked if they will do an RFP for bids on every product line. Mr. Garriga said the process is very intense and deferred to Vanessa.

Vanessa said it can be written to request exactly what we want. She said it can be based on past and present experience of the broker, how much time they will devote to the county, are they accessible and many other requirements. Vanessa said they will interview each service individually.

Ms. Rogers said it will also be based on their credibility and quality of products. She said in some cases they will not be able to go strictly with the lowest price. You have to look at the complexity, credentials and service levels. This is a very detailed type of purchase.

Vanessa said that Mr. Garriga and Ms. Rogers gave her information and instructions on what they were looking for in a provider. She said the committee approach will not leave selection up to one person. It will be a coordinated effort.

Ms. Rogers said the same committee will be over the entire process.

Supervisor Lewis asked what effect it will have to set a percentage on the dollar amount for the broker. He said the final selection would know on the front end what to expect.

Board Attorney Tony Nowak said that the commissions between the broker and the company and the County would not be able to set commission rates.

Supervisor Lewis said he is concerned that relationship will already be established and it will affect the county.

Ms. Rogers said the final section is up to the committee.

Vanessa said it will be clear in the RFP and we will have the ability to shop for the best prices and service. She said it is a tedious task. Vanessa said what is advantageous for the bidder may not be advantageous to the county.

Supervisor Russell asked if the bidders will disclose their information. Ms. Rogers said yes. We are asking for any relationships, ties, financial ties, levels of service, who they serve that is the same size as county, current references, cancelled contracts and other information.

Supervisor Jessie Medlin asked if it will be someone local who will be accessible. Ms. Rogers said servicing is a big part of the RFP. They must have a local presence with networks big enough to meet all our needs.

Vanessa said it may be evident that most of the providers have a close association. Hopefully, the best recommendation will be one with the best service. She said we probably cannot get away from a broker/company associate, but that could be a plus for the county.

Mr. Garriga clarified that the county is getting good service now but we just want to broaden the scope of the process and make sure we are keeping up with our growth.. Ms. Rogers said the size of the county commands that we broaden the process.

Supervisor Russell said he knows the committee size needs to be reasonable. He said he would like to see any elected official have the opportunity to participate. Ms. Rogers said it will be an extreme commitment for the committee. The committee needs to be made of those who can commit to seeing the process through to completion.

Mr. Garriga said it will be a public process and anyone who wants to participate is welcome to do so.

Supervisor Russell said attending and participating are two different things. He said he thinks anyone who wants to should be able to participate.

Supervisor Lewis said the elected officials could have a spokesperson on the committee to bring the concerns of all elected officials.

Supervisor Russell asked Chancery Clerk Sluggo Davis asked how he felt about it as an Elected Official. He said he is against large committees.

Supervisor Russell asked if this item can be held over until the next meeting to give the Elected Officials a chance to show their interest.

Mr. Garriga said he can send an email to the Elected Officials regarding their thoughts about the committee.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to hold this item over until April 4<sup>th</sup> to determine the interest of the Elected Officials and to appoint Supervisor Jessie Medlin as the Board of Supervisors appointee to the insurance committee. The motion passed by a vote as follows:

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

**See Exhibit G.6**

#### **7. Appointments: Reappointment of W. E. Ross to Horn Lake Creek Interceptor Sewer Commission**

At the recommendation of Richard Wright, Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to reappoint W.E. Ross to the Horn Lake Creek Interceptor Sewer Board of Commissioners. The motion passed by a vote as follows:

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

**See Exhibit G.7**

#### **8. Coroner – Unclaimed Body**

Vanessa Lynchard said Coroner Jeffrey Ponders reported that an unclaimed body had been at the morgue for about eight days. She said Mr. Ponders initially felt like they could find someone to

claim the body, but they have not been able to. He knows the person has a vehicle and a bank account. Eight days after the death, the hospital told the Coroner the body must be moved. On Friday March 18<sup>th</sup>, the Board of Supervisors was polled and approved cremation of the body. The body has been cremated and the county may be able to make a claim against the estate. The cremation cost approximately \$400 to \$500 and there is also a transportation fee involved.

Board Attorney Tony Nowak said if an estate is already open the county can file against it to collect the cost. If the estate is not open, it will cost more to open it than the claim is worth. Mr. Nowak said he could check with Chancery Court to see if there is an estate set up.

In accordance with Section 41-39-5 of the Mississippi Code, which states any coroner acquiring possession of a dead human body which is not claimed for burial or cremation within forty-eight hours of its acquisition shall give written notice thereof to the board of supervisors. If the body thereof shall not be claimed within five days the board of supervisors shall authorize and direct the burial or cremation and burial of the residue of such dead body. The reasonable expense of such burial or cremation and burial of the dead body shall be borne by the county of residence or settlement of the dead body thereof is located. It shall be the duty of the board of supervisors to make arrangements for the cremation and burial of the dead body and the expense of such shall be borne by the county of residence, Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to acknowledge prior approval for the cremation of Jim Allen Brooks as an unclaimed body and to authorize the Smith, Phillips, Scott, Mitchell, Nowak Law Firm to look into the estate of the unclaimed body. The motion passed by a vote as follows:

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

**See Exhibit G.8**

## **9. IT Presentation – Email Conversion**

IT Director John Mitchell said the conversion from Lotus to Microsoft Outlook on the county email system has been completed. He said this will modernize our system to be more compatible with industry standards and represents a cost savings in maintenance of the system. Mr. Mitchell said this is the most common program that is used today. He said each of the Board members have a county email address and they will be more than happy to provide instructions on checking their mail. Mr. Mitchell said each Board member has a user name and password.

Supervisor Bill Russell said it is all he can do to keep up with one email. He asked Mr. Mitchell if they can point the county email address to his existing email address. Mr. Mitchell said yes. He said this will forward from your county email to your personal email if that is what the Board chooses to do.

## **10. Environmental Services: Solid Waste Committee Report**

Environmental Services Director Jim Bearden said the county is using Jim McNaughton to bid out solid waste. He said there are eight different companies that are interested and they have experience in providing this service.

## **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. Sheriff's Dept.-Commissary**

Sheriff Bill said they have collected quite a bit of money in their commissary account. Sheriff Rasco said when prisoners leave the jail they sometimes do not take their money. He said the Sheriff's Department does not have a way to contact them to ask what to do with the money.

Board Attorney Tony Nowak said there is an ordinance in place for unclaimed or abandoned property. Mr. Nowak said that money goes into the general fund to be used for the benefit of the Sheriff's Department.

**2. Board of Supervisors Travel**

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve travel and expenses to the MAS Convention being held June 20-23, 2011 for any Board member and the Board Attorney. The motion passed by a vote as follows:

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

**3. Broadband Update**

Supervisor Bill Russell asked the status of the broadband initiative. County Administrator Michael Garriga said Commissioner Brandon Presley will attend the April 4<sup>th</sup> Board meeting. Mr. Garriga said alternate services providers are expected to attend as well. These providers have expressed interest in presenting their information to the Board and discussing their services. He said he has talked to AT&T and Comcast about attending the meeting as well. He said they want to show the Board their long range plans and the footprint for the county.

Supervisor Russell asked if that needs to be a night meeting. Mr. Garriga said that is a possibility. He said he thinks there are some opportunities available now that were not available in the past.

**4. Planning Commission-Road Bonds**

Supervisor Bill Russell said he has received calls from a developer which made him start thinking about the situation with developers during this economic downturn. He said he would like to see if there is a possibility the county can help give some relief with undeveloped subdivisions.

Supervisor Russell said one issue relates to when the county has approved subdivisions several years ago. He said as soon as the developments are approved the developers must bond the roads. He said there is one subdivision that was approved eight years ago and the developer has been paying notes on the bonds for each year. Supervisor Russell asked if there is a way and/or does it make sense to tell the developer who has not started the subdivision to release the bonds until they start the subdivision.

Supervisor Eugene Thach said the regulations would have to be changed.

Supervisor Russell said it will only be for developers who have received approval, but have not yet started their subdivision. He said is there is a way to help the developers he thinks the Board should do so.

Supervisor Jessie Medlin asked if he is talking about when the streets are already in the subdivision. Supervisor Russell said no. He is talking about when the plans are approved, but no dirt has been turned.

Board Attorney Tony Nowak said they could come back to the Board and request the bond be released.

Supervisor Russell said if the Board adopts that authority, how will the inspectors know when it is in place and when it is not.

Chancery Clerk Sluggo Davis said if he were a developer he would be more interested in cutting his taxes by joining the lots than the bonds on the roads.

Planning Director Jim McDougal said once a developer has received preliminary approval, they can start the roads. He said many times they will plat and record before they start the roads.

Supervisor Russell asked if we are looking at whether or not the developments had started within two years. He asked if Mr. McDougal would bring those subdivisions to the Board. Mr. McDougal said yes.

Supervisor Russell said the purpose of the bond is to fix the roads if a house is already built in the subdivision and the developer defaults.

Supervisor Eugene Thach said he would like to hear from the staff before he votes. He said before we reduce it, he would like to know why.

Supervisor Russell asked if there is a problem in the Chancery Clerk's office with this process. Mr. Davis said no, not as long as he has notice of the Board's action.

Supervisor Russell asked if this affects the county road department.

Road Manager Russell Dorris said however the Board wants to react is fine with him.

Mr. McDougal said there was so much construction in the county until two or three years ago, this was not an issue. Over the past couple of years, timing has become an issue. Mr. McDougal said to keep in mind that we are dealing with a different set of circumstances with each subdivision.

Supervisor Tommy Lewis said if this Board says no bond needs to be posted and no construction is started, would that be appropriate. Supervisor Lewis asked how they can be sure a lot has not been sold.

The Board discussed that there would be no way to know if a lot had been sold in a subdivision so it may not be possible to take action on this request.

## **5. Acquisition of Right of Way-Holly Springs Road**

At the recommendation of the Board Attorney, Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to authorize the Clerk to write a check in the amount of \$2,067.58 for right of way on of .207 acres on Holly Springs Road belonging to William and Teresa McDermott and based on prior approval of the Board of Supervisors. The motion passed by a vote as follows:

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

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to adjourn the meeting until April 4, 2011 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-----ABSENT  
Supervisor Tommy Lewis-----YES

THIS the 21<sup>st</sup> day of March, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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Tommy Lewis, Vice President  
DeSoto County Board of Supervisors