

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

BILL RUSSELL, PRESIDENT 2010 PRESIDING

March 15, 2010

A. CALL TO ORDER

The March 15, 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

Supervisor Eugene Thach presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. CONSENT

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

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

1. Safety Officers Report (2)

2. Make Part of Minutes

a. Interlocal Agreements-Collection of Taxes

(1.) Town of Walls

(2.) City of Olive Branch

b. County Audit Contract Amendment

3. Appointments: Requisition Clerks, Accounting - Remove Sarah Clenney/Add Stephanie Hanks

4. Purchasing: Solicit Bids for Fleet Maintenance

5. Department of Road Management

a. Recommendations to Sell & Purchase Excavators

Sell: Volvo EC 240 BLC, S/N 0080506, Purchased 02/2007
Purchase Price: \$156,978.00
Buy Back Price: \$128,000.00
Three-Year Usage: \$ 28,978.00
Yearly Usage: \$ 9,659.00
Monthly Usage: \$ 804.91

Sell: Volvo EC 290BLC, S/N 0080251, Purchased 2007
Purchase Price: \$168,221.00
Buy Back Price: \$137,436.00
Three-Year Usage: \$ 30,785.00
Yearly Usage: \$ 10,261.00
Monthly Usage: \$ 855.00

Purchase: Two (2) Volvo EC 290 CLC Excavators with options
Price: \$194,128.00/each X2 + \$838,256.00
Price after Buy Back: \$104,128/each X2 + \$208,256

b. School Bus Turnarounds

Location	Bus #	Owner	Phone
2427 Hinds Lane	185	Luanne Eaton	901-826-1490
5050 Hwy. 304 West	270/219	Betty Arnold	662-429-4216

6. Chancery Clerk Allowance (1) \$2,416.66

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

See Exhibit D

E. OLD BUSINESS

F. NEW BUSINESS

1. GIS

a. MARS Project Update

Director of GIS Matt Hanks gave an overview of the MARS project. Mr. Hanks said MARS is a Geospatial Information Science & Technology (GIS&T) high school/community outreach program sponsored by the Enterprise for Innovative Geospatial Solutions (EIGS) & the IHL Geospatial Education Council. MARS is primarily funded through EIGS at the University of Mississippi. Mr. Hanks continued with his presentation. Mr. Hanks said Northwest Community College serves as the statewide coordinator of the program. He said that Northwest contacted him and said that Lake Cormorant is the first school in DeSoto County to participate in the program.

Mr. Hanks introduced a teacher from Lake Cormorant Middle School, Mr. Michael Rodgers. Mr. Rodgers said he is the technical coordinator for the school and works with students in GIS. He said the students are working on a project for DeSoto County called "Get to the Point". The students are gathering point of addresses and verifying names for homes and businesses in its school attendance zone. The students are currently targeting mobile home parks, Walls area and

apartments. Mr. Rodgers said he tried to get some of the students to attend the Board Meeting but since they are out of school for Spring Break, he was unable to get anyone.

Supervisor Bill Russell asked if the students give the information to Mr. Hanks to input into the system. Mr. Hanks said no, the state gave the schools laptop computers, GPS systems and the same GIS software used by the County. Mr. Hanks helps facilitate the process and provides training on the software and GPS.

Supervisor Russell said it sounds like a win/win project.

Mr. Rodgers said he is excited to help with the project.

See Exhibit F.1.a

Mr. Hanks said his new employee will begin work March 29, 2010.

b. Census Update

GIS Director Matt Hanks said if anyone has been listening to the radio or watching TV, they have heard about the 2010 Census Campaign. He said the Census Committee is trying to communicate to each community how vital the census is for every community. He said the census results will affect federal funding and redistricting.

Mr. Hanks said census data is due April 1. Everyone will receive a census form by mail beginning today, March, 15th. He said we want to get the word out that everyone must be counted. Mr. Hanks said there is a "Take 10" initiative to get the forms filled out. He said they hope to increase the 72% response rate from the last census. Mr. Hanks said from March 22nd to April 3rd, you can go to the web site to see how well the response is going. Mr. Hanks said we are hoping for more participation than the last census. He said DeSoto County has organized a Complete Count Committee to get the word out to everyone. Horn Lake and Olive Branch participated by displaying banners and the county has updated our web site. He said we want to exceed the 72% response this year.

Supervisor Bill Russell asked the date when everyone can expect to receive the census form. Mr. Hanks the forms should be received by April 1st. Supervisor Russell asked if there is a phone number available if you need a replacement form. Mr. Hanks said there is a form on the census web site and the census office in Horn Lake has them as well. Starting March 22nd, data can be tracked for daily participation rates. It may be good to have that information printed in the newspaper.

Mr. Hanks said people need to know that a valid census worker will present a badge and a bag with them. They will not ask to come into anyone's home.

Supervisor Allen Latimer said the Board appreciates Mr. Hanks' help in getting the word out about the census to the public and we knew the importance of the public responding to the census. He said the census information has a great impact on our county and Supervisor Latimer thanked Mr. Hanks for his efforts in getting the citizens to participate. Mr. Hanks thanked Supervisor Latimer and said this is a cooperative effort between the counties, cities and citizens and others.

Supervisor Russell asked if the county must be redistricted before the elections. Mr. Garriga said yes.

Supervisor Latimer said there was a newspaper article that said this could be the same issue that occurred thirty years ago. We could have an election in 2011 under the last census numbers and then have another election in 2012 under the new census numbers.

Supervisor Thach said we need to do everything we can to get the numbers right.

Supervisor Medlin asked how long have non citizens been counted. Mr. Hanks said he thought they have always counted non citizens.

Supervisor Latimer said you could end up with non citizens having as much voting power as citizens. He asked if the county needs to hire someone to submit the redistricting.

Mr. Garriga said the Council of Government wants to work together. Mr. Garriga said he has already volunteered the county's GIS Department. He said we know the timeline will be tight so it may be a good idea to bring someone in to assist with redistricting. Mr. Garriga said however we can pool our resources in addition to using the assistance of outside people and the county GIS system will be good.

Supervisor Medlin said it looks like we can do our own plan with the resources we have now.

Supervisor Russell said he wants to be careful. He said he thinks the only help we might need is to be lobbying Washington to get the numbers right.

Mr. Garriga said the data starts coming out in December and the final numbers will be sent in April. He said this is different than it was ten years ago because the timeline of the election is different.

Supervisor Latimer asked if Mr. Hanks thought a consultant would be of benefit on this project. Mr. Hanks said his department feels comfortable facilitating this process and will assist in training on the GIS system. Once the numbers come in he does not think it will take much time to get the information to the Justice Department. Supervisor Latimer asked if quotes from an outside source can be obtained in time for the next Board Meeting. Mr. Garriga said yes.

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to instruct the County Administrator to get prices from consultants for redistricting by the April 5th Board Meeting. 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.b

2. Renovation of Old Health Department and DHS Building

County Administrator Michael Garriga said Region IV Mental Health will be locating in DeSoto County formally by October 1st but they would like to be here by August 1 to be fully ready in October. He said in order to meet that date, they need a building. He said if they can temporarily use the building that was located by the Health Department and DHS they can open by August 1st. They can work out of that location for 2-3 years. Mr. Garriga said there is money set aside in the budget to do some renovations such as painting, replacing flooring, light fixtures and other small renovations. He said this building is in reasonable proximity and wanted to know if the Board was interested in considering that as a temporary location.

Supervisor Jessie Medlin asked how much the renovations would cost. Mr. Garriga said there is approximately \$40,000 set aside for cosmetic renovations to the building. He said he does not have complete knowledge of the repairs and required renovations so he does not know exactly how much it will cost. Supervisor Medlin said he just did not want to spend a lot of money for renovations and furnishings. He said he does not want to furnish a building for a long period of time. He said we if we do we should get part of that back through refunding. Supervisor Medlin said in addition, the county should not pay their utilities. Mr. Garriga said it should be only for a short term because Region IV would like to own their property. Supervisor Medlin said the utilities need to be added in as well.

Supervisor Bill Russell asked if the jail site selection should be delayed until this decision is made. Mr. Garriga recommended the site for the jail be made within the next 30 days so that Region IV can be in DeSoto County by October 1st.

Supervisor Medlin asked how many employees they will have. Mr. Garriga said he does not know.

Supervisor Allen Latimer asked if Mr. Garriga will follow-up to verify what Region IV needs. Mr. Garriga said he will follow-up with Region IV as well as look at other sites.

3. Accounting

a. Budget Amendments

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

- 1.) Circuit Court-the number of appeals filed by indigent defendants was more than originally anticipated.
- 2.) Self-Funded Insurance-to adjust vision premiums line item. The actual cost of the premiums is more than originally anticipated.
- 3.) 2010 Capital Expenditures Fund-adjust line item 550 to cover legal fees that were more than anticipated..
- 4.) Chancery Court Administrator-adjust line item 543 for work on administrator's computer.

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.3.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 F.3.a

b. Bids Under Advisement: Depository

Supervisor Allen Latimer recused himself from discussion on this item.

Comptroller Tom Arnold presented a re-bid for depositories. He said more bids were received in this bid than the last time. Mr. Arnold said that twelve banks responded and there bids are as follows:

RECAP OF COUNTY DEPOSITORY BIDS							
(Bids opened 3-11-2010)							
	BID DETAILS						
	Bancorp	First	Trustmark	DeSoto County	BankPlus	SunTrust	Regions
	South	Tennessee	National Bank	Bank	Bank	Bank	Bank
	(HERNANDO)	(HERNANDO)	(HERNANDO)	(HORN LAKE)	(HERNANDO)	(HORN LAKE)	(Hernando)
1. Demand Deposit Accounts							
(Non-Interest Checking Accounts)							
Monthly Fee	0	\$17.00	0	0	0	\$7.00	\$20.00
Debit Fee	0	\$0.17	0	0	0	\$0.09	\$0.18
Items Deposited Fee	0	\$0.10	0	0	0	\$0.11	\$0.10
Deposited Items Returned Fee	0	\$5.50	0	0	0	\$5.00	\$10.00
Other Fees	N/A	Various	0	0	0	Various	Varies
***ACH Debit/Credit							
(Interest Bearing Checking Accounts)							
Monthly Fee	0	\$17.00	0	0	0	\$7.00	\$20.00
Debit Fee	0	\$0.17	0	0	0	\$0.09	\$0.18
Items Deposited Fee	0	\$0.10	0	0	0	\$0.11	\$0.10
Deposited Items Returned Fee	0	\$5.50	0	0	0	\$5.00	\$10.00
Minimum Balance to Earn Interest	0.00	1000.00	0.00	1000.00	0.00	\$0.00	Varies
INTEREST RATE BIDS	Variable- 1 Year-	Variable No 1 Year Bid	Variable- 1 Year-				
	Fed Funds Rate	Fed Funds Rate	Fed Funds Rate	90 Day Treasury	Fed Funds Rate	Fed Funds Rate	0-\$4,999,999 - .05%
	less .25	less .50	less .25	rate plus .05	less .50	less .25	\$5,000,000-\$24,999,999- .20%
	Floor of .20%	Floor of .30%	Floor of .15%	Floor of .25%	Floor of .25%	Floor of .25%	Above \$25,000,000-.30%
	2 Years	2 Years	2 Years	2 Years	2 Years	2 Years	2 Years
	Fed Funds Rate	Fed Funds Rate	Fed Funds Rate	90 Day Treasury	Fed Funds Rate	Fed Funds Rate	0-\$4,999,999 - .05%

	less .15	less .45	less .25	rate plus .05	less .50	less .25	\$5,000,000-\$24,999,999-.20%
	Floor of .30%	Floor of .30%	Floor of .15%	Floor of .25%	Floor of .25%	Floor of .25%	Above \$25,000,000-.30%
Is Interest Rate Variable or Fixed	Fixed						
(When does it change?)	1 Year - .35%	1 Year - .30%	1 Year - .40%	1 Year - .25%	1 Year - .55%	1 Year - .25%	1 Year-
	2 Years - .95%	2 Years - .40%	2 Years - .75%	2 Years - .35%	2 Years - .75%	2 Years - .25%	<\$100K-.05%
							>\$100K-.15%
							2 Years
Balance required to offset all activity charges	N/A	\$5,000,000.00	0	0	0		<\$100K-.10%
Other Fees	N/A	Various	0	0	0		>\$100K-.17%
2. Direct Deposit of Payroll							
Set-Up Fee	N/A	\$125.00	0	0	0	0.00	\$50.00
Pre-Notification Fee	N/A	\$0.13	0	0	0	0.00	\$0.00
Transaction Fees							
Debit	0	\$0.13	0	0	0	0.05	\$0.15
Credit	0	\$0.13	0	0	0	0.05	\$0.15
File Fee	N/A	\$15.00	0	0	0	1.50	\$0.00
Returned Item Fee	0	\$5.00	0	0	0	0.10	\$6.00
Other Fees	N/A	\$1.00	0	0	0	10.00	Varies
3. Automated Balance Reporting Via PC							
Set-up Fee	N/A	\$125.00	0	0	0	0.00	\$50.00
Communications Software	N/A	\$0.00	0	0	0	0.00	\$0.00
Monthly Fee	0	\$100.00	0	0	0	94.90	\$50.00
Covers How Many Accounts	5	ALL		All	0	6	up to 10
Additional Accounts Fee	0	\$0.00	0	0	0	10 per acct	\$10.00

Other Fees	N/A	\$1.50	0	0	0	Various	Varies
4. Miscellaneous Bank Services							
Cost of Deposit Slips	no charge	\$13.00	0	0		37.75	Varies
Wire Transfers	no charge	\$18.00	0	0		12.00	\$12.00
Stop Payment Fee	no charge	\$26.00	0	0		2.00/10.00	\$20.00
Additional Account Statements	N/A	\$12.00	0	0		5.00	\$0.00
Official Checks	no charge	\$9.00	0	0		N/A	\$7.00
Return Deposit Charge	0	\$13.00	0	0		5.00	\$10.00
Other Fees	no charge	\$0.00	0	0		Negotiable	Varies

RECAP OF COUNTY DEPOSITORY BIDS					
(Bids opened 3-11-2010)					
	Guaranty	Sycamore	First	Citizens	Community
	Bank	Bank	Security Bank	National Bank	Bank
	(Belzoni)	(Hernando)	(Hernando)	(Olive Branch)	(Hernando)
1. Demand Deposit Accounts					
(Non-Interest Checking Accounts)					
Monthly Fee					
Debit Fee					
Items Deposited Fee					
Deposited Items Returned Fee					
Other Fees					
***ACH Debit/Credit					
(Interest Bearing Checking Accounts)					
Monthly Fee					
Debit Fee					
Items Deposited Fee					
Deposited Items Returned Fee					
Minimum Balance to Earn Interest					
INTEREST RATE BIDS					
	Bid for	Bid for	Bid for	Bid for	Bid for
	surplus funds	surplus funds	surplus funds	surplus funds	surplus funds
	only	only	only	only	only
Is Interest Rate Variable or Fixed					
(When does it change?)					
Balance required to offset all activity charges					

Other Fees					
2. Direct Deposit of Payroll					
Set-Up Fee					
Pre-Notification Fee					
Transaction Fees					
Debit					
Credit					
File Fee					
Returned Item Fee					
Other Fees					
3. Automated Balance Reporting Via PC					
Set-up Fee					
Communications Software					
Monthly Fee					
Covers How Many Accounts					
Additional Accounts Fee					
Other Fees					
4. Miscellaneous Bank Services					
Cost of Deposit Slips					
Wire Transfers					
Stop Payment Fee					
Additional Account Statements					
Official Checks					
Return Deposit Charge					
Other Fees					

At the recommendation of Comptroller Tom Arnold, Supervisor Eugene Thach made the motion and Supervisor Bill Russell to approve Bancorpsouth as the bank depository to hold ??? county fund accounts and to approve all other bidders as county depositories. The motion passed by a vote as follows:

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

See Exhibit F.3.b

c. Supplemental Claims Docket

The claims docket was presented by 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 about the claim for Evans, Taylor, Foster & listed on page 52. Mr. Garriga said that is for the jail.

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 Bill Russell 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

4. Planning Department Agenda

**DeSoto County Board of Supervisors
Planning Agenda
March 15, 2010**

4. Planning Dept:

a. Hinds Chapel Methodist Church – Waive Building Permit Fees

Mr. McDougal presented a request by Hinds Chapel Methodist Church to waive the building permit fees for a modular building to be placed on their property as a classroom. He stated the fees would not likely exceed \$100.00.

Supervisor Latimer made a Motion to approve Request for Building Permit Fee waiver by Hinds Chapel Methodist Church in the amount of \$100.00. Supervisor Thach seconded the Motion.

Supervisor Russell asked if waiving the fees for a church was allowed. Mr. Tony Nowak, Board Attorney, advised it is typical for the Board of Supervisors to waive building fees for charities and other not-for-profit organizations if formally requested.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

b. Mitchell's Corner Final Subdivision

Mr. McDougal presented the application for Mitchell's Corner Subdivision Residential East, Phase 1 Final and Phasing Plan, and stated it was carried over from the March 2, 2010 meeting to allow the applicant to address the turn lane issue at Highway 305 with MDOT and to address the stormwater detention concerns of the site. He stated that the lot named CA2 on the plat will be common open space used for detention, the area will be fenced with a gate for access. Mr. McDougal stated Mr. Shores does not own the commercial property at the southeast corner of Highway 305 and College Road; therefore he will need to obtain a recorded drainage easement at this property from its owner, Mr. Rick Powell.

Mr. David Shores stated Mr. Rick Powell the owner of the commercial property is willing to give him a drainage easement. He went on to state he met with Supervisor Medlin about the stormwater detention concerns and has agreed to make the detention area a common open space. Mr. Shores went on to state he feels he has made progress with the detention measures and will continue work on the detention measures as the weather allows.

Mr. Andy Swims, County Engineer, stated he does not typically like to bond detention areas, as the detention areas need to be completed prior to homes being built in the subdivision. Supervisor Russell asked if Mitchell's Corner subdivision will be subject to the Residential Development Agreement. Mr. McDougal stated no, the preliminary plat was approved prior to the County's adoption of the requirement for the Residential Development Agreement.

Supervisor Russell asked if the CA2 lot will be a detention pond. Mr. Greg Russell, Russell, Russell and Company, clarified it will be a dry detention pond. Supervisor Russell asked who will be responsible for the detention area until the Homeowners' Association (HOA) is formed. Mr. McDougal stated the HOA will be formed as soon as the plat is recorded. Supervisor Medlin stated he feels the maintenance of the detention area in the common open space should be handled as all other common open space is handled in that the developer should be responsible for maintaining it until a certain percentage of the lots are sold. Mr. McDougal stated the developer will establish the HOA upon platting the subdivision, so in effect Mr. Shores will be responsible for a certain percentage of the maintenance and each homeowner will be responsible for a prorated percentage of the maintenance cost of the common open space. Mr. Shores stated as the developer he is agreeable to being responsible for the common open space until two-thirds of the lots in the subdivision are sold.

Supervisor Thach asked what the minimum square footage of the homes in the subdivision will be. Mr. Shores stated the minimum square footage of the homes is 2500 square feet.

Supervisor Medlin asked if all detention areas will be approved by the County Engineer prior to the subdivision being platted and recorded. Mr. Shores answered yes; all detention will be approved by Mr. Swims prior to platting and recording the subdivision.

Mr. Shores stated he has met with MDOT and they are still developing a plan for a turn lane on Highway 305, and that until a plan is decided on he has no control over the turn lane on Highway 305.

Supervisor Medlin made a Motion to approve Mitchell's Corner Subdivision Residential East, Phase 1 Final subject to and conditioned and contingent upon the representations of the applicant as made to the Board during the discussions of this application, set forth in the body of the minutes of the Board, and subject to and conditioned upon the following:

1. The Homeowners' Association shall maintain the stormwater detention areas;
2. The Desoto County Planning Director shall have the authority to withhold building permits for the subdivision until all detention measures are complete and approved by the County Engineer;
3. The approval of 29 lots and 2 common open space areas as Mitchell's Corner Subdivision Residential East, Phase 1 Final, not to include a phasing plan;
4. The Highway 305 turn lane will need to be completed prior to any more lots being approved in Mitchell's Corner Subdivision;
5. The developer shall record all drainage easements; and
6. The Homeowners' Association's responsibility to maintain the detention areas shall be recorded on the plat and set forth in the Restrictive Covenants.

Supervisor Latimer seconded the motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

5. Grants: Emergency Generators Installation

Grants Administrator Joyce Herring presented a change order to correct a conflict in the wiring of a Service Meter for the emergency generators at the Justice Court Building in Southaven in the amount of \$5,010. She said money is available in the grant for the change order costs less the county match.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve a change order in the amount of \$5,010 to correct a Service Meter for the emergency generator located at the Justice Court Building in Southaven. 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.5

6. Indigent Burial Assistance

Vanessa Lynchard said she called County Coroner Jeffrey Pounders to make sure he approved the language in the document. Mr. Pounders did not contact her with any changes.

Supervisor Bill Russell asked why the county is not allowed to pay for transportation of a body. Vanessa said the agreement could be changed in any way.

Supervisor Jessie Medlin asked what would happen if the body needed to be transported out of DeSoto County. Vanessa said the family would have to transport the body to the crematorium under to current language. Supervisor Medlin asked what happens if it is an unclaimed body. Vanessa said an unclaimed body is handled differently.

Supervisor Russell said he thinks the transportation clause should be removed from the policy.

Vanessa said the cost for cremation is usually \$450, but Mr. Pounders worked out a cheaper rate of \$300. That rate is not locked in for any length of time.

Supervisor Russell asked if the wording for the deceased being “disposed of by cremation” could be worded differently.

Supervisor Eugene Thach said the Board should not be telling people how to dispose of a body.

Supervisor Russell explained there must be a policy and each decision must stand on it’s on.

Supervisor Allen Latimer said in the case of an indigent, when a family member or friend steps forward, they are the responsible party. If they do not want cremation then they are responsible for the body.

Board Attorney Tony Nowak said this is at the Board's discretion if they want to require cremation when the County pays all costs of burial.

Supervisor Thach said the past guidelines said the same amount is always paid by the County.

Supervisor Medlin said if the county has to pay, we need to cremate.

Supervisor Latimer said he needs more time to look over the policy and have more discussion.

County Administrator Michael Garriga said there was an Attorney General's opinion that said if the deceased had to have been declared a pauper before they died, for the county to help and then they had to bear the entire cost. Before that, the county historically paid \$250 which is equal to the amount that is paid by social security

Supervisor Latimer said it is an emotional time for the family and he wants to help, but where will the county get \$3,000 to pay for the funeral.

Supervisor Russell said the county cannot pay that much money for a funeral, but cremation is more plausible.

Supervisor Latimer said, if the family cannot pay, he agrees that the government can provide a decent burial.

Supervisor Russell said the policy is clear. There is no funeral but only cremation.

Supervisor Thach said we can give them the \$300 and they can do whatever they want to do.

Supervisor Russell said if the limit is \$300 and the family proves they have no money, how the family will get money to transport the body.

Supervisor Thach said if it is outside of DeSoto County then it is their problem. Supervisor Latimer said no, they must live in DeSoto County.

Supervisor Latimer said he is willing to pay the cost of cremation toward a burial.

Supervisor Russell said yes. He said each case will be investigated on the front end and then it is at the Board's discretion.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to show the county will participate according to the policy up to an amount equal to the cost of cremation plus transportation if the family qualifies according to the policy. The motion passed by a vote as follows:

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

See Exhibit F.6

7. Board of Adjustments Appointment

Supervisor Jessie Medlin said when he received the letter regarding Child Rice resigning, he saw that Mr. Rice had held that seat for 27 years. Supervisor Medlin said he did not realize said that is a very long time for a citizen to fill a volunteer position and commended Mr. Rice.

Supervisor Bill Russell said the Board wants to make sure there is a resolution for Mr. Rice's service. Planning Director Jim McDougal said a resolution is in process now.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to appoint Rudy Davis to fill the position on the Board of Adjustments vacated by Child Rice. 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.7

8. Environmental Resource Opportunities

a. Recyclable Material

County Administrator Michael Garriga said there are opportunities within the county's existing operations at the landfill. He said a lot of wooded material is collected from residents and buried at the landfill. Mr. Garriga said he would like to look at alternate methods of disposal which would also allow the county to be good stewards of the environment. He said it is a direct reflection on how we operate and conduct county business.

Mr. Garriga said a number of vendors have approached him and he is in the process of establishing criteria and collecting material. Mr. Garriga said he will bring the material and other information on how to recycle back to the Board of Supervisors in the coming weeks.

b. Methane Extraction

County Administrator Michael Garriga said he has found out that methane can be extracted from the ground and turned in to resources for money. Mr. Garriga said this goes along with the idea of recycling material at the landfill that he mentioned earlier in the meeting.

Mr. Garriga said it is an opportunity to get started and learn how these processes can benefit the county in the long term. He said he is looking forward to learning more about the process and will bring information back to the Board.

Supervisor Allen Latimer told Mr. Garriga he is doing a good job in that area. Supervisor Latimer said anything could have been thrown away in the old landfill and it would certainly create methane.

Supervisor Eugene Thach asked if the other counties and cities are doing this. Mr. Garriga responded yes.

Supervisor Jessie Medlin asked Mr. Garriga which landfill he is referring to. Mr. Garriga said he is considering the one at Starlanding Road.

Supervisor Jessie Medlin asked if this process has been done before. Supervisor Tommy Lewis asked if it may provide enough energy for buildings. Mr. Garriga said he did not know how much it would provide but it is a popular way to use energy. Mr. Garriga said in addition, companies are interested in buying it. He said he will bring information to the Board of Supervisors.

9. Dept. of Road Management: LSBP Project-DeSoto Village

Road Manager Russell Dorris said originally the county brought an LSBP Project on Valley Brook Drive in Horn Lake before the Board as a potential future project. Mr. Dorris presented photographs of the bridge area and said it is time to do something. He said there is no eminent danger of the bridge collapsing but we have posted an 8,000 pound weight limit for the bridge. He said if we program the LSBP Project, the City of Horn Lake will bare the cost of relocating

the utilities and acquisition of right of way. Mr. Dorris said the sufficiency rating of the bridge on a scale of one to one hundred has deteriorated to twenty five. He said if the bridge is not addressed it will hold up the LSBP funds for future projects.

Supervisor Allen Latimer said last week someone told him the school bus has to go around the bridge because of the weight limit.

Supervisor Allen Latimer made the motion and Supervisor Bill Russell seconded the motion to approve programming on the Local System Bridge Project to install a box culvert at Cow Pen Creek over Valley Brook Lane in Horn Lake contingent on the City of Horn Lake acquiring right of way and bearing the cost of utility relocation. 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

Mr. Dorris said the estimated cost on the project will be \$300,000.

See Exhibit F.9

G. EXECUTIVE SESSION

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

H. OTHER

1. Interlocal Agreement-City of Southaven-Special Assessment Collections

Board Attorney Tony Nowak said he received the necessary documents from the City of Southaven to proceed with the interlocal agreement for the Tax Collector to collect special assessments for the city.

At the recommendation of the Board Attorney, Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to approve a resolution to submit an interlocal agreement for the DeSoto County Tax Collector to collect special assessments for the City of Southaven. 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

2. Bond Disclosure Report

Board Attorney Tony Nowak said he received a statement from the Butler, Snow, O'Mara, Stevens & Cannada, PLLC law firm for their work to prepare the continuing disclosure bond report for DeSoto County.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the report and payment of the statement from Butler, Snow, O'Mara, Stevens & Cannada, PLLC for preparation of the disclosure bond report for 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

3. DeSoto Arts Council-Art for Autism Event

Board Attorney Tony Nowak reported that the DeSoto Arts Council is having an art exhibit on March 21st through April 21st to benefit autism. Mr. Nowak said he wanted to invite the Board to a reception on April 3rd from 2:00 p.m. to 4:00 p.m. He said the county is a big sponsor of the Arts Council. This will provide a lot of publicity promoting DeSoto County. Mr. Nowak said the Riverkings Hockey Team also sponsored a reception to promote this event which will bring a lot of publicity for the county as well.

4. IT Dept.-BENECOM Technologies Service Contract

Board Attorney Tony Nowak presented a service contract with BENECOM Technologies. Mr. Nowak said the County IT Department asked him to review it. Mr. Nowak said the contract is for maintenance service on the network hardware and needs to be approved by the Board.

Supervisor Allen Latimer made the motion and Supervisor Bill Russell seconded the motion to approve the service contract with BENECOM Technologies for service on the network hardware equipment and set to expire April 15, 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-----YES
Supervisor Tommy Lewis-----YES

See Exhibit H.4

5. Siemens-Energy Efficiency in Courthouse and Jail

County Administrator Michael Garriga said Supervisor Eugene Thach, Supervisor Allen Latimer and he are meeting with Siemens this afternoon to discuss a water plant that will cool the courthouse and jail more efficiently and it will be a good cost savings to the county. Mr. Garriga said he will bring information to the Board within the next few weeks.

6. Board of Adjustments

Supervisor Bill Russell said there is a potential situation where a group wants to open a business where they will detonate small bombs and train soldiers in District 3. He suggested making the Board of Adjustments an Advisory Board similar to planning commission where all matters from the Board of Adjustment are presented to the Supervisors for consideration.

Supervisor Allen Latimer said there could be a delay of 2-3 weeks of a case coming before the Board of Supervisors and that could cause a problem.

Supervisor Bill Russell said he has concerns regarding the Board of Adjustments. He said there are five members on the Board of Adjustments. They hear unusual cases that do not fit squarely into the Planning Commission Agenda. Supervisor Russell said he is concerned that the Board of Adjustments is the final decision maker unless the applicant wants to appeal. He said if a case comes before the Board of Supervisors, a notice is sent to residents within one quarter of a mile of the location. If they do not appeal the Board of Adjustments ruling, the decision is final. He gave examples such as alcohol sales, types of businesses such as night clubs being approved in residential areas. He questioned how many people live within a quarter of a mile in rural areas. Supervisor Russell said if the cases come before the Board, the Board will know what is going on in our area.

Planning Director Jim McDougal told the Board of Supervisors that he does speak to the Board of Supervisors at different times and hopes he does a good job of keeping them informed when situations arise in their area. Mr. McDougal, said until he actually sees the application, he can't alert the Board of an issue. He said the Board of Adjustments has a lot of authority because it is the final decision making body.

The Board of Supervisors discussed different types of situations that the Board of Adjustments makes decisions on and how it affects different areas.

Board Attorney Tony Nowak said if the Board of Supervisors wishes to make changes to the Board of Adjustments, there will need to be a Public Hearing.

Supervisor Eugene Thach said he has been a Supervisor for 18 years and he cannot image why someone was not notified of a Board of Adjustment ruling. He said that group keeps someone from unnecessarily appearing before the Board of Supervisors. Supervisor Thach said he has a problem with putting something else before the Board. He said if the Planning Commission does their job, it should not be necessary to come before the Board. He said it seems like we have a good system which keeps every little matter from coming to the Board of Supervisors.

Supervisor Tommy Lewis said he is not going to vote against the Public Hearing, but he wants to make sure the Board of Adjustments knows this is not something they have done wrong. Supervisor Russell agreed. This is not reflection on any negative votes by the Board of Adjustments. They do a terrific job. This will help minimize the possibilities of something falling through the cracks.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to set a Public Hearing on the matter of making the Board of Adjustments an Advisory Board mirroring the Planning Commission Advisory Board and to set the hearing on or close to April 7th. The motion passed by a vote as follows:

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

Supervisor Jessie Medlin said he would need to look further into the situation to determine if there is a need for change.

County Administrator County Administrator Michael Garriga said one of the operating procedures for Board of Adjustments is to send the Board of Supervisors an Agenda of the Board of Adjustments meeting. Mr. Garriga estimated that 90% of the items that come before the Board of Adjustments are very minor. Supervisor Russell said he receives those notices and he knows about it but not all other residents in the area have a chance to look at it.

Sheriff Bill Rasco said there are no bombs blowing up at the Training Facility. Supervisor Russell said he understands that they are going to use bombs.

Supervisor Bill Russell said he does not think we have clear project management and disaster planning for a sizeable disaster. He said EMA thinks they are prepared, Supervisor Russell suggested forming a committee to respond. Supervisor Russell said he would like the Board to look at a major disaster hitting the County.

7. EMA-Disaster Response

Supervisor Bill Russell said we always talk about the fact that we live in a high risk earthquake area. Supervisor Russell said he does not think we have clear project management and disaster planning for an event of that size. He said he would like for the Board to look at the impact of a major disaster hitting the county. Supervisor Russell said that EMA thinks they are prepared.

Supervisor Russell suggested forming a committee to respond to such a disaster. He said we need to make sure the cities participate on the committee as well. County Administrator Michael Garriga said there is already an LEPC committee in place to be prepared for such events.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve County Administrator Michael Garriga and the Board President to attend a meeting on disaster response. 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

8. Roads-Wilson Mill Road

Road Manager Russell Dorris said that L & T Construction will be hauling dirt on Wilson Mill Road. He said they have taken the appropriate action on the activity but he wanted to make the Board aware.

9. Subdivisions-Weatherby Estates

Steve Foglesong appeared before the Board of Supervisors and asked if there will be a response for the County Engineer regarding the Weatherby Estates drainage issue.

Supervisor Bill Russell said we have his report. The county has no authority on Weatherby Estates since the city annexed the area. It is now the City of Hernando's responsibility to handle those issues.

Supervisor Russell suggested the County Engineer send a letter to the city and copy Mr. Foglesong on the matter. He said that letter will show the county's findings on the matter.

Supervisor Allen Latimer said if the head walls are on the plat shouldn't they be required to be done. Mr. Swims said when Hernando annexed the subdivision there were no problems. He said there were a couple of driveways that may have been an issue. He said the county would not have required the head walls at that time because the houses were not built. Mr. Swims said when the houses were built some of the driveways may have been moved.

Supervisor Russell asked the status of having developers sign approved minutes.

Planning Director Jim McDougal said we have not yet had a case that would require the developer to sign the minutes.

Supervisor Bill Russell asked if the county regulations need to be changed. Mr. McDougal said we are currently working on the changes. We have a form that would address that issue.

Supervisor Tommy Lewis asked if the contents of the minutes are integrated into the development agreement.

10. Look Twice Save A Life Ride April 23 & 24, 2010

Marian Beck a Nesbit, MS resident and Director of the Southern Thunder H.O.G. motorcycle Chapter appeared before the Board of Supervisors to request placing signs throughout DeSoto County to raise the awareness of bikers in the area. They want to place signs in the county that say "Look Twice Save A Life" in hopes that bikers lives will be saved.

Ms. Beck said the CMT A.B.A.T.E. (Concerned Motorcyclists of Tennessee-American Bikers Active Toward Education) worked with the city administrators in Collierville and Germantown

toward putting up signs in their cities. The signs are 18 x 24. She said different billboard companies have donated the lease space and allowed the group to “advertise” different messages about biker awareness. “Bikers are Dying to be Seen”

Ms. Beck said they are hosting a motorcycle ride that will be held April 23rd and 24th to promote motorcycle awareness. It will be held the same time as the Springfest in Southaven and will begin and end at the new Southern Thunder Harley-Davidson in Southaven at I-55 and Church Road. Ms. Beck said the motorcycles will not be riding on Goodman Road. She said raising awareness can also help save bicyclists, pedestrians and other motorists.

Ms. Beck said currently there is no organized group in DeSoto County to campaign for this cause. A coalition of groups have organized for the awareness ride for DeSoto County and surrounding areas. She said there will be family riding groups, groups called 13% groups, private individuals, the local H.O.G. Chapter and Southern Thunder Harley-Davidson. These groups are spending time contacting the media, Mayors, Local and State Representatives and others to get them to attend this important event. She said they do plan for a large number of bikers to attend this event. Ms. Beck said there will be live entertainment, food vendors, restroom facilities, refreshments etc. for everyone. She said there is no fee to ride but donations for signage will be accepted.

Supervisor Bill Russell asked they have notified MDOT to see if they can place the signs on highways. Ms. Beck said MDOT is in support of them placing signs.

Supervisor Allen Latimer asked who is providing the signs. Ms. Beck said they are trying to raise money to purchase the signs.

Supervisor Jessie Medlin asked if the signs are temporary. Ms. Beck said the signs are permanent. They are also available for people to put in their yards and there will also be bumper stickers available.

Supervisor Latimer asked if the Sheriff has been notified and will they need escorts. Ms. Beck said they are working with one of the deputies at the Sheriff’s Office and they are working on the route as well as escorts if they are needed.

Supervisor Tommy Lewis asked if they will publicize the route. Ms. Beck said they will not be on Goodman Road because it would cause too much of a traffic issue and is dangerous for the riders. They will cover four cities in about two hours which includes Southaven, Horn Lake, Hernando and Olive Branch.

Supervisor Latimer asked if they have contacted the media. Ms. Beck said they have notified the newspapers, government and state representatives, TV stations and many other people as well. Ms. Beck said several motorcycle groups came together to do this awareness event.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to adjourn the meeting until April 5, 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 15TH day of March, 2010, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Bill Russell, President
DeSoto County Board of Supervisors