

DESOTO COUNTY BOARD OF SUPERVISORS
BOARD MEETING MINUTES
TOMMY LEWIS, PRESIDENT 2009 PRESIDING
May 18, 2009

A. CALL TO ORDER

The May 18, 2009, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Tommy Lewis, Board President.

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

Supervisor Jessie Medlin-----District 1
Supervisor Eugene C. Thach-----District 2
Supervisor Bill Russell-----District 3
Supervisor Allen Latimer-----District 4
Supervisor Tommy Lewis-----District 5
W. E. Sluggo Davis-----Chancery Clerk
Michael Garriga-----County Administrator
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 presented on the Consent Agenda.

Supervisor Allen Latimer asked about the agreement with Windham and McDonald. Board Attorney Tony Nowak said, last week they issued a final acceptance for the Health Department Building and confirmed all matters with Windham and McDonald, for the dirt work had been resolved. County Administrator Michael Garriga said the offices moved into the new building last week and the departments are very happy with the new building.

Supervisor Jessie Medlin asked about the lease agreement with Starlanding Enterprises. Board Attorney Tony Nowak said this agreement is for leasing the property for parking spaces at one of the County District Parks.

Supervisor Allen Latimer asked how the Sheriff obtained a dog from the U.S. Army. Sheriff Bill Rasco said the Army wanted to donate a bomb dog to the County and they contacted his Chief Deputy. He said the Sheriff's Department needs the animal.

Supervisor Tommy Lewis pointed out that a grant amendment has been added to the Consent Agenda. Mr. Garriga said the amendment does not change the money in the grant.

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

1. Accounting – Transfer of Sheriff-Narcotics Seized Funds

The following seized funds listed have been forfeited by William B. Seale and Paige Williams to be transferred from the seized account to the forfeiture account. Please approve the transfer of the funds.

Case#	Defendant	Date Seized	County Receipt#	Amount	Date of Forfeiture
DC-06-0084	Christopher McMahon	8/1/06	18627	\$ 691.00	3/20/08
DC-06-0085	Jeff Lindsay	3/8/06	18135	\$ 392.00	3/20/08
DC-07-0054	Sherrie Johnson	3/20/07	19310	\$3,980.00	4/30/09
DC-07-0085	Jonathan Wesley Tice	5/12/07	19493	\$ 554.00	3/20/08
DC-08-0171	Michael Taylor	7/29/08	20988	\$1,198.00	4/30/09
DC-08-0119	Clifton Dandridge	5/27/08	20664	\$ 426.00	4/30/09
DC-08-0093	James Buskirk	4/29/08	20583	\$ 900.00	4/30/09
DC-07-0197	Terrance Clayborn	11/20/07	20076	\$1,276.00	4/30/09
DC-09-0076	Kenny Schenzel	3/19/09	21766	\$ 672.00	4/30/09
DC-09-0025	Cornelius Love, Jr.	2/2/09	21555	\$1,206.00	4/30/09
DC-08-0265	Kevin Williams	11/30/08	21390	\$ 238.00	4/30/09
DC-08-0237	Robert Lee Elliott, Jr.	10/16/08	21211	\$ 650.00	4/30/09
DC-07-0148	Charles David Geyers	8/23/07	19887	\$ 301.00	3/20/08
DC-09-0063	Dexter Mosley	3/9/09	21708	\$ 29.00	4/30/09
	Total			<u>\$12,513.00</u>	

Transfer from Sheriff-Narcotics Seized Fund (123-000-139) \$12,513.00
 Transfer to Sheriff-Narcotics Forfeiture Fund (120-000-238) \$12,513.00

2. Safety Officers Report (2)

3. Justice Court Report - Bailiff’s Criminal Court Fees

Back pay for bailiff’s criminal court:

Liz Medlin - \$275 Jan. 1 – Feb. 2 Liz Medlin - \$275.00 Feb.13 – March 20
 Joe Holmes - \$110 March 18 – April 08 \$275 Feb. 11 – 3-11 \$275 Jan. 7 – Feb. 4
 Jason Motz - \$275 Jan. 8 – Feb 26 \$220 March 5 – April 2

4. Chancery Clerk Allowance - \$2,266.66

5. Sheriff’s Office

a. Appoint Debra Logan Assistant Receiving Clerk

b. Declaration of Forfeiture – Various Items

1996 White Ford Explorer Vin# 1FMDU32PXTZB87101
 1998 Mazda Truck Tag # DD2473 Vin# 4F4YR12C6WTM39286
 White Hyundai Elantra Tag # DBA976 Vin# KMHJF24M7TU310294
 Blue 2000 Chevrolet Silverado Vin# 2GCEC19T5Y1145308
 2000 Blue Nissan Maxima Vin@ JN1CA31A5YT201490 mileage 134,430
 Jennings 9mm handgun, Serial # 1584932

c. Accept Donation from US Army to Canine Unit- \$12,000 approximately - Special Operations Forces Multi Purpose Canine “Mika”

d. Accept Donation for Crime Scene Unit

(1) Cannon Power Shot A630 Digital Camera Serial # 4726207455 value - \$229.99
 (1) Galls “Street Pro” Gear Bag (black) value - \$123.99
 These items will be used in the Crime Scene Unit Van

6. Make Part of Minutes

a. Resolution with the City of Horn Lake for Relocation of Railroad Crossing Safety Gates from Center Street to Nail Road

b. Lease Agreement with Starlanding Enterprises, Inc. – 3.16 acre lot

c. Health Dept. & DHS Bldgs.- Agreement with Windham & McDonald and Johnson Construction- Serve as general contractor and provide labor, services and materials for DC Health

Dept. Building and DeSoto County Human Services Building, located at 3210 and 3212 Highway 51 South, Hernando.

7. Department of Road Management

a. Additions to Road Map and Register

Road	Location	Length	Width
Soaring Oaks Road	Goodman Road-End	3740 feet (cove 70)	22 feet
Towering Oaks Lane	Soaring Oaks Dr. – Delta Lakes Blvd	1145 feet	22 feet
Soaring Oaks Cove	Soaring Oaks Drive-End	505 feet (cove 70')	22 feet

b. Deletions to Road Map and Register

8. Grants – Accept AOP Amendment

The motion passed by a vote as follows:

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

See Exhibit E

F. OLD BUSINESS

1. MSU Affiliation Agreement

Board Attorney Tony Nowak said the MSU Affiliation Agreement is for an internship program with Mississippi State University. They have students in Criminal Justice who will “shadow” officers and jailers with the DeSoto County Sheriff’s Department.

At the recommendation of Sheriff Bill Rasco and the Board Attorney, Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to approve the MSU Affiliation Agreement between the DeSoto County Sheriff’s Department and Mississippi State University for Criminal Justice training. The motion passed by a vote as follows:

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

See Exhibit E.1

2. Buffet Holdings – Butler Snow Invoice

Board Attorney Tony Nowak said there were some on-going items of business with the bankruptcy of Buffet Holdings. Butler Snow is representing several counties regarding this issue and the fee structure is based on a pro-rata share. Butler Snow discovered an issue with the billing where the County was under-billed for representation in the amount of \$244.31. Mr. Nowak requested that amount be paid to Butler Snow.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin to approve a bill for Butler Snow in the amount of \$244.31 for their representation of the County in the matter of litigation involving Buffet Holdings and authorize the Clerk to write the heck.

The motion passed by a vote as follows:

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

See Exhibit E.2

3. DeSoto County Health and Wellness Center – Update On Local and Private

Board Attorney Tony Nowak said this legislation went to the governor to be signed last week.

Later in the meeting, Mr. Nowak confirmed that the governor did sign the bill.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to donate \$10,000 to the DeSoto County Health and Wellness Center with the money being amended from Advertising County Resources to the appropriate budget line item. 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

G. NEW BUSINESS

1. EMS Week – Resolution of Appreciation

Supervisor Tommy Lewis asked the EMS Director Bobby Storey to come forward while he read the Resolution of Appreciation for of DeSoto County EMS Employees in honor of the week of May17th through May23rd as being designated EMS Week. Supervisor Lewis and the Board of Supervisors thanked the EMS employees and Mr. Storey for their fine service to the citizens of DeSoto County.

After Supervisor Lewis read the resolution, Supervisors thanked Mr. Storey for the dedication and commitment of the EMS Department to DeSoto County.

Mr. Storey accepted the resolution and said it is great Paramedics and First Responders who are responsible for the success of the DeSoto County EMS program. Mr. Storey said, also without the generosity of the Board of Supervisors, the responders and paramedics would not have the pay and equipment necessary to do their jobs. Mr. Storey thanked the Board of Supervisors for their support of the EMS Program.

See Exhibit F.1

2. ICS Head Start – Request for Bus

Mrs. Eloise McClinton and Ms. Fannie Lampley appeared before the Board of Supervisors and thanked the Board for the bus they provided to the ICS Head Start Program last year. Mrs. McClinton said the Board gave the ICS Program \$60,000 toward the purchase of a bus. Mrs. McClinton said they placed that bus at the Walls Learning Center and they are very thankful for the bus. She said she is appearing today asking the Board not forget the ICS Head Start Program in the next budget. Ms. McClinton said these are hard times and ICS needs the County’s help. She said that ICS is not laying off workers. She said they are trying to add children to the 487 participants in the DeSoto County Head Start Program which serves three sites. Ms. McClinton said she is asking the Board to consider ICS for additional funding this year.

Supervisor Jessie Medlin clarified that the County bought one bus in 2008 and also asked when the other bus was purchased. County Administrator Michael Garriga said the County has bought a total of two buses. Mr. Garriga said one bus was purchased in 2006 and one in 2008.

Supervisor Medlin asked if the local and private legislation gave on-going authority. Board Attorney Tony Nowak said that local and private was for a one time purchase, which was the 2008 purchase.

Mrs. McClinton explained that other counties also help the ICS Program including Tunica, Marshall, Lowndes, Tippah and Clay counties.

Supervisor Bill Russell asked if the ICS Program can use Stimulus money. Mrs. McClinton said they are updating the facility and planning to extend the number of days of the program to 175 to match the school system attendance.

Supervisor Medlin said he would recommend the Board look at this at budget time, and if the funding is available, request the local and private at that time.

Mrs. McClinton said DeSoto County has a big waiting list. She said DeSoto County has 11 buses and several are over than ten years old.

Supervisor Bill Russell asked the requirements for a child to participate in the Head Start Program. Mrs. McClinton said a child must be three or four years of age and certain things are considered in a point system. She said it is based on family income level, circumstances such as incarceration, disability, number of children in the family, parents who are have low income and other circumstances. She said the ones with the highest needs are first to be considered.

Supervisor Russell said ICS Head Start does a great job. He said he felt that all children should attend and asked Mrs. McClinton if there is any talk about a 4-K program. She said there is a push for increased participation but there is no funding.

Supervisor Russell asked the hours of the ICS Head Start Program. Mrs. McClinton said the hours are 8:30 a.m. to 2:30 p.m.

Supervisor Jessie Medlin said he thinks the Board should wait until budget time to see if the there is money in the budget before committing to the expense this early.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to ask for local and private legislation that would allow the County to add an amount up to \$60,000 to the FY 10 budget for funding for a bus for the ICS Head Start 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

3. Accounting – Supplemental Claims Docket

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

Supervisor Jessie Medlin asked about the TDG invoice on page 44. County Administrator Michael Garriga said that is the DeSoto Group and the expense is for the Starlanding Rubbish Pit.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code annotated, Supervisor Jessie Medlin 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.3

4. County Engineer – Love Road

Engineer Joe Frank Lauderdale, Developer W.A. Sanders and Banker Allen Sims, appeared before the Board of Supervisors to discuss Winding Creek Subdivision.

County Engineer Andy Swims said that Winding Creek Subdivision is located off of Love Road. He said they are appearing before the Board to discuss the width of paving on the roads in the subdivision. Mr. Swims said the developer paved 20 feet of width on the roads in the subdivision instead of the required 24 feet. Mr. Swims asked if the County is going to require them to bond the two feet on each side or correct the paving to 24 feet before the County approves the subdivision. Mr. Swims said, when the County asked them to extend the two feet on both sides, the developer told him the paving could be added later. Mr. Swims said, it could be difficult to add the pavement later, because homes will be built and driveways will already be set. He said one thing in the developer's favor is it is a large lot subdivision. Mr. Swims said his concern is to keep this from becoming a problem for the County to enforce after the homes are built.

Supervisor Jessie Medlin said he thought the County had someone out there when the roads were being paved. Mr. Swims said they were told it was not put down correctly the next day after the asphalt was laid. Mr. Swims said the County should have caught that on the front end.

Supervisor Bill Russell asked how the contractor or the County missed it. Mr. Swims he did not know.

Supervisor Medlin said he is not an engineer, but it looks like it was not set up to be a 24 foot road. He said it does not look like there is enough shoulder available to make the roads 24 feet. Mr. Swims said that is true in some places.

Engineer Joe Frank Lauderdale said it will be very difficult to put the additional two feet on both sides at this time.

Supervisor Russell asked how the settlement will affect the paving. He asked if there is any opportunity for settlement when they do the final lift on the shoulders.

Road Manager Russell Dorris said it could cause some settlement and that can cause problems.

Supervisor Medlin asked how much pavement is this. Mr. Lauderdale said less than one mile.

Supervisor Russell said he does not know how the County can allow this and enforce it on the next developer. Banker Allen Sims asked if it would have been possible to bond the final mile before the Board saw the plat. Mr. Swims said the County requires the first lift before the plat is filed.

Mr. Swims asked, if you had two feet on each side, wouldn't it be better if it was laid all at once.

Supervisor Tommy Lewis said he does not know if the extra two feet will stay there if it is added after the fact.

Supervisor Medlin said he does not believe it will stay without some trenching.

Supervisor Lewis said he thinks it would be a better road if it is done later instead of now. He said he thinks it would be better to accept it on the final lift after the additional two feet on each side is bonded.

Supervisor Bill Russell said he also thinks it would be better, but he thinks it will be setting precedence with other developers.

Mr. Swims said we will have to deal with the property owners during the second lift. He said the landowners are likely to not want the destruction of their road three or four years later. Mr. Swims said he would hope that Mr. Sanders would be responsible to deal with the landowners at that time.

Supervisor Allen Latimer said he does not want the taxpayers of DeSoto County to be responsible for additional costs that are incurred because of this issue. He said he hopes the Board will stipulate that the developer will bear the burden of compliance. Supervisor Latimer said he does not want to build a driveway and then have to tear it out because of this problem.

Mr. Swims said that will happen. He said the County can spend a lot of time out there later on. He said, when the developer starts to lay the two feet of asphalt, it will be expensive to move existing driveways.

Supervisor Eugene Thach asked how we missed that.

Developer W.A. Sanders said he did not pull a tape to measure. Everyone assumed we were on the right until just before it was finished. He said he would be willing to tie into the existing driveways when the two feet is added.

Supervisor Latimer clarified, if someone buys a lot, Mr. Sanders will disclose that the lot will be widened by two feet and Mr. Sanders will tie into the driveways when the property owner wants it done and not when the widening of the two feet is done and it will be at Mr. Sanders' expense. Mr. Sanders said that is correct.

Supervisor Latimer clarified, regardless of what surface a landowner has on their driveway, Mr. Sanders will be willing to tie into it, whether it is concrete or asphalt or any other type of surface. Mr. Sanders said he does not intend for the County to be on the hook for any of this.

Supervisor Tommy Lewis made the motion and Supervisor Allen Latimer seconded the motion to allow Mr. Sanders to finish the two feet on each side at the time the second lift is required and for Mr. Sanders to be responsible for tying the expanded road into any existing driveways and that he be responsible to the homeowners regarding damages to their driveways in the Winding Creek Subdivision. The motion failed by a vote as follows:

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

Supervisor Bill Russell said he believes what the gentleman is saying about accepting responsibility. Supervisor Russell said his problem was what to tell the next developer. He said the Board would be setting a precedent by allowing a 20 foot roadway instead of 24 feet and he doesn't know what the County would tell the next developer who asked to put in a 20 foot roadway instead of 24 feet.

See Exhibit F.4

5. Dept. of Energy Block Grant: Authorize for RFQ for Energy Performance Contract

County Administrator Michael Garriga said DeSoto County is eligible for a Block Grant for Energy Performance. He said the County can use the grant funds for an energy assessment. At the end of the assessment, he hopes there will be money leftover. Mr. Garriga said the jail has been identified as a place to implement such a program where we may want to implement a place for central control for all of the units at the jail. He said, under this item of business, we will ask for a request for qualifications for the full Emergency Performance contract. Mr. Garriga said we would select a firm to do our assessments. If this looks like something the Board would be interested in, the County could expand the scope of services to allow them to do an Energy Performance Contract. The first step is the energy assessment.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to approve obtaining a request for qualifications for the Energy Performance contract and assessment in DeSoto County and to include requesting MDA to approve the request. 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. Tax Exemptions

a. Fraenkel Co. – Freeport & 5 Year Personal

Trina Ponce appeared before the Board of Supervisors representing the Fraenkel Company requesting a five year personal tax exemption and a Freeport Warehouse tax exemption. She said Fraenkel is a wholesale furniture manufacturer. Ms. Ponce said they have a mattress and upholstery plant in Olive Branch. She said they have approximately 140 employees that are hourly and about 20 of those employees live in DeSoto County. She said about half are from North Mississippi. She said they moved from the Memphis facility several years ago and have recently moved the Nettleton upholstery business to Olive Branch.

Supervisor Allen Latimer thanked the Fraenkel Company for being in DeSoto County. He said only 20 of the 140 employees are from DeSoto County yet the company is asking for a tax exemption from the tax payers of DeSoto County. Ms. Ponce said they hire through temporary agencies.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve a five year personal tax exemption and a Freeport Warehouse tax exemption for Fraenkel Co., Inc. 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.6.a

b. IDI – Airways Building C – 10 Year Real

Tim Moore appeared before the Board of Supervisors representing IDI facility located at Airways and Stateline Road. Mr. Moore said that Boundtree moved back into the building after it was rebuilt from the February 2008 storm. He said that Radio Shack occupied part of the building but they did not return to DeSoto County. Mr. Moore said IDI is talking to another company about leasing another portion of the building. He said IDI has had good activity on this building.

Supervisor Jessie Medlin said this is new territory due to the building being destroyed. He asked if this would extend the first tax exemption or be a new exemption. Vanessa Lynchard and Jim Flanagan said, since the old building is gone and anew building in its place, this will be a new tax exemption.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve a ten year real tax exemption for IDI on the Airways location, building C. 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.6.b

c. Boundtree Medical – 10 Year Personal

Raymond Hollins, General Manager of Boundtree Medical, appeared before the Board of Supervisors. About four months before the tornado hit, they negotiated their lease until the year 2014. Boundtree employees 27 associates and 5 temporary associates. The temporary associates are hired through Kelly Services in Olive Branch. Mr. Hollins explained that they supply medical supplies to Emergency Medical Services.

Supervisor Jessie Medlin asked what kind of medical supplies they handle. Mr. Hollins said they provide most items used by Paramedics and Emergency responders.

Supervisor Allen Latimer said he appreciates the fact that they are giving the citizens of DeSoto County a chance to work at their facility.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve a ten year personal tax exemption to Boundtree Medical. 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

7. Neighborhood Stabilization Program

County Administrator Michael Garriga explained the Mississippi Neighborhood Stabilization Program. He said this is a partnership between local units of government and developers. He said that fifty percent of the funding would go toward rehab and fifty percent would be pledged by the builder. Mr. Garriga said there was some discussion to see if local governments want to participate in this program and they are now accepting their comments.

Supervisor Jessie Medlin asked if this program is the same as the HOME Grant program. Mr. Garriga said no, but Fred Griffith expressed interest as the coordinator of this program as well.

Supervisor Tommy Lewis said he thinks we need to assess the need in the unincorporated County.

Supervisor Eugene Thach said he would think about it a long time before getting the County involved with building and selling houses.

Supervisor Bill Russell said he does not know what the County’s role would be in this program.

Supervisor Tommy Lewis asked what the benefit over the developer going to the bank and borrowing the money.

The Board discussed the issue and whether the County should be involved. The Board members agreed that they have a lot of questions about the program.

Supervisor Lewis said anyone wishing to comment should do so before May 28, according to the information presented in Exhibit F.7

Supervisor Jessie Medlin said there are several of these programs coming out and it is difficult to see which ones the County needs to be involved in.

See Exhibit F.7

8. Purchasing – Reject and Re-bid Equipment

Vanessa Lynchard presented a request from Road Manager Russell Dorris to reject and re-bid the following bids:

- 09-156-021 1 or more rubber tire backhoes
- 09-156-020 1 or more large motor- graders

Supervisor Allen Latimer made the motion and Supervisor Eugene Thach seconded the motion to reject and re-bid the following bids:

- 09-156-021 1 or more rubber tire backhoes
- 09-156-020 1 or more large motor- graders

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.8

9. Emergency Generators Engineering Contract

Vanessa Lynchard presented a letter from Edward T Davis & Associates, Inc., regarding the installation of emergency generators for the cities. She said the cities have agreed to pay a pro-rata share. Ms. Lynchard explained that Mr. Davis will bill hourly for design engineering and bid assistance with a not to exceed total amount of \$13,900. The pro-rata shares are five percent of the following and will include engineering and assistance share not to exceed \$13,900:

- Southaven \$53,173
- Olive Branch \$\$105,707
- Hernando \$54,860
- Horn Lake \$\$76,675
- Walls \$66,525
- DeSoto County \$150,186
- DRCUA \$112,620

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to hire Edward T. Davis as engineer on the emergency generators installation contingent on the cities' approval of the contract. 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.9

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. - Municipal Inmate Billing

Sheriff Bill Rasco said it was brought to his attention this past week that the County is sending the bill to the cities for the inmate medical review costs. He said he does not think the cities were expecting the bill for \$13.75 per inmate per month. He said he does not see how we can bill them when they had nothing to do with the contract negotiations.

County Administrator Michael Garriga explained that the \$13.75 is billed based upon an average of the number of inmates in the jail at a month's time. This is the amount the County is billed for the services of reviewing and negotiating hospital bills.

Supervisor Tommy Lewis suggested letting the County Administrator and Board Attorney look into the situation to identify the issues.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to stop billing the cities for the cost of inmate medical review until the issue is resolved. 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 said the County has always stood by what the Board says. He said he does not think we should do anything to the contracts with the cities, until it comes up for renewal.

Supervisor Jessie Medlin said he would like to see updates continue from the group who oversees the medical services so the Board can evaluate the savings.

Sheriff Rasco said he is not saying the Cities will not want to participate, but we need to talk to them before they are billed.

Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to allow the County Administrator to look into the issue and make recommendations to the Board of Supervisors. 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

Supervisor Latimer said he thinks we should wait until the cities' contract expires before considering billing the cities. Mr. Garriga said the municipal contracts expire December 31, 2011. Supervisor Latimer said he would rather wait until the end of the contract.

Supervisor Russell said we need to find out what the details are and what our options are before the Board can make a decision.

2. Congressional Request

County Administrator Michael Garriga said he has been working with Congressman Childers' office regarding requests from the County to the United States Congress. He said we made a request to the House side regarding the Starlanding Corridor project for \$10 million. He said that would be paid \$2 million per year for five years.

Mr. Garriga said Congressman Childers has been working very hard for DeSoto County. Mr. Garriga said Congressman Childers is making our request a priority.

3. MAS Convention

Supervisor Allen Latimer asked if reservations have been made for the MAS Convention. Mr. Garriga said yes, the reservations have been made for MAS based on the interest of the Supervisors who wish to attend the meeting.

Supervisor Tommy Lewis asked if reservations have been made for the Supervisors to attend NACo. Mr. Garriga said yes.

4. Subdivisions – Estates of Southern Trails

County Administrator Engineer Andy Swims said the County pulled the bond money on the Estates of Southern Trails subdivision. Mr. Swims said the developer asked that we give the money back and let him complete the work. The deadline to complete the work was Friday. Mr. Swims said he thinks the developer has essentially completed the work.

Board Attorney Tony Nowak said the agreement with the Developer does require him to post another bond if that is otherwise required by the zoning regulations. Mr. Swims said he does not think there is any other requirement for him to post another bond.

Supervisor Jessie Medlin asked if this will be for the entire subdivision. Mr. Swims said yes. The Board discussed whether the number of lots being built had met the requirement. Mr. Swims said over 60% have been built out.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to extend the deadline set in the agreement with the developer for thirty days for the work to be done on the Estates of Southern Trails, to authorize the County Engineer Andy Swims to return the money to the Developer when all requirements are met and to authorize the Clerk to write the check upon completion of the work. 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 Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to adjourn the meeting until June 1, 2009, at 9:00 a.m. The motion passed by a vote as follows:

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

THIS the 18th day of May, 2009, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Tommy Lewis, President
DeSoto County Board of Supervisors