

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

**BILL RUSSELL, PRESIDENT 2010 PRESIDING**

**May 3, 2010**

**A. CALL TO ORDER**

The May 3, 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. APPROVAL OF APRIL MINUTES**

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

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to approve the April, 2010 minutes. The motion passed by a vote as follows:

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

**See Exhibit D**

**E. CONSENT**

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

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

**1. Dept. of Human Resources-Health Claims**

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

| The following is a recap of all insurance claims funded for the month of April and paid to Humana: |              |                     |                     |
|--|--------------|---------------------|---------------------|
| Funding Request  | Date Paid    | Amount              | Claim Type          |
| <b>Date</b>  |              |                     |                     |
| 4/1/10   | 4/1/10       | \$75,562.53         | Administration Fees |
| 4/5/10   | 4/6/10       | \$37,883.54         | Medical             |
| 4/5/10   | 4/6/10       | \$3,059.20          | Dental              |
| 4/5/10   | 4/6/10       | \$18,205.48         | Pharmacy            |
| 4/12/10  | 4/13/10      | \$23,727.00         | Medical             |
| 4/12/10  | 4/13/10      | \$3,937.85          | Dental              |
| 4/12/10  | 4/13/10      | \$17,335.91         | Pharmacy            |
| 4/19/10  | 4/20/10      | \$67,227.33         | Medical             |
| 4/19/10  | 4/20/10      | \$3,600.30          | Dental              |
| 4/19/10  | 4/20/10      | \$14,255.53         | Pharmacy            |
| 4/26/10  | 4/27/10      | \$55,855.83         | Medical             |
| 4/26/10  | 4/27/10      | \$5,856.75          | Dental              |
| 4/26/10  | 4/27/10      | \$13,477.73         | Pharmacy            |
|  | <b>TOTAL</b> | <b>\$339,984.98</b> |                     |

**2. Justice Court Report**

|                               |                       |              |
|-------------------------------|-----------------------|--------------|
| Criminal Cases Filed – 203    | State Assessments -   | \$90,234.50  |
| Civil Cases Filed – 432       | County General Fund - | \$126,602.77 |
| Traffic Tickets Filed – 2,055 | Total Collections -   | \$223,916.27 |
| Total Cases Filed – 2,690     |                       |              |

**3. Bailiff Pay**

Liz Medlin - \$190.00    Lee Hodge - \$405.00    Shirley Holmes - \$40.00

**4. Approval of Publication of Board Proceedings**

**5. Make Part of Minutes:**

- a. Contract with Lehman-Roberts for Asphalt Overlay
- b. Interlocal Agreement-DC Tax Collector and City of Southaven for Collection of Taxes

**6. Department of Road Management**

- a. Road Report and Work Schedule
- b. Road Bond Report
- c. School Bus Turnarounds

| Location              | Bus # | Owner         | Phone        |
|-----------------------|-------|---------------|--------------|
| 4222 Hwy. 305 S       | 352   | Ginger Manuel | 901-870-5997 |
| 7121 Starlanding Rd.  | 416   | Mariah Askew  | 901-299-3248 |
| 13330 Strickland Road | 025   | Kathy Casey   | 901-496-1270 |

**d. Changes to Asphalt Overlay Projects for 2010 and Four-Year Road Plan for 2010-2013**

**7. Chancery Clerk Allowance (1) - \$1,600.00**

**8. Appoint Judy Mason Assistant Procurement Coordinator**

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**

**G. NEW BUSINESS**

**1. Jail Committee Report**

County Administrator Michael Garriga said the jail committee is before the Board of Supervisors today to present the information on the proposed jail expansion requested by the Board. Mr. Garriga introduced the committee members and said they have all worked very hard to present necessary facts to the Board so a recommendation can be made for the proposed jail expansion.

Mr. Garriga said in February, 2008, Sheriff Bill Rasco provided a comprehensive analysis of the needs of the jail. That analysis included bed deficiencies and the Board determined that a fact finding study needed to be done.

Mr. Garriga said the jail committee has worked long and hard on this project and there has been a lot of debate on the issue. The Board’s action on the jail expansion will change the dynamic of how the county will proceed with the needs of adult jail detention in the county. Mr. Garriga along with Mike Childress, Architect for Evans, Taylor, Foster and Childress explained an overview of the DC Jail Committee Report as follows:

**DeSoto County Board of Supervisors  
DeSoto County Jail Committee Report  
May 3, 2010**

**Committee Members:**

- Bill Russell, President, Board of Supervisors
- Tommy Lewis, District 5, Board of Supervisors
- Sheriff Bill Rasco, DeSoto County Sheriff
- Chip Johnson, Mayor of Hernando, ex officio
- Sam Lauderdale, Alderman-at-Large, City of Hernando, ex officio
- Irb Benjamin, Jail Management Consultant
- Mike Childress, Architect, Evans, Taylor, Foster, Childress

**OVERVIEW**

The DeSoto County Jail Committee was formulated by the DeSoto County Board of Supervisors in February 2008 after newly elected Sheriff Bill Rasco provided the “Comprehensive Needs Assessment of the DeSoto County Adult Detention Center.” It should be noted that the sole mission of the Jail Committee is purely fact finding and not advisory or recommending. It is tasked simply to provide the Board of Supervisors with factual information so a final decision on the County’s long term adult detention needs can be made.

After the Board of Supervisors reviewed the analysis provided by Sheriff Bill Rasco, the Jail Committee determined that sighting a new facility would be a difficult task and citizen input would be heavily needed. In August of 2008 a citizens’ advisory panel, chaired by Mr. Harvey Ferguson was tasked with searching for prospective sites to locate a new detention facility. Ten sites were evaluated and narrowed to two for consideration.

The Site Selection Committee provided a recommendation of two sites to the Board and also concluded the County’s long term needs for adult detention should be met when considering a site and building a new facility or expanding the existing facility. Due to a recent Attorney General’s Opinion, it was determined that a county’s jail facility must be located within the corporate limits of the county seat of government. In June of 2009 the Site Selection Committee made the final recommendation to the Board:

- 1) Enlarging the existing jail on the existing campus should be considered ONLY if the Board determined the County’s adult detention needs for the next twenty-five (25) years can be accommodated.
- 2) A 22 acre parcel within a 120 acre tract located within Hernando’s Industrial Park, just off of Vaiden Road should be considered if recommendation 1 cannot be met.

In November of 2009, Evans, Taylor, Foster, Childress was retained by the Board of Supervisors and Mr. Mike Childress was assigned to the Jail Committee to conduct an in-depth analysis of the two sites recommended by the Site Selection Committee.

Once Mr. Childress provided preliminary data to the Jail Committee, deliberations began and the Committee concluded that:

- 1) Based on current trends and historical population (jail and county) data, long range projections illustrate the County's inmate population will be 1,000 in the year 2035.
- 2) Enlarging the existing detention facility on the existing campus cannot meet the County's adult detention needs by looking at a twenty-five(25) year build out and an inmate population of 1,000.
- 3) The 22 acre tract offered to the County within Hernando's industrial park was originally priced at \$50,000 per acre (\$1,100,000) and seemed excessive. The 22 acres made available were also not the best available within the site based on topographical data. Also, it was determined the 22 acres would not be enough property to locate detention facilities that would meet the County's long range needs. A minimum of 40 acres is needed based on long range projections.

Once it was determined that 40 acres were needed rather than 22, Committee members met with Mr. Steve Beene, owner of the property to see if additional acreage would be made available and if he would reconsider his price of the land. After much discussion, a 40 acre parcel has been committed by Mr. Beene within the 120 acre tract at a cost of \$1,516,000 or \$37,900 per acre and is \$84,000 below appraised value.

Once this offer was made to the County, the Jail Committee decided to begin looking at other options. An adjacent property to the 120 acre industrial tract surfaced and was made available to the County. Even though it wasn't part of the Site Selection Committee's recommendation the Jail Committee felt justified because it was adjacent to the original property identified in the Industrial Park and it was debated as whether the acquisition cost could be less. This also brought a competitive approach to property acquisition, giving the Board a stronger position on negotiating price.

This 52 acre tract of land is owned by Mr. Jamie Harris. After touring the property, Mr. Childress indicated this property could be ideal and thus recommended the Committee include this property within its analysis. The representatives from Hernando indicated locating a jail on this tract of land would not adversely impact the City thus endorsed this idea as well.

The first matter obvious to the Committee is that this 52 acre tract is not located within the corporate limits of Hernando, thus does not meet the criteria from the recent opinion from the Attorney General. The Committee began discussing with City officials if a "voluntary annexation" would be agreeable. City officials said it is something they could consider. However, an annexation could take up to a year and annexing for the sole purpose of locating a Jail would not meet statutory justification for city's petition for annexation thus not favorable to a Chancellor.

Once this information was evaluated the committee decided to look at the County's other options and pondered asking the Attorney General to revisit his earlier opinion. After agreeing to ask for reconsideration, Board Attorney Anthony Nowak was asked by the Committee to write the Attorney General for reconsideration but only after the full Board of Supervisors were informally polled by County Administrator Michael Garriga. For the record, Mr. Allen Latimer, District 4 objected to the Committee's request for reconsideration.

Once the request to the Attorney General was made, Committee members met with Mr. Jamie Harris to discuss his willingness to sell his 52 acre tract to the County. Mr. Harris has made a commitment to the County to sell his 52 acres, including two barns and two houses at \$1,578,000 or \$30,000 per acre, which is \$68,000 higher than appraised value.

After the Committee's decision to seek the Attorney General's reconsideration to accommodate the County's ability to acquire the Harris property and construct a detention facility outside the corporate limits of Hernando and when the offer of \$1,578,000 was made by Mr. Harris to the County, Mr. Childress recommended the Committee seriously reconsider analyzing the Starlanding Site, for the following reasons:

- 1) It contains 40 acres and meets the County's long term needs for detention space.
- 2) The County already owns the property, thus wouldn't have to outlay in excess of \$1.5 million dollars of public funds for property acquisition.

The Starlanding Site is a 40 acre tract of land owned by the DeSoto County Board of Supervisors and is adjacent to the County's old landfill. Historically, this site was the favorite by the Site Selection Committee until the Attorney General opined the jail must be located within the county seat. However, the Jail Committee has debated and agreed the Board could also consider selling the property to offset any acquisition costs for other properties if this site is rejected. Appraisers have indicated it has close to \$400,000 in value. (Full appraisal has not been conducted.)

Finally, after over two years of meeting, deliberating, and debating, the Jail Committee has completed its analysis of properties and is ready to present the following comprehensive site analysis to the DeSoto County Board of Supervisors for its consideration when making its final decision on the site for locating its new adult detention facility.

**SEE: DESOTO COUNTY JAIL EXPANSION AND LONG RANGE STUDY: Site Analysis and Report, May 3, 2010. Mike Childress, Evans, Taylor, Foster, Childress.**

## QUALIFIED ANALYSIS

In order to better analyze the four properties that are being considered it is critical to look at not simply the quantified aspects as provided by Mr. Childress. The Board must take an in-depth look at the qualified reasons why each property is advantaged or disadvantaged over another. While numbers make simpler means for decision making, there are always un-quantifiable reasons that should be identified and analyzed. With that understood please consider the following:

### *Site 1: Existing Campus*

- Only eight acres could be reasonable acquired to accommodate the County's long term needs without constructing vertical.
- Eminent Domain/Condemnation would have to be used to acquire several parcels on the south side of the existing campus. Some parcels lie within the City's West End, which is an historically minority neighborhood. Property acquisition could take up to a year before County has sufficient property to begin construction.
- Vertical construction would cost up to 1.5 times more than horizontal construction and operational costs would be double of what a single story facility would cost.
- If vertical construction is not an option, only 200 beds could conceivably be constructed on existing site.
- Existing core facilities (laundry, kitchen, medical) cannot accommodate any new jail beds, thus new core facilities must be constructed. If new core facilities must be constructed, it makes logical sense to build new core at a new off-site facility where they can be progressively expanded as new detention needs are expanded.
- City of Hernando opposes any new construction at the existing campus.

SUMMARY: There is simply not enough land to accommodate the County's long term needs for detention at the existing campus. While the County has significant money invested in the existing facility, expanding would be a poor decision and a bad long term investment. Acquisition will be complicated and controversial as Eminent Domain is necessary. Demolition of existing homes have not been considered, thus cost could increase. While an off-campus facility makes the most logical sense, only new detention needs will be constructed. Thus County and Sheriff would continue to operate the existing facility as it is until it can be appropriately phased out.

### *Site 2: Been Property (Industrial Site)*

- 40 acres meets the county's need for a new facility as well as future additions to accommodate inmate growth
- Acquisition cost is \$1,516,000 or \$37,900 per acre.
- Currently zoned M-2, for Heavy Industrial Use. Detention Facility is compatible with M-2 according to the City's Zoning Ordinance.
- Meets location requirements cited in Attorney General's opinion.
- Minimal time necessary for site to be acquired and construction ready.

SUMMARY: The Beene Property is available and could be acquired within 60 days thus construction would begin as soon as architectural drawings are complete. Long range County detention needs are met and locating within an industrial property would not adversely impact any residential areas.

### *Site 3: Harris Property (Magnolia Drive)*

- Does not meet the current AG's opinion location requirements.
- Acquisition cost is \$1,578,000 or \$30,000 per acre and exceeds appraised value by \$608,000.
- Annexation doesn't seem plausible based on Hernando's current annexation policy or statutory requirements for petition to annex.
- An existing and proposed addition to a dense residential subdivision is adjacent to the north and will be adversely impacted.
- Property contains more land than needed but front 10 acres and house could be sold to offset acquisition costs for other properties.
- Four existing buildings (two barns and two houses) on property could be an asset to the County.
- Minimal time necessary for the site to be acquired and construction ready.

SUMMARY: The Harris property could be acquired within 60 days and construction could begin as soon as architectural drawings are complete, provided the Attorney General's opinion is favorable. County's long range detention needs are met but a dense residential development could be adversely impacted. Annexation is not likely.

### *Site 4: Starlanding Site*

- Does not meet the current AG's opinion location requirements.
- Potential environmental concerns would necessitate a Phase I and possibly a Phase II Environmental Assessment.
- Distance between Courthouse is excessive and thus Sheriff will incur increased transportation liability and cost.
- Has an approximate value of \$400,000 and could be sold to offset acquisition cost for other properties.
- City of Hernando opposes County moving detention facility from within City for economic reasons.

SUMMARY: Building on this site could occur sooner than the others, only if the Attorney General's opinion is favorable. Depending on the environmental analysis, site could be contaminated, thus causing further delay for construction. Sale of property could yield a windfall for the County and offset acquisition costs for other properties.

## CONCLUSION

As earlier stated, the Jail Committee was not charged with providing a recommendation to the Board of Supervisors, but merely submitting factual information a sound and proper decision could be made. It is hopeful that this report has accomplished that task.

Faithfully Submitted,

DeSoto County Jail Planning Committee

Supervisor Bill Russell said, once the property is purchased, the committee will meet and make recommendations for the best use of the remaining money as is possible. On last count, there are many options.

Supervisor Eugene Thach asked where the recommendations are coming from. He asked if the Board is looking at the expert's opinion or the committee's opinion. Supervisor Russell said the committee has been careful to get the facts and present them to the Board. Supervisor Thach said he thought the architects were the experts and they were going to bring recommendations to the Board.

Supervisor Russell said he would like to say how impressed the committee has been with the architect's firm. Their work has been very thorough.

Sheriff Bill Rasco said he does not want to expand the existing jail. He said they would have to take other people's homes to expand the site and he does not think that is the right thing to do to people.

Supervisor Russell said the law limits us on negotiating the price for property.

Mr. Garriga said their task was a fact finding task for the Board of Supervisors to consider.

Supervisor Latimer asked if this meeting is open to the public to make comments. Supervisor Russell responded we did not call for a Public Hearing, the process had included much public comment already and the floor was not currently open for public comment.

Supervisor Latimer said, in going through the four sites, the first thing he considered was the Attorney General's opinion which stated the site should be located in the county seat. He said he saw no reason to request a second opinion from the same attorney general. Also, the Board has already borrowed the money for the jail. If the Board or jail committee continues to delay the decision, the building costs will probably increase and we are already paying interest on the money.

Supervisor Latimer said he has narrowed his choice to the Beene property and the existing jail. The Beene property is inside the city limits and zoned correctly and it is located close to the jail and highway, making it convenient. The Beene property was offered below the appraised value.

Supervisor Latimer said the Harris property was offered much higher than the appraised value.

The Starlanding Road site was approved by the mayors of the cities but that will affect an established neighborhood. There are long term plans to make Starlanding a boulevard and there are environmental concerns on the property. That property would take a long range environmental assessment. Having a jail near an old landfill could lead to inmate health concerns. Mr. Garriga said if they sell the 40 acres on Starlanding Road, we could use that \$400,000 toward the price of other property. Supervisor Latimer said based on the report of the committee and architects, it appears the Beene property would be the most suitable.

Supervisor Allen Latimer made the motion and Supervisor Bill Russell seconded the motion to purchase the Beene property as the site for the DeSoto County jail expansion. The motion failed 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-----NO

Supervisor Eugene Thach said he would like to hear from the other Board members first.

Supervisor Russell said he thinks Mr. Garriga has spoken for the Board members on the committee. He said he agrees with Supervisor Latimer as well.

Supervisor Medlin said he is not ready to vote today. Supervisor Thach said he was not ready to vote either.

Supervisor Tommy Lewis said he noticed in the report there was no cost estimate for a pad on the Beene property. Mr. Childress said the pad cost would apply no matter which site is selected therefore it was not included as a deciding factor in the estimate. Supervisor Lewis said the existing site would be very expensive and the operational costs would be higher as expanding the existing facility would require more than a one story facility. He said we did not get to the point of identifying the cost for additional land acquisitions. He said it is not on paper but it is extremely expensive. Supervisor Lewis said he would still like to know the cost of a pad on each site. Mr. Childress said he will get the cost for the pad.

Based upon the information currently available, Supervisor Lewis said he thinks the Beene site is the most viable option. However, additional information should be gathered.

Supervisor Russell said the Sheriff has done a good job at keeping the operation going at the existing site. He said we need to take advantage of the current economic conditions because that could save money for the county.

Mr. Garriga said we initiated a bond last July in the amount of \$15.5 million. The condition is that 85% of the money has to be spent in three years. He said we are now nine months into that time.

Supervisor Russell said the Board advertised for potential sites two years ago and these sites are the ones recommended.

Supervisor Medlin said we just got this overview today and he wanted time to study it more thoroughly before making a final decision.

Supervisor Thach asked why they are recommending building a one thousand bed jail. Mr. Garriga said we are not building a one thousand bed jail. The facility will probably be 200 to 250 beds. The site could accommodate up to one thousand beds in the future, but that would be handled through additional expansions.

Supervisor Medlin clarified that we can build a 200 bed facility at the existing site. Mr. Garriga said that is correct.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to take the report under consideration until May 17, 2010. The motion passed by a vote as follows:

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

Supervisor Latimer said the Board needs to consider the residents this decision is affecting. He said if there is a development close to one of the sites, they may consider themselves adversely affected by the county building a jail at that site. He said the Board needs to consider residential developments and churches as they move forward. **See Exhibit G.1**

**2. Leadership DeSoto-Sudden Cardiac Arrest Awareness Month**

Angie Hick appeared before the Board of Supervisors on behalf of Leadership DeSoto. Ms. Hick said together with the Mid South Chapter of the Sudden Cardiac Arrest Association, they would like to introduce a resolution to designate October as Sudden Cardiac Arrest Awareness month in DeSoto County.

Ms. Hick said that Sean Patrick O’Hara, a 21 year old University of Mississippi student from DeSoto County, died of Sudden Cardiac Arrest while studying for final exams. Ms. Hick introduced Sean’s mother, Dawn Cartwright.

Ms. Cartwright said after Sean’s death she started the only Sudden Cardiac Arrest Chapter in Mississippi. She said that sudden cardiac arrest is unrelated to lifestyle and affects everyone. Ms. Cartwright said she is working hard to get the awareness out to the public and has already presented Sean’s case to Congress. She said that education and public awareness about sudden cardiac arrest, the warning signs and the need to seek medical attention are critical to preventing Sudden Cardiac Arrest deaths. They want to increase awareness of SCA and educate the public in CPR and AED. They want to instruct the general population and government officials in CPR and AED use and expand committee work through education.

Ms. Cartwright said they would be honored to have the DeSoto County Board of Supervisors join in their endeavors.

Supervisor Bill Russell suggested that Ms. Cartwright coordinate with EMS Director Bobby Storey. They may be able to help with obtaining defibrillators. Ms. Cartwright said Mr. Storey was actually working with SCA on teaching CPR classes.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve a resolution to designate the month of October as Sudden Cardiac Arrest Awareness month in 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

**See Exhibit G.2**

**3. IT Dept.**

**a. Contracts with Delta Computer-Software Support Agreements:**

**(1.) Administrative Offices Software**

**(2.) Circuit Court Software**

Vanessa Lynchard said the IT Department is doing a great job of getting contracts in place. She said the county has used Delta Computer for some time. She said these contracts are part of our financial software and current court software. She said most counties use Delta or one other company.

**b. Contract with Data Systems Management Inc.-Justice Court**

Vanessa explained this contract is for software for Justice Court.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve contracts with Delta Computer-Software Support Agreements for Administrative Offices Software and Circuit Court Software and a contract with Data Systems Management for software for Justice Court and as detailed in Exhibit G.3. The motion passed by a vote as follows:

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

See Exhibit G.3

**4. Accounting**

**a. Budget Amendments**

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

- 1.) Various departments for clean up line items.
- 2.) Facilities Management-adjust line item for funds to repair crack and reseal parking lot at Administration Building.
- 3.) Sheriff's Dept-adjust line items for higher than anticipated costs.
- 4.) Sheriff's Dept-adjust various accounts for budget deficits.
- 5.) Emergency Services-increase to cover repair costs for ambulances and to consolidate items for recording purposes and to cover higher than anticipated costs.
- 6.) Animal Services-repair pickup truck used as back-up vehicle.
- 7.) Human Resources-request to budget funds elsewhere and costs to go paperless.
- 8.) SID Forfeiture Fund-adjust for additional revenue received and allocate additional revenues to specific line items.
- 9.) Sid Seized Funds-set up new line item for refund of money to defendant per a court order.
- 10.) Bridge Fund-adjust for legal fees and for payment of temporary construction easement on Dean Road bridge project.
- 11.) Various Bond Capital Improvements-remove legal fee line item from building projects & adjust for additional fees.

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

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

See Exhibit G.4.a

**b. Claims Docket**

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

Supervisor Jessie Medlin asked about the fees for Neel Schaffer. County Administrator Michael Garriga said the county uses Neel Schaffer in a minimal capacity for consulting and advising in stormwater matters and reporting to DEQ.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Allen Latimer made the motion and Supervisor Eugene Thach seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Comptroller. The motion passed by a vote as follows:

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

See Exhibit G.4.b

**5. Revision in Building Proposals for ACI Fire Dept.**

Vanessa Lynchard said the Board of Supervisors originally approved a quote from TDL Contractors in the amount of \$45,123 to do work at the ACI Fire Department. She said due to a change in the scope of work, she is presenting new quotes from TDL and RCCI as follows:

TDL Contractors \$49,450.00 RCCI \$54,505.00

County Administrator Michael Garriga said there is money in the budget and an amendment can be made to move the money to the specific line item.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve the lowest and best bid of TDL Contractors in the amount of \$49,450.00 for the project at the ACI fire Department, and to approve a budget amendment to accommodate the action. The motion passed by a vote as follows:

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

Supervisor Allen Latimer said he abstains since he was not present to hear the first part of the discussion. **See Exhibit G.5**

**6. Appointment-Deputy Coroner**

Vanessa Lynchard said County Coroner Jeffrey Pounders said that the case load is increasing and becoming a real issue when he and the assistant coroner are out of town. Vanessa said Mr. Pounders recommended adding Damien Weaver for on call only and would receive \$125 per call plus mileage or whatever state law allows. Vanessa said there will be a need for funding for training for the additional person in the fall which will include registration fees, hotel, food and other related costs. Vanessa said there needs to be approval for the position and a budget amendment to add the position and pay related training costs.

Supervisor Allen Latimer asked if this additional employee receives benefits. Vanessa responded no, because the position is on an as needed basis.

Supervisor Allen Latimer made the motion and Supervisor Eugene Thach seconded the motion to approve adding an additional on call deputy county coroner at \$125 per hour plus mileage or whatever state law allows and training fees associated with the position and to approve any budget amendments necessary. 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. Road Department-Request for Signal at Hwy 61 and Delta View**

Road Manager Russell Dorris said recently there were 2 fatalities at Hwy 61 and Delta View and since 2005, there have been 16 injuries. Mr. Dorris recommended sending a letter to MDOT to request an engineer’s study be done to see if a warning signal is justified. The state will do the installation. Mr. Dorris presented a letter for the Board President to sign and asked for authorization to send the letter to the DeSoto County School Board regarding this issue.

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to authorize the Board President to sign the letter for the county, DeSoto County School Board to request a traffic signal at Hwy 61 and Delta View and to approve sending the letter to the MDOT. The motion passed by a vote as follows:

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

See Exhibit G.7

**8. Justice Court: eCitations**

Justice Court Clerk Shirley Beshears appeared before the Board of Supervisors to discuss a new electronic transmittal program that enables officers to transmit citations to Justice Court from a patrol car.

Ms. Beshears presented the DeSoto County Justice Court Yearly Comparison as follows:

|             | <b>2006-2007</b> | <b>2007-2008</b> | <b>2008-2009</b> | <b>Oct 2009-Apr 2010</b> |
|-------------|------------------|------------------|------------------|--------------------------|
| Case Load   | 10,331           | 12,245           | 13,547           | 12,047                   |
| Collections | \$1,392,798.00   | \$1,824,278.00   | \$1,876,533.00   | \$1,179,556.00           |
| Budget      | \$560,741.00     | \$560,187.00     | \$562,053.00     | \$563,575.00             |

Ms. Beshears said the case load is increasing at Justice Court. She said, as you can see on the chart, we have already received 12,047 cases since October of 09 compared to 13,547 for the entire year of October 2009 to October 2009 and the budget has not changed. Ms. Beshears explained how the time consuming process works for citations. She said that being able to receive electronic citations reduces errors in the way they are currently transmitting and increases productivity. Ms. Beshears asked the Board of Supervisors to consider providing scanners and printers for the sheriff’s department.

Sheriff Bill Rasco said he agreed that eCitations reduces errors and does increase productivity. Instead of the officer having to process the citation manually, he is back out on the street after he transmits the citation to the court.

Ms Beshears said, in addition, this will help maximum revenues because the ticket can be paid immediately to the court, either by phone or on line.

Supervisor Allen Latimer confirmed that eCitations minimizes errors, allows more fines to be processed and more than pays for the equipment. Also, it allows the sheriff’s cars to have more patrol time because they don’t have as much to process. Sheriff Rasco confirmed that it enables the patrolman to get back out on the street quicker.

Ms. Beshears said it also helps internally at Justice Court. It automatically selects a court date and that alone will help manage the traffic at Justice Court.

Sheriff Rasco said the cost is approximately \$17,830 and he has \$20,000 budgeted for training.

Supervisor Bill Russell said this is a “no brainer” for him.

Supervisor Jessie Medlin asked if the Highway Patrol handles their citations. Ms. Beshears said no, the Justice Court handles theirs as well.

Supervisor Medlin asked if there is a recurring maintenance fee. Ms. Beshears said maintenance can be gotten through a grant.

Supervisor Latimer said we still need money for the balance. County Administrator Michael Garriga said it can be covered in the budget.

Supervisor Allen Latimer made the motion and Supervisor Bill Russell seconded the motion to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to review the eCitation contract and to approve any budget amendments relating to the purchase of equipment and training for the eCitation 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

See Exhibit G.8

**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. Interlocal Agreement-Town of Walls**

Board Attorney Tony Nowak said the Board of Supervisors approved an interlocal agreement with the Town of Walls for road maintenance. Mr. Nowak asked the Board to pass a resolution approving the interlocal agreement so that it could be sent to the attorney general's office for approval.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to approve the interlocal agreement and authorize the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to submit the interlocal agreement regarding the county maintaining the road for the Town of Walls to the attorney general's for approval pursuant to statutory requirements. 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. Storm Damage**

Chancery Clerk Sluggo Davis said the Supervisor's Association said there is help for employees of DeSoto County who had storm damage in the last two weekends of weather events.

**3. Census**

Supervisor Allen Latimer said there was a very good response from DeSoto County on the Census. Supervisor Latimer asked if GIS Director Matt Hanks needed a consultant to help with the redistricting.

County Administrator Michael Garriga said he has been speaking with Matt and his system has the capability to process a lot of information in a short time frame. Mr. Garriga said he will continue to talk with Matt and get a consultant if necessary. He said he has already requested a proposal from consultant, Chris Watson, who specializes in redistricting.

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to recess the meeting until May 5, 2010, 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 3<sup>rd</sup> day of May, 2010, these minutes have been read and approved by the DeSoto County Board of Supervisors.

\_\_\_\_\_  
Bill Russell, President  
DeSoto County Board of Supervisors