

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

**May 4, 2009**

**A. CALL TO ORDER**

The May 4, 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 Allen Latimer 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 March, 2009 pursuant to Section 19-3-27 of the Mississippi Code of 1972, Annotated. Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to approve the minutes for the month of April, 2009. 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 presented on the Consent Agenda.

Supervisor Eugene Thach made the motion and Supervisor Bill Russell seconded the motion to approve the Consent Agenda and the reports and actions set forth therein as follows:

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

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

<b>Funding Request</b>	<b>Date Paid</b>	<b>Amount</b>	<b>Claim Type</b>	
<b>Date</b>				
4/1/09	4/8/09	\$138,239.54	Administration Fees	March & April Fees
4/6/09	4/8/09	\$22,987.13	Medical	
4/6/09	4/8/09	\$6,268.70	Dental	
4/6/09	4/8/09	\$15,852.73	Pharmacy	
4/13/09	4/14/09	\$8,843.42	Medical	
4/13/09	4/14/09	\$6,939.40	Dental	
4/13/09	4/14/09	\$17,312.77	Pharmacy	
4/20/09	4/21/09	\$75,370.07	Medical	
4/20/09	4/21/09	\$7,577.30	Dental	
4/20/09	4/21/09	\$18,228.14	Pharmacy	
4/27/09	4/28/09	\$96,491.74	Medical	
4/27/09	4/28/09	\$2,933.95	Dental	
4/27/09	4/28/09	\$14,400.27	Pharmacy	
	<b>TOTAL</b>	<b>\$431,445.16</b>		
<b>April Book Balance</b>		<b>\$3,165,701.38</b>		
<b>March Book Balance</b>		<b>\$3,297,402.06</b>		
<b>February Book Balance</b>		<b>\$3,180,415.80</b>		
<b>January Book Balance</b>		<b>\$3,205,610.20</b>		
<b>December Book Balance</b>		<b>\$3,132,003.17</b>		
<b>November Book Balance</b>		<b>\$3,170,627.74</b>		

**2. Accounting**

**a. Ratify Note Payment**

**\$5,000,000 Miss Development Bank Promissory Notes**

Hancock Bank Ck#044798 issued 4/23/09  
 Principal \$ 20,833.33  
 Interest \$ 6,495.02  
 \$ 27,328.35

**b. Repay Interfund Loans (3)**

From: Civic Center Tourism Building Fund \$208,000.00 (384-000-149)  
 To: General County Fund \$208,000.00 (001-000-054)

From: EMA Grants Fund \$104,875.00 (044-000-149)  
 To: General County Fund \$104,875.00 (001-000-054)

From: State Aid Road Fund \$86,352.50 (170-000-149)  
 To: General County Fund \$86,352.50 (001-000-054)

**c. Approval for Interfund Loan**

From: General County Fund 001-000-054 \$500,000.00  
 To: 2004 bond Construction Fund 380-000-149 \$500,000.00

**d. Division of Metro Narcotics Various Payments to Hernando**

Metro Forfeiture Fund - \$20,000.00



See Exhibit E

## F. OLD BUSINESS

### 1. Debt Analysis and Recommendations

DeSoto County Financial Advisor Demery Grubbs appeared before the Board of Supervisors to present a debt analysis and recommendations to the Board. Mr. Grubbs said his firm told the Board several weeks ago they would analyze the County's financial status and advise the Board accordingly.

Mr. Grubbs said they have been working through County Administrator Michael Garriga and Comptroller Tom Arnold to review the County's financial structure. Mr. Grubbs said, about one year ago, the Board of Supervisors adopted a resolution of intent to issue up to \$45 million in bonds. He said the Board was considering building a jail and other improvements throughout the County. In addition, Mr. Grubbs said they have taken another look at the County's open bond issues. He presented a handout to the Board indicating the County can issue up to \$16 million in new general obligation bonds for various capital improvements without a tax increase in the County. He said this can be accomplished by paying off the general obligation bond Series 1999 in the amount of \$4,655,000 and the general obligation bond Series 2002 in the amount \$8,190,000. He said both of the bonds have short maturities and can be paid off using funds from debt service funds, fund balance of the general fund and the special one mill tax levy. Mr. Grubbs said that paying off these issues and good management of the debt service funds will allow the County to issue \$16 million in bonds without a tax increase.

Supervisor Bill Russell asked if there is a good time to look at issuing the bonds. He said the Board's first priority is the jail. The committee is still meeting and is not far from making a decision on a recommendation to the Board about the new jail. He asked if it will be okay to wait before issuing the bonds until the committee has made the decision regarding the jail. Mr. Grubbs said there is a huge demand for AA bonds. The current market is looking for good credit. DeSoto County is rated AA. Investors want to invest in secure debt. Mr. Grubbs said they are seeing rates in the range of 4% and under. He said eventually interest rates will go up again. The market today is very favorable for this kind of paper.

Supervisor Eugene Thach clarified the Board has been advised they can do this without a tax increase. Mr. Grubbs said that is correct and this analysis was based on no growth.

Supervisor Bill Russell said he thinks it is obvious the County needs this money and more for the jail. The current jail is in a better shape now than a few months ago because the population is down. He said it is scary to issue this money, not knowing how much the County actually needs. Supervisor Russell said he thinks the jail committee is within one month of making a firm recommendation. Mr. Grubbs said it will be a month before the Board is ready to advertise for bonds.

Supervisor Jessie Medlin asked if the County is saving quite a bit of money by paying off the bonds early. Mr. Grubbs said yes, the County is saving about \$400,000.

Supervisor Allen Latimer said he told Mr. Grubbs he has been ahead of the game on advising the County and has saved the taxpayers a lot of money. Supervisor Latimer asked if there is any chance for negative growth. County Administrator Michael Garriga said, according to his conversation with the Tax Assessor's office, they do not expect any great growth nor do they expect any increase in growth.

Mr. Garriga said the Board created a list of priorities including the jail and roads. He said they will try to stretch this money to include as many of those projects as possible.

Supervisor Latimer asked why take money out of the general fund, when there is more than enough in the special levy fund. Mr. Grubbs said we can decide that later, but he would recommend taking the money out of both of funds. Taking money out of one fund may send a negative message to the bond rating people.

Supervisor Latimer asked how much that leaves in the general fund. Mr. Grubbs said about \$20 million. He explained that most of the taxes come in at one time and a lot of that money will go toward funding the County throughout the remainder of the budget year. He said it is good to have a good cash balance so the County can respond in the event there is an emergency.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to authorize the Butler Snow Firm and Government Consultants, Inc., to proceed with the bond documents for bonds not to exceed \$16 million and to authorize them to prepare the documents to pay off the 1999 GO Bond Series and the 2002 GO Bond Series. 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

**2. Justice Court – Contract of Architectural Services**

County Administrator Michael Garriga said he received a contract from Marvin Johnson for improvements to the Justice Court Exterior. He said, if the Board is ready to move forward with the project, work can begin under this contract.

Supervisor Jessie Medlin asked the contract fee for Marvin Johnson. Mr. Garriga said it is the standard six percent.

Board Attorney Tony Nowak said the contract documents state that expenses will be reimbursed at the actual rate plus fifteen percent. He said the Board normally approves paying expenses at the actual rate with no market. Mr. Nowak further stated that Marvin Johnson usually changes that part of the contract, and he thinks it may be an oversight, but he recommends discussing that issue with Mr. Johnson.

Supervisor Tommy Lewis asked the actual cost estimate for the project. Mr. Garriga said they have a preliminary estimate of \$205,000.

Supervisor Bill Russell asked if that money is in the budget. Mr. Garriga said no, but it can likely be found in the budget.

Supervisor Allen Latimer asked where the money will come from. Mr. Garriga said the project is not budgeted.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to approve the contract with Marvin Johnson for the Justice Court exterior renovations, but the approval being contingent upon the contract revision regarding the reimbursable expenses, and contingent on the City of Southaven’s participation and to authorize the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to prepare drafts any agreements necessary between the County and the City of Southaven and to handle this matter in any manner necessary to accomplish this project. The motion passed by a vote as follows:

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

**G. NEW BUSINESS**

**1. Northwest Community College**

Hugh Bassinger thanked the Board of Supervisors for their help with the Memorial for Fallen Officers Services.

Mr. Bassinger introduced Sybil Cannon of Northwest Community College who was appearing before the Board to talk about the Fallen Hero Scholarship fund at the College. Ms. Cannon said she was called by those in charge of the scholarship fund at Northwest and they told her there was a decrease in scholarship endowment. As part of her job, she is speaking with the scholarship donors. Ms. Cannon said she is asking for \$2,800 to award the Fallen Hero Scholarships for the 2009-2010 school year. She said Northwest is fortunate not to lose more than 15% of the endowment due to the national economic situation. She said a family member of the Fallen Heroes gave \$400 of the \$3,200 needed for the Scholarship fund. She said the choice is to give money for the scholarships, invade the principal, or do not award a scholarship this year.

Supervisor Allen Latimer said everyone appreciates the good job that Northwest has done.

Supervisor Eugene Thach asked if the County has been furnishing the Scholarship money. Ms. Cannon said it has come from the citizens and the Board. Supervisor Thach said, if the County gives to this fund, other organizations may to the County and ask for funding.

Supervisor Bill Russell asked how the 15% loss will affect the scholarships next year. He asked if the 15% have to be made up first.

Supervisor Jessie Medlin asked if all of the scholarship funds are set up separately. Ms. Cannon said yes.

Supervisor Tommy Lewis said he cannot think of a better place to spend County tax money.

Supervisor Allen Latimer thanked Ms. Cannon doing a good job with the scholarship fund.

Supervisor Thach said, when this started, the organization was keeping up the scholarships.

Mr. Bassinger said it was set up for the Board to run.

Supervisor Thach asked how the fund was set up. Ms. Cannon said it is set up in the names of the Fallen Heroes.

Supervisor Russell asked how soon Northwest needs the money. Ms. Cannon said they need it by September.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve the contribution of \$2,800 to the Northwest Scholarship from Advertising County Resources. The motion passed by a vote as follows:

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

## 2. Greenway Update

President and CEO of DeSoto County Economic Development Council Jim Flanagan and Greenway Coordinator Larry Jarrett appeared before the Board of Supervisors to give an update on the progress of the Greenway.

Mr. Jarrett said the Johnson Creek Trail has been a working project of the Greenway Committee. He said DCRUA finished their conservation easements on that trail. Entergy has their easements in place. Mr. Jarrett said the Greenway easements are ready to go on that project. He said they want to make sure there are no conflicts with easements in any way.

Mr. Jarrett said the Greenway Committee has also been working on the project from Baldwin Road to Highway 61. He said they are working with the off-shoot to the Baldwin project.

Mr. Jarrett said they are looking at historical and cultural opportunities. He said they know the Greenway project will not work under the bridge on Highway 61 and it will be dangerous to go over Highway 61.

Supervisor Allen Latimer asked about the equestrian trail. Mr. Jarrett said it will be about five miles from Highway 61 to Baldwin Road. Supervisor Latimer asked how people who donate property keep trail users off of their property. Mr. Jarrett said the landowners can use fences or posted signs. Supervisor Latimer asked, if someone wanders off of the trail onto private property and gets hurt, who is liable. Mr. Jarrett said the individual who wanders off onto private property and gets hurt is liable for his/her own actions. He said there is a lot of protection under the Mississippi law for the landowners.

Supervisor Jessie Medlin said someone called with concerns about people coming down the Coldwater River and getting off their boat onto private property. He said there were concerns about hunting and other issues. He asked who owns the river. Mr. Jarrett said the river has public access. The Corp of Engineers as approved the trail in Tate County for mountain bikes. He said this will give opportunities for the bikers and people canoeing the river.

Supervisor Medlin asked how much of this land is under water. Mr. Jarrett said very little.

Mr. Jarrett said they have received grants from ALCOA and U.S. Forestry Services for training. He said they have also received grants from SAMS Town. He said they have applied for a \$50,000 grant from Walmart. He said they have also applied for the Robert Woods Johnson Grant which promotes healthy children. That grant would be \$94,000 per year for four years.

Mr. Jarrett said they are planning a canoeing and kayaking trip on the Coldwater River on May 23<sup>rd</sup>.

### **3. Accounting – Claims Docket**

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

Supervisor Allen Latimer asked about the computers on page 26. Ms. Hanks said it is a one year maintenance agreement on the computers.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code annotated, Supervisor Bill Russell 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-----ABSENT  
Supervisor Eugene C. Thach-----YES  
Supervisor Bill Russell-----YES  
Supervisor Allen Latimer-----YES  
Supervisor Tommy Lewis-----YES

County Consulting Engineer Daniel Murphy presented a late bill for the signal at Craft and Church Road. Mr. Murphy said the signal was not part of the original contract.

Supervisor Tommy Lewis asked if the money is in the budget. Comptroller said yes, and the County receives half of the money back from the City of Olive Branch.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to approve paying the late bill to Talbot Brothers in the amount of \$275,000 for the signal at the intersection of Church and Craft. 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 G.3**

#### **4. Inventory Dispositions – Preliminary – Sheriff’s Department**

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary
35660	0501038793	Hi Lite Pro Vest	Local Agreement	See attached
39367	1N4BL21E08N469342	2008 Nissan Altima	Local Agreement	See attached
20114	1GCDK14Z7KZ169814	1989 Chevy Truck	Use for parts only	Central Maint.
30289	866TYQ4928	Motorola H.H. Radio	Obsolete	DCSO
30890	921TAU3427	Motorola H.H. Radio	Lost	See Attached A
32556	90S02440266	Viewsonic Monitor	Broken	DCSO
32669	54RL621	Dell Optiplex	Broken	DCSO
32675	18BPC11	Dell Optiplex	Broken	DCSO
32676	7TW611	Dell Optiplex	Broken	DCSO
32685	MY16LB116F	HP Printer	Broken	DCSO
32700	8RW6111	Dell Optiplex	Broken	DCSO
33936	E4TC00010	Infrared Camcorder	Lost	See Attached B
34014	N/A	Light Bar	Broken	Central Maint.
34016	N/A	Light Bar	Broken	Central Maint.
34018	N/A	Light Bar	Broken	Central Maint.
34020	N/A	Light Bar	Broken	Central Maint.
34021	N/A	Light Bar	Broken	Central Maint.
34024	N/A	Light Bar	Broken	Central Maint.
34061	CN498B805V	HP Printer	Broken	DCSO
34101	1HD1FHW115Y662579	Harley Davidson	Wrecked	Central Maint.
34641	Q5W062504292	Viewsonic Monitor	Broken	DCSO
34671	2922201077	Canon Digital Camera	Broken	DCSO
34991	35273501783687	Nokia Cell Phone	Broken	DCSO
34993	1HD1FHW132Y700325	Harley Davidson	Wrecked	Central Maint.
35007	CN6CKCC0H5	HP Printer	Broken	DCSO
35018	ETL800C05070801EE64030	Acer Monitor	Broken	DCSO
35088	357654010881954	Nokia Cell Phone	Broken	DCSO
36857	E422A6428R160R	Zion Server	Broken	DCSO
36875	DF308653	Canon Scanner	Broken	DCSO
38036	V77020107757970	Sanyo TV	Broken	Kenny Evans
38334	791L2WH	Lexmark Printer	Broken	DCSO
38337	604ATW0180	Spectra Radio	Broken	DCSO
38639	LSPBABH3901427	Vizio TV	Broken	DCSO
137	5556	Briefcase Recorder	Broken	DCSO
224	6715434	Panasonic Recorder	Broken	DCSO
4064	4035	JVC Recorder & Radar	Broken	DCSO
5053	S435	Audio Transmitter	Broken	DCSO
5054	S441	Tactical Repeater System	Broken	DCSO
5055	105357	Sony Recorder	Broken	DCSO
8299	866SXD6600	GTX Radio	Broken	DCSO
9091	090123	Night Vision	Broken	DCSO
11008	651ANE4969	Motorola Handi Talkie	Broken	DCSO
11010	651ANE4968	Motorola Handi Talkie	Broken	DCSO
30517	0014975484	Gateway PC	Broken	DCSO
30987	15409	Portable Repeater	Broken	DCSO
31076	0023995629	Gateway PC	Broken	DCSO
31392	0026524309	Gateway Laptop	Broken	DCSO
31661	930673	White Night	Broken	DCSO

31773	STH22G290Z3	HP Printer	Broken	DCSO
31775	STH22G290Z3	HP Printer	Broken	DCSO
32015	TH225111GC	HP Printer	Broken	DCSO
32793	10615675818	Nokia Cell Phone	Broken	DCSO
32917	1408171	Sony Video Camera	Broken	DCSO
32918	1322821	Sony Video Camera	Broken	DCSO
33247	000045152803848	Computer DR845M	Broken	DCSO
33252	00045152803949	Computer DR845M	Broken	DCSO
33257	99L637220131300138TAA 201	Monitor	Broken	DCSO
33258	99L637240131200731TAA A401	Monitor	Broken	DCSO
33442	F752314E15	Sanyo Cell Phone	Broken	DCSO
34220	0529046AN31MO	Nokia Cell Phone	Broken	DCSO
34706	03007195225	Nokia Cell Phone	Broken	DCSO
34923	0FA07300343	Battery Charger	Non-Inventory Item	Narcotics
35409	85002828	Radio Scanner	Broken	DCSO
39203	682FXJ2863	Motorola Radius Radio	Broken	DCSO
39204	982FXJ2869	Motorola Radius Radio	Broken	DCSO
39207	52192	Sony Camcorder	Broken	DCSO
39375	N/A	Gall's Armor	Non-Inventory Item	Narcotics
39418	N/A	Gall's Armor	Non-Inventory Item	Narcotics
39419	N/A	Gall's Armor	Non-Inventory Item	Narcotics
39420	N/A	Gall's Armor	Non-Inventory Item	Narcotics
39527	N/A	Gall's Armor	Non-Inventory Item	Narcotics
33186	A3420139	Card Printer	Broken	DCSO
33254	99L63722013100126TAA2 01	Flat Monitor	Broken	DCSO
33259	99L637220131300096TAA 201	Flat Monitor	Broken	DCSO
30161	WKGG1658G191	Work Punt Boat	Obsolete/Unusa ble	Search & Rescue

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to approve the preliminary dispositions for the Sheriff's Department as described in Exhibit G.4. 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 G.4**

#### **5. Conditional Use: Treadway – Ross Road**

At the recommendation of the Board Attorney, Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to send a letter to MDOT concerning the property owned by Mrs. Treadway on Ross Road. 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. Purchasing – NaturChem - Rescind Bid for Various Chemicals**

No motions were made nor votes taken on this issue.

#### **7. Appointment - First Regional Library Board**

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to appoint Carolyn McCammon to the Regional Library Board for a five year term. 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

### **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. Drainage Issue – Pleasant Hill Road – South of Southaven City Limits**

Mr. Eddy VanStorey and Mr. Robert Green of 2603 Pleasant Hill Road and 2535 Pleasant Hill Road appeared before the Board of Supervisors to discuss a drainage problem. They said the City of Southaven has installed a culvert that is causing flooding. They presented pictures of their properties which are located on the south side of the City of Southaven. They said they think a house that was recently built caused the water to come onto their property which is in the County on the south side of Pleasant Hill Road. They said they never had a problem until the house was built and the ditch was put in. The new house is in the city limits.

Supervisor Allen Latimer asked who dug the ditch. Mr. Green said the City of Southaven dug the ditch.

Road Manager Russell Dorris said he asked Mr. Green and Mr. VanStorey to come to the Board to show their problem. He said he did not know that Southaven had dug the ditch.

The Board of Supervisors asked the Road Manager to look into the situation and come back with a recommendation.

Supervisor Eugene Thach said it may be good if Mr. Dorris talks to the City of Southaven about the problem.

No motions were made nor votes taken on this issue.

## **2. Walls Fire Protection District**

Jimmy James, representing the Walls Fire Protection District, appeared before the Board of Supervisors to notify the Board that the Fire Protection District and the City of Southaven have reached an agreement on the district with regard to the annexation with the City of Southaven. Mr. James said he wants to make sure they have the Board's approval if they need it for the agreement.

Board Attorney Tony Nowak said he would look into it to see if the Board has any responsibility.

## **3. Solid Waste – Mandatory Garbage Collection**

Mr. Johnny Blackwell appeared before the Board of Supervisors and asked if there has been any movement on the mandatory garbage collection in the County. Mr. Blackwell said he is sure the Board is aware of the garbage being thrown on to the roads. He said DeSoto County has density where the trash needs to be picked up. Mr. Blackwell said he read that the Board is doing a study on mandatory garbage collection and he is not sure what the Board is studying. He said people have an option to discard their trash in the County's optional Solid Waste Program. The question is where they take their trash if they do not participate in the County program. He said, if people do not subscribe to the service, they need to have an outlet for their trash. He said he remembers when the County had dumpsters and people could not hit it with their garbage. Mr. Blackwell said he hopes the County does not go back to that system, but it is better than throwing the garbage on the roads and ditches.

Supervisor Allen Latimer said some people prefer to throw their trash on the road and will continue to do that. He said he is favor of doing whatever is necessary to limit that problem.

Mr. Blackwell said he is not talking about litter he is talking about garbage disposal. He said he has not found a person who did not know the program was optional.

Supervisor Bill Russell said what the Board agreed to do is not a study. He said the Board appointed a committee to determine the impact of mandatory garbage collection. Supervisor Russell said the Board feels like the garbage rates will decrease with mandatory garbage collection. He said we have to talk to the company about that. Supervisor Russell said, before any changes are made, there will be a Public Hearing and he hopes Mr. Blackwell will attend. Supervisor Russell said he agrees with Mr. Blackwell that the County needs mandatory collections, but the decision must be carefully made and the Board must consider all aspects of the issue.

County Administrator Michael Garriga said, the way the collection contract is structured, the more participants we have, the more our cost will decrease.

Supervisor Eugene Thach said he shouldn't have to pay for other people who do not pay their bill.

Supervisor Tommy Lewis said the County has a very good deal on garbage collection now.

**4. State Aid – Dean Road & Nesbit Road**

County Consulting Engineer Daniel Murphy said the Board recently programmed Dean Road and Nesbit Road under one State Aid project. He said, after recent discussions with State Aid, he now recommends splitting the projects. Mr. Murphy said there may be some advantage to programming Dean Road as an LSBP project and Nesbit Road as a State Aid project.

At the recommendation of the County Consulting Engineer, Supervisor Allen Latimer made the motion and Supervisor Eugene Thach seconded the motion to approve programming Dean Road as an LSBP project and Nesbit Road as a State Aid project and authorize the County Consulting Engineer to submit any paperwork necessary to do so. The motion passed by a vote as follows:

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

**5. Coldwater River**

Supervisor Allen Latimer asked how the Corp of Engineers project for cleaning out the Coldwater River is working out. It was reported they are working on that project. The water has not been over the road lately.

**6. Summer Youth Program – Personnel**

Chancery Clerk Sluggo Davis said the applications for the Summer Youth Program are available in his office.

**7. Lease Agreement – Lake Cormorant Park**

Board Attorney Tony Nowak said the Board previously agreed to lease property located north of Lake Cormorant Park for parking.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to accept the contract for Lake Cormorant Park and authorize the Board President to sign the contract. 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

**8. Legislation – Local and Private – Health and Wellness Center**

Supervisor Bill Russell asked for an update on the Health and Wellness Center legislation. Board Attorney Tony Nowak said that bill has gone to the governor for his signature.

**9. Genealogy**

County Administrator Michael Garriga said the Health Department and DHS have relocated their offices. He said the move has freed up some space and Genealogy wants to assume that space in the Fair building. Mr. Garriga said this will provide additional space and use of restrooms. He said, once we get the Health Department and DHS moved, we may move them to the additional space.

Supervisor Tommy Lewis made the motion and Supervisor Allen Latimer seconded the motion to approve Genealogy expanding into the Environmental Services space. 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

#### **10. Fleet Management**

Supervisor Bill Russell asked who to call when we need maintenance on vehicles or new tires. Mr. Garriga said the Board can call Amy Henley and she will take care of the work or, if it is more convenient, you can get the work done and send the paperwork to Ms. Henley.

#### **11. Roads – Hwy 301 South of Hwy 304**

Supervisor Allen Latimer asked who maintains Highway 301 south of Highway 304. Road Manager Russell Dorris said one chamber of the state legislature approved the state taking the road back but he did not know about the other chamber. The Board asked for an update on this item.

Supervisor Tommy Lewis made the motion and Supervisor Allen Latimer seconded the motion to recess the meeting until May 6, 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 4<sup>th</sup> day of May, 2009, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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Tommy Lewis, President  
DeSoto County Board of Supervisors