

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

TOMMY LEWIS, PRESIDENT 2009 PRESIDING

November 16, 2009

A. CALL TO ORDER

The November 16, 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. CONSENT

The Board of Supervisors considered the items on the Consent Agenda as follows:

1. Accounting – Interfund Loan

From:	General County Fund	001-000-054	\$204,470.00
To:	Hazard Mitigation Grant	037-000-149	\$204,470.00

2. Safety Officers Report (1)

3. Grants: Closeout of Victim Witness Coordinator Grant

4. Make Part of Minutes

- a. Resolution Supporting the Development of The Villages of Hawks Crossing PUD
- b. Seven States – Letter Dated 10/27/09
- c. Order Adopting the International Fire Code
- d. \$5m Pool Loan Refunding Bond - Engagement Resolution
- e. \$38m Civic Center Bond – Engagement Resolution, Bond Resolution, and Sales Parameter Resolution

5. Department of Road Management – Declare Equipment Surplus and Authorize Sale at Auction

- County unit #236, 2007 Mack CTP 713 with OX body bed. SIN IM2AT04C17M002922
Mileage: 57,789, excellent condition.
- County unit #237, 2007 Mack CTP 713 with OX body bed. SIN IM2AT04CTZM00295
Mileage: 38,004, excellent condition.
- County unit #238,2007 Mack CTP 713 with OX body bed. SIN IM2AT04C57M002907

Mileage: 37,615, excellent condition.
 County unit #239, 2007 Mack CTP 713 with OX body bed. SIN 1M2AT04C07M002927
 Mileage: 55,551, excellent condition.
 County unit #240, 2007 Mack CTP 713 with OX body bed. SIN IM2AT04C87M002884
 Mileage: 26,862, excellent condition.
 County unit #241, 2007 Mack CTP 713 with OX body bed. SIN IM2AT04C37M002923
 Mileage: 46,472, excellent condition.
 County unit #691, 2007 Volvo Ec240 BLC Excavator SIN 0080506
 Hours: 168.5, excellent condition
 County unit #692, 2007 Volvo Ec290 BLC Excavator SIN 0080251
 Hours: 775.3, excellent condition

6. Chancery Clerk Allowance (2) \$2,566.66 November \$1,350.00 November

Supervisor Allen Latimer made the motion and Supervisor Eugene Thach seconded the motion to approve the Consent Agenda. 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

See Exhibit D

E. Old Business

F. New Business

1. Public Hearing - Debris Removal Program

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to open the Public Hearing regarding debris removal in DeSoto County. Board Attorney Tony Nowak explained to the Board of Supervisors that it is not legally necessary to have a Public Hearing on this issue but the Board had elected to open the floor to the public for comment.

Supervisor Tommy Lewis asked if there was anyone present who wished to speak on this issue. No one came forward.

Supervisor Lewis said the letters and calls he received were from people wanting to keep the debris and limb service.

Supervisor Eugene Thach said the calls he received are also in favor of keeping the service. Supervisor Thach said the people feel like this is a program paid for with their taxes and they want it to continue.

Supervisor Allen Latimer said he has received letters and calls from people desiring to keep the program in place as well. Supervisor Latimer said his concern is with abuse of the program. He said the Board needs to determine how to eliminate the abuse. He asked how it would be handled if they have dead trees on the curb to pick up.

Road Manager Russell Dorris said many times the Road Department will cut up the trees, but often the landowner takes care of it. Mr. Dorris said the big problem is when a commercial operation abuses the system. He said the county has spent as much as one week at a time at one house.

Supervisor Jessie Medlin said he thinks this is a good service. Supervisor Medlin said there is no question that it is being abused. If we stop every program that is being abused, we would not have any programs left.

Supervisor Latimer said he thinks it is a good service and provides a service that is needed. He asked if there is anything the Board can do such as saying we will not pick up limbs that are greater than four feet long.

Mr. Dorris said most of the time it is a commercial business that will cause the problem. He said when people do work at their own home it does not usually cause an issue.

Supervisor Tommy Lewis said he understands when a person hires a commercial company to cut down a tree, they would not want to pay the company to cut up the debris when the county may be picking up debris down the road.

Supervisor Medlin said he has seen debris where they are clearing to build houses.

Mr. Dorris said it should be limited to one load and the county can pick up additional loads on their regular route.

Supervisor Bill Russell said the county is spending \$1million per year on limb pick up. Mr. Dorris confirmed that more than \$1million is definitely being spent per year.

Supervisor Russell said he thinks the county should put controls on the program. He said limbs should be no more than four feet long. If it is a commercial business cutting down the tree, they should leave no debris at all.

Supervisor Russell suggested forming a committee with the Road Department to see if there are ways to improve the current system and help eliminate abuse of the system.

Supervisor Lewis said the Solid Waste Committee is already in place and we could use that committee to study the issues with debris removal. He said Supervisor Medlin and Supervisor Russell are on the committee.

County Administrator Michael Garriga said the tipping fee and disposal fee is paid from the Solid Waste millage so the program could be a function of Solid Waste.

Supervisor Russell said most of the cities charge for the service and have limits on the number of loads.

Supervisor Medlin said he does not think he should be on that committee. Supervisor Thach said he will serve on the committee.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to close the Public Hearing. The motion passed by a vote as follows:

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

See Exhibit F.1

2. Hernando Chamber of Commerce Presentation

Angie Hick, the Director of the Hernando Chamber of Commerce, thanked the Board of Supervisors for their support for the Fall Festival. Ms. Hick said they made a profit in spite of issues with the economy. Ms. Hick presented an autographed, framed picture to the Board of Supervisors to thank them for their support of the event.

Supervisor Tommy Lewis thanked Ms. Hick for the picture and for appearing before the Board.

3. North Delta Transportation Report

Mr. Glenn Brown, Executive Director of North Delta Planning and Development District, appeared before the Board of Supervisors. Mr. Brown introduced Gail Verner, an RN Case Manager for

North Delta Planning and Development and Cynthia Johnson, a Social Worker for home based community services.

Mr. Brown presented a report regarding the transportation program that the county supports. He said they appreciate all that the Board of Supervisors does to support the program and appreciate the office space provided by the Board.

Mr. Brown said there are senior citizens who are attending the meeting because they wanted to thank the Board of Supervisors for the transportation service and the homemaker service. Mr. Brown said they are able to meet doctor appointments, go to pharmacies and use the homemaker services and meals on wheels.

Mrs. Margaret Montgomery of Southaven thanked the Board of Supervisors for providing the transportation service. Mrs. Montgomery said she is legally blind and without the transportation service, she would be completely home-bound and certainly would not have a very good quality of life. Mrs. Karen Jarvis of Rolling Hills in Olive Branch thanked the Board of Supervisors for the program. Mrs. Mary Hernandez also thanked the Board of Supervisors and said she appreciated their support of senior citizens and the transportation program. Mr. Guy Wooten of Hernando said he appreciated the program as well. Mrs. Inez Davis of Hernando expressed her appreciation of the service to the Board. Clara of Cherry Valley in Southaven said she has major health problems and would not know what to do without the service. She thanked the Board for their support of senior citizens.

Mr. Brown said the service supports senior citizens as well as disabled people. The service provided for them enables them to live at home instead of having to go to a nursing home which helps keep healthcare costs from escalating. He said the service is a great success for senior citizens.

Mr. Brown said the senior citizens will sign up for the Medicaid Prescription Program on November 18th from 9:00 a.m. until 2:00 p.m. in the Board Room and he thanked the Board of Supervisors for allowing them to use the facility. Mr. Brown said they can sign up at the Southaven Library on November 30th from 9:00 a.m. until 2:00 p.m.

Mr. Brown presented information about opportunities for veterans. He said the veteran's service was paid for and is available for use.

Supervisor Medlin asked if grants for additional buses are still being searched. Mr. Brown said yes, MDOT has been contacted.

Supervisor Latimer thanked North Delta for their contribution to the county, and for the staff and taxpayers for coming to the Board Meeting to speak on behalf of the great service that North Delta provides them and also their assistance with veteran's needs.

Deputy Carl Hurt told the Board that he would like to thank the Board for this service as well. He said this service has been so good for senior citizens in DeSoto County.

Supervisor Lewis also thanked the representatives from North Delta and expressed appreciation for their work and service to the citizens of DeSoto County.

4. Tax Exemptions

a. IDI: Real Property – 10 year

Tim Moore of IDI said they completed a new building in Olive Branch in 2008 and achieved LEED Silver Certification on the construction which means they were built using "green technology". Mr. Moore said \$14 million was invested in the building and Smith Medical leases part of the building. He said they now lease 53% of the new building bringing the Industrial Park to 70% occupancy.

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to approve a ten year real property tax exemption for IDI as detailed in Exhibit F.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 F.4.a

b. Smith Medical: Personal Property – 10 year

Mike Sell of Smith Medical appeared before the Board of Supervisors to request a personal property tax exemption for Smith Medical. Mr. Sell said they consolidated their operation in San Diego to the Olive Branch operation. He said there was not enough space at the Southaven location which they lease from IDI and they decided to consolidate both facilities to the IDI facility in Olive Branch. They plan to continue to grow the business at the distribution center in Olive Branch. He said they currently have 44 full time employees and 27 temporary staffing employees. They will consider hiring these employees full time. Mr. Sell said that Smith Medical in Olive Branch is the largest distribution center for the company.

Supervisor Allen Latimer said he appreciated Smith Medical considering the citizens of DeSoto County for the employment positions. The citizens are paying for schools and roads which the company utilizes.

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to approve a ten year personal property tax exemption for Smith Medical as fully described in Exhibit F.4.b. 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.4.b

c. Cardinal Health: Personal Property – 10 Year - Freeport

Robert Ramsey of Cardinal Health appeared before the Board of Supervisors requesting a ten year personal property and Freeport tax exemption. Mr. Ramsey said that Cardinal Health is a medical distributor based in Oregon. He said Cardinal Health has been in business for 75 years. Mr. Ramsey said their philosophy is to hire local people. He said Cardinal Health relocated from Memphis to DeSoto County. Mr. Ramsey said he moved from Texas to Hernando.

Supervisor Allen Latimer said Cardinal Health has a nice benefits package for their employees. Supervisor Latimer welcomed Cardinal Health to DeSoto County.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve a ten year personal property tax exemption and a Freeport tax exemption for Cardinal Health. 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.4.c

d. Motosport – Freeport

Ron Cooper of Motosport appeared before the Board of Supervisors to request a Freeport tax exemption. Mr. Cooper said they are one of the largest online sellers of motorcycle equipment, parts and apparel. He said they have 85 full time employees.

Jim Flanagan, President and CEO of DeSoto County Economic Development Council, said the Tax Advisory Committee is recommending approval of this Freeport tax exemption.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve a Freeport tax exemption for Motosports beginning with the 2009 tax year. 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.4.d

5. Inventory Dispositions

- a. Building and Grounds**
- b. Juvenile Drug Court**
- c. Sheriff’s Dept.**
- d. IT Dept.**

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to declare as surplus and approve inventory dispositions for vehicles and auctioning them as follows:

Asset #	Vehicle Description	Vin#
19051	1999 Ford Crown Victoria	2FALP73WOSX141047
19081	1999 Ford Crown Victoria	2FALP71WAXX113680
20191	1992 Ford F150 Pick-up Truck	1FTEF15N6NLA85740
20194	1992 Ford F150 Pick-up Truck	1FTEF15N6NLA85741
20192	1992 Ford F150 Pick-up Truck	1FTEF15N6NLA85743

And to approve dispositions for Juvenile Court, the Sheriff’s Department and the IT Department as follows:

Juvenile Court

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary
38190	KCGET5340556	Kodak digital Camera	Broken	Inv Clerk

Sheriff’s Department

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary
36353	310500172	Touchprint Scan System	Returned for Upgrade	DSCO

IT Department

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary
39131	AAXC14961	Canon Printer	Broken	IT Ofc.
36979	MY5A14R0KQ	HP Printer	Broken	IT Ofc.
31445	0027143511	Gateway PC	Broken	IT Ofc.
30469	SG95EB80VP	Gateway PC	Broken	IT Ofc.
31268	0025357719	Gateway PC	Broken	IT Ofc.
8175	2348083	IBM Terminal	Broken	IT Ofc.
30490	0014235808	Gateway PC	Broken	IT Ofc.
37060	BR21HCHL50 0143	Samsung Monitor	Broken	IT Ofc.
32619	GH17H9NW70 0753	Samsung Monitor	Broken	IT Ofc.
6036	USBB290849	HP Printer	Broken	IT Ofc.
37137	JSO822008306	APC UPS	Broken	IT Ofc.
31459	117152936	Watchguard Firewall	Broken	IT Ofc.
32626	USU3320LSN	HP PC	Broken	IT Ofc.
32841	BGLBF21	Dell PC	Broken	IT Ofc.
6062	11B0287	IBM Printer	Broken	IT Ofc.
30466	118A782	IBM Printer	Broken	IT Ofc.
6063	11B0774	IBM Printer	Broken	IT Ofc.
6067	11B9549	IBM Printer	Broken	IT Ofc.
36507	S7210K9W	Lexmark Printer	Broken	IT Ofc.
36958	E8FEC01	Acer Monitor	Broken	IT Ofc.
37015	327Q000	Acer Monitor	Broken	IT Ofc.
31060	TW13061057	HP Monitor	Broken	IT Ofc.
38109	104LRFM	IBM AS400	Broken	IT Ofc.
30661	104G6NM	IBM AS400	Broken	IT Ofc.
33482	01CG263	IBM Printer	Broken	IT Ofc.
35780	0113274	IBM Printer	Broken	IT Ofc.
6054	0017593	IBM Printer	Broken	IT Ofc.

The motion passed by a vote as follows:

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

See Exhibit F.5

6. Accounting

a. Budget Amendments

Comptroller Tom Arnold presented the budget amendments as fully described in Exhibit F.6.a. for Board approval.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the budget amendments as detailed in Exhibit F.6.b. 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

b. Supplemental Claims Docket

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

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

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

See Exhibit H.2.b

7. Legislative Requests 2010

Vanessa Lynchard presented a draft copy of items for the Legislative Request, 2010. Vanessa said the Legislators are scheduled to appear before the Board of Supervisors on December 7th. The Board of Supervisors discussed the importance of conveying the needs of the county to the Legislators.

8. Parks – Grant for Tennis Courts at Eudora Park

Supervisor Allen Latimer said there is a concrete slab in Eudora located where the school used to be. He said Park Commissioner Lee Ashcraft asked about turning the slab into a tennis court. Supervisor Latimer said they have spoken with Grants Administrator Joyce Herring and her to research to see if there is grant money available for the project.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to authorize the county to search for a grant for a tennis court for the Eudora Park. 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

9. Architectural Services Contract for Jail and Facilities Planning

County Administrator Michael Garriga said the Jail Committee met recently met with Evans, Taylor, Foster and Childress, the architectural service, regarding the contract for the jail and facilities planning. Mr. Garriga presented the contract highlights as follows:

Part I

Facilities Management Plan and Final Site Analysis:

A) Plan	\$30,000
B) Site Analysis (Civil Fees)	\$15,000
TOTAL	\$45,000

Part II

Architectural Services:

< \$7 million	6.5%
\$7 - \$12 million	6.0%
> \$12 million	5.5%

Mr. Garriga said that the Board Attorney has reviewed the contract and is making a few legal changes. He said all other aspects of the contract are recommended for approval at this time.

Supervisor Allen Latimer asked what does “Plan” mean. Mr. Garriga said this is a long range plan that will be developed in partnership with Evans, Taylor, Foster and Childress and can be used in the future as well. He said in years to come this plan will be used as a blueprint for county projects. Mr. Garriga said they want all departments affected by this expansion to be involved in the planning process. He said this plan will guide the Board and departments in the future. The Board of Supervisors discussed the importance of this plan and this process is very important for the future.

Supervisor Jessie Medlin asked if the \$30,000 will be spent before we make any progress on the jail. Mr. Garriga said yes, but we feel this will be a very important step for future growth. Mr. Garriga said if the situation changes we can always re-evaluate the plan and time-line if necessary. Supervisor Medlin said that is his problem with the project. He said we have done a lot of studies and they are setting on the shelf after the county paid for them to be done.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to approve the contract for Evans, Taylor, Foster and Childress in substantial form with such completions, changes, insertions and modifications as shall be approved by the officers executing and delivering the same (the execution thereof shall constitute conclusive evidence approval of any such completions, changes insertions and modifications). 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 Medlin said he has a problem with the “Plan” portion of the project.

See Exhibit F.9

10. Board Attorney: Interlocal Agreement with Walls for Road Maintenance

Board Attorney Tony Nowak said there is an interlocal agreement with the Town of Walls for providing road maintenance for several years. Mr. Nowak said it is time to decide if the Board wants to renew that agreement.

Supervisor Bill Russell asked if the current agreement is working okay. Road Manager Russell Dorris said yes, it is working well.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to approve renewing the contract by interlocal agreement with the Town of Walls for road maintenance for one year and to authorize the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to take any steps necessary to draw up and approve the documents in any manner necessary to bring it to a legal conclusion. 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

11. PERS Employer Contribution Increase

County Administrator Michael Garriga presented a memo from PERS notifying the county that the employer contributions will increase from 12% to 13.56% beginning July 1, 2010. Mr. Garriga said it will cost roughly an additional \$250,000 to the county. He said we will probably have to make changes to the budget in July, 2010 for the last quarter.

See Exhibit F.11

12. Kick-off Meeting for Facilities Plan

County Administrator Michael Garriga said he would like to have a meeting for the facilities planning session. The purpose of the meeting will be to inform the various departments about the plan and discuss ideas and effects of this project on the county entities. He said input from the departments will be beneficial to the architects and enable them to get started with the process.

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. Bond Resolution Pool – Bond Refinancing Pool Loan

Demery Grubbs of Government Consultants said the county has participated in a pool loan program and the county has drawn down \$10 million. Mr. Grubbs said the program carries a variable rate bond. He said the last pool the Board participated in was in the amount of \$5 million. Mr. Grubbs said the county has saved money on those variable rates and now we would like to make the rate a fixed rate on one of those bonds. He said there is a resolution on the county's other variable rate.

Mr. Grubbs presented a resolution to authorize Butler, Snow, O'Mara, Stevens & Cannada PLLC and Government Consultants to proceed with the bond refinancing.

Supervisor Jessie Medlin asked the variable rate and Mr. Grubbs said two and one half to three percent, but because it is a variable rate, it can change at any time.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to authorize the Board President to sign a resolution and to hire Butler, Snow, O'Mara, Stevens & Cannada PLLC and Government Consultants to initiate steps to refinance a county variable rate pool loan into other financing. 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. Humana – H1N1 Flu Vaccine

Human Resources Director Janna Rogers said the HR Department contacted Humana regarding the flu vaccine for the H1N1 flu. Humana informed Ms. Rogers that the county insurance will pay for the vaccine.

3. Industrial Prospect

Board Attorney Tony Nowak said that Interstate Blvd. Investors sent a proposed resolution showing the area they are requesting to designate as eligible for Recovery Zone Facility Bonds. They also asked that the total of \$12 million be allocated for this project. Jim Flanagan, President and CEO of DeSoto County Economic Development Council, said Interstate Investors asked other groups who expressed interest in this money to apply, but no one applied for this funding.

Supervisor Allen Latimer made the motion and Supervisor Eugene Thach seconded the motion to approve property in Horn Lake be approved as a designated Recovery Zone and that the entire allocation of approximately \$12 million be allocated to this project identified as the Gayoso Frams Development District, as more fully described in the attached exhibit.

The motion passed by a vote as follows:

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

4. Board Attorney – Space Center

Board Attorney Tony Nowak said the issue on the Space Center property has been resolved. Mr. Nowak said that property will become part of the lease currently in place with Space Center. He said all of bonded debt has been paid. They can lease it according to the terms of the bond which he believes is 75 years.

Supervisor Tommy Lewis asked if the county can collect rent on the 1.6 acres. Mr. Nowak said arguably the Board could cancel the MOU under which the property is to become part of the lease and seek rent. The land in question is a ditch and of no real value. Space Center is acquiring the 1.6 acres by lease and they will maintain it.

Supervisor Allen Latimer made the motion and Supervisor Jessie Medlin seconded the motion to approve the amendment to the lease for Space Center to add the 1.6 acres. 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. Bond – \$4.77 million

At the recommendation of the Board Attorney Tony Nowak, Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to approve a Sales Parameter Resolution and a Bond Resolution for the \$4.77 million refunding bond regarding the pool loan. 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 I.5

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to adjourn the meeting until December 7, 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 16th day of November, 2009, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Tommy Lewis, President
DeSoto County Board of Supervisors