

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

BILL RUSSELL, PRESIDENT 2010 PRESIDING

November 1, 2010

A. CALL TO ORDER

The November 1, 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 Absent
- 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

Deputy Carl Hurt presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF OCTOBER MINUTES

The official minutes of the Board of Supervisors were read for the month of October, 2010. Supervisor Tommy Lewis made the motion and Supervisor Allen Latimer seconded the motion to accept the minutes of the Board of Supervisors for October, 2010 and as presented this date with changes previously submitted pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated. The motion passed by a vote as follows:

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

See Exhibit D

E. CONSENT

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

Supervisor Allen Latimer made the motion and Supervisor Eugene Thach seconded the motion to

approve the Consent Agenda as follows:

1. Dept. of Human Resources: Monthly Health Claims

The following is a recap of all insurance claims funded for the month of October and paid to Humana:			
Funding Request	Date Paid	Amount	Claim Type
Date			
10/1/10	10/1/10	\$76,175.76	Administration Fees
10/4/10	10/5/10	\$75,030.64	Medical
10/4/10	10/5/10	\$5,545.20	Dental
10/4/10	10/5/10	\$14,841.07	Pharmacy
10/11/10	10/13/10	\$49,109.09	Medical
10/11/10	10/13/10	\$2,578.05	Dental
10/11/10	10/13/10	\$19,553.37	Pharmacy
10/18/10	10/19/10	\$75,443.27	Medical
10/18/10	10/19/10	\$6,427.90	Dental
10/18/10	10/19/10	\$13,451.82	Pharmacy
10/25/10	10/26/10	\$70,006.30	Medical
10/25/10	10/26/10	\$5,158.50	Dental
10/25/10	10/26/10	\$10,377.67	Pharmacy
	TOTAL	\$423,698.64	

2. Justice Court Report

Criminal Cases Filed	140
Civil Cases Filed	617
Traffic Tickets Filed	1,012
Total Cases Filed	1,769
State Assessments	\$82,189.48
County General Fund	\$110,839.26
Total Collections	\$193,028.74

3. Bailiff Pay (3)

Liz Medlin-\$285.00 Shirley Holmes-\$120.00

4. Publication of Board Proceedings

5. Accounting: Budget Amendments-Detailed in Exhibit E

6. Tax Assessor: Erroneous 2009 Tax Assessment – EQ Acquisitions 2003 Inc.

7. Office of Procurement: Solicit Bids for Flashing Beacons and Various Accessories

8. Appoint Barry Chatham Assistant Receiving Clerk for Election Commission

9. Make Part of Minutes

a. Interlocal Agreement with City of Hernando for Tax Collections

b. MOU & Ad Valorem Tax Fee-In-Lieu Agreement with Soladigm

c. Interlocal Agreement with E911 for Construction Improvements

d. EMA Disposition-Make Final Disposition Part of Minutes

Asset#	Serial #	Description	Reason for Disp	Disp of By	Location at Final
30271	CKL269F196507	1978 Chevy Suburban	Surplus/Sold	TC	GovDeals.com

10. Grants Administration: Accept Homeland Security Grant No. 91C017T – \$36,642.00

11. Safety Officers Report (1)

12. Department of Road Management

a. Road Report and Work Schedule

b. Road Bond Report

c. Additions to Official DeSoto County Road Map and Register 2011

Road	Length	Width
Robinson Crossing	1850'	28'
Robinson Loop North	480'	28'
Robinson Loop East	745'	28'
Robinson Loop West	680'	28'
Delbridge Lane	370'	28'
Delbridge Court West	377'	28'
Delbridge Court East	885'	28'
Delbridge Court North	290'	28'
Piland Park	230'	28'
Malone Road	1556'	24'
	<u>380'</u>	60'
	1936' (Total Length Malone Road)	

13. Chancery Clerk Allowance (2) - \$1,500.00 \$1,400.00

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 E

F. OLD BUSINESS

G. NEW BUSINESS

1. Holiday Closings Clarifications

County Administrator Michael Garriga said the Governor’s office issued a proclamation regarding the Thanksgiving, Christmas and New Year’s Holiday schedule. Mr. Garriga said, according to the proclamation, the county offices will be closed November 25th and 26th for Thanksgiving. The offices will be closed on December 24th and December 27th for Christmas and New Year’s the offices will be closed December 31st and January 3rd. Mr. Garriga said the first Board of Supervisors meeting will be held on January 4th. He said there was a past order that the county followed the state schedule for holiday closings, but he wanted to make sure the minutes clearly reflected the intentions of the Board of Supervisors.

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to continue the policy that county offices follow the state holiday schedule as provided by the Mississippi Governor or Secretary of State’s office for state offices. 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

2. Finance & Accounting: Claims Docket

Chief Financial Officer Tom Arnold presented two interfund loans for the Board of Supervisors review.

At the recommendation of the Chief Financial Officer, Supervisor Allen Latimer made the motion and Supervisor Eugene Thach seconded the motion to approve the interfund loans as follows:

From:	General County Fund	001-000-054	\$90,000.00
To:	Energy Grant-Federal Funds	307-000-149	\$90,000.00
From:	General County Fund	001-000-054	\$400,000.00
To:	2009 MDB Refunding Bonds I & S	226-000-149	\$400,000.00

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.2

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

Supervisor Allen Latimer asked about the claim for Clear Channel on page 12. Board Attorney Tony Nowak said it is a legal bill for that item which is on appeal to the Supreme Court. Mr. Nowak said it will probably be June or July of 2011 before the Supreme Court rules on the matter.

Supervisor Tommy Lewis said regarding page 84, the county is paying for disposal of tires. Supervisor Lewis said he would like to know where these tires are coming from.

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 Allen Latimer seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Chief Financial Officer and to cover the late bill for the Coroner for training registration for an assistant. 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.2

3. Office of Procurement – Purchases over \$25,000

a. Sheriff’s Dept: Motorcycles and Accessories

Vanessa Lynchard presented two quotes for two motorcycles in the DeSoto County Sheriff’s Department as follows:

Bumpus Harley-Davidson \$33,375.14

Southern Thunder Harley-Davidson \$33,513.37

Vanessa recommended the lowest and best quote from Bumpus Harley-Davidson.

Supervisor Allen Latimer questioned whether the Board can accept the local quote of the county dealership. The Board members agreed that a local business contribute to the economy and it is good to support our local businesses. The Board also considered that competition results in better pricing for the taxpayers and the county. Ms. Lynchard advised the Board that Tennessee did not have any procedure to provide local preference to bidders, and Mississippi law is to reciprocate what the state of the foreign bidder does. Thus, for this bid, there is no local preference to be given.

b. I.T. Computer Equipment

Vanessa presented quotes for an I.T. upgrade as recommended by the I.T. Director John Mitchell as follows:

Dell Computer \$131,409.66
 nextstep Innovation \$109,654.00

Vanessa recommended the lowest and best quote from nextstep Innovation. She explained that the quotes were in connection with the State of Mississippi number EPL-3630.

Supervisor Tommy Lewis made the motion and Supervisor Allen Latimer seconded the motion accept best quote from Bumpus Harley-Davidson of Memphis for motorcycles and accessories for the Sheriff’s Department in the amount of \$33,513.37, and approve the lowest and best quote for the I.T. Department from nextstep Innovations in the amount of \$109,654.00 for an upgrade to computer systems. The motion passed by a vote as follows:

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

See Exhibit G.3

4. Inventory Dispositions: Preliminary: Sheriff’s Department

Assistant Inventory Clerk Joyce Herring presented items from the Sheriff’s Department to declare as surplus and to auction.

Supervisor Tommy Lewis made the motion and Supervisor Allen Latimer seconded the motion to approve the preliminary inventory dispositions for the Sheriff’s Department and to declare as surplus to be sold at an auction as follows:

<u>Asset #</u>	<u>Serial #</u>	<u>Description</u>	<u>Reason for Disposal</u>	<u>Location at Preliminary</u>
40233	JM1BB141XT03231164	1996 Mazda Protégé	Surplus/Auction	SID
38649	1J4GK48K15W548853	2005 Jeep Liberty	Surplus/Auction	SID
39825	1G2WP52K52F215332	2002 Pontiac Grand Prix	Surplus/Auction	SID
32380	1FTRW08LX1KF57959	2001 Ford F150	Surplus/Auction	SID
36556	N/A	Truck Bed Topper	Surplus/Auction	SID
39522	N/A	Cargo Loader	Surplus/Auction	SID

The motion passed by a vote as follows:

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

See Exhibit G.4

5. Dept. of Road Management

a. Olive Branch Food Pantry Parking Lot

Road Manager Russell Dorris presented a quote to replace limestone in the parking lot of the Olive Branch Food Pantry and recommended using money from the District 1 Park Fund.

Supervisor Tommy Lewis made the motion and Supervisor Allen Latimer seconded the motion to approve adding limestone to the Olive Branch Food Pantry parking lot at an estimated amount of \$8,574.40, and to use money from the District 1 Park Fund.

Supervisor Bill Russell said, traditionally, money for such and expenditure does not come from the park funds budget, but from the Facilities Management budget.

Supervisor Lewis withdrew his motion and Supervisor Latimer withdrew his second to the motion.

Supervisor Tommy Lewis made the motion and Supervisor Allen Latimer seconded the motion to carry the item over until Wednesday so the County Administrator can check with the Facilities Management Director to make sure money is available for this expense. The motion passed by a vote as follows:

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

b. Recommendation for Truck Purchase

Road Manager Russell Dorris presented bid results for a 17 yard tandem Mack dump truck from Tri-State Truck Center for the Board of Supervisors' consideration. Mr. Dorris said this is the lowest and best bid and meets most of the specifications at a bid price of \$121,246 with \$102.75 per hour for labor. Mr. Russell said there is a guaranteed buyback and he presented facts connected to the bid as follows:

We recommend the purchase of one 17-yard tandem Mack dump truck from **Tri-State Truck Center** which met the most specifications at a bid price of \$121,246 with \$102.75/hour labor. Guaranteed buyback was offered. The following specifications were not met on the bid:

<u>Asked for:</u>	<u>Offered:</u>
Parts and labor warranty on engine:	
3-year/300,000 miles	2-year/250,000 miles
Roadside assistance and towing:	
2-year/250,000 miles	1 year/250,000 miles

MHC submitted a bid of \$114,050 with \$110/hour labor. Guaranteed buyback was offered. The following specifications were not met on the bid:

<u>Asked for:</u>	<u>Offered:</u>
Wheel base of 234"	209"

Cab to axle – 147”	135”
Platform – 203”	196”
Double reduction rear axle with anti-sway springs	Did not offer double reduction axle but is available at a higher cost
Bronze trunnion bushings	Chalmers bushings (similar to walking beam bushings)

Asked for:

Offered:

Exhaust pyrometer gauge	No longer available
Welded steel cab (galvanized)	Huck bolted aluminum cab
Galvanized steel doors	Bulkhead aluminum doors

Diamond International submitted a bid of \$116,192 with \$110/hour labor. The following specifications were not met on the bid:

Asked for:

Offered:

Double reduction rear axle with anti-sway rear springs	Specs form was checked “yes”, but “Mack only” was written on form with “exceeded request” (This is not true. It is offered for any truck at a higher price.)
Guaranteed Buyback	Buyback not available

TAG Truck Center submitted a bid of \$105,931.63 with \$105/hour labor. The following specifications were not met on the bid:

Asked for:

Offered:

Wheel base of 234”	216”
Exhaust pyrometer gauge	Did not offer
Welded steel shell (galvanized)	Aluminum
3-year/300,000 mile parts & labor warranty on engine	Did not offer on starter
Guaranteed Buyback	Did not offer
Double Reduction	Did not offer
Rear Axle with anti-sway rear springs	Did not offer, but axle is available at a higher cost

At the recommendation of the Road Manager, Supervisor Allen Latimer made the motion and Supervisor Tommy Lewis seconded the motion to accept the bid from Tri-State Truck Center as the lowest and best bid and most responsive bid in connection with bid file number 11-300-001. The motion passed by a vote as follows:

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

See Exhibit G.5.b

6. Group Health Plan and Renewal

County Administrator Michael Garriga said he sent an update to the Board of Supervisors regarding renewing the county group health plan. Mr. Garriga said it would be good for the Board to meet with representatives from Humana on November 10th to discuss the current plan and the necessary changes that need to be made to the plan. He said Humana has provided good

rates with minimum issues and the Board may want to stay with them. Mr. Garriga suggested bidding out the health plan with other providers in order to keep the county rates competitive. He said that Rex Haynes can market the plan and make sure the rates remain competitive.

Supervisor Bill Russell said the memo from Mr. Garriga indicated the meeting date is set for November 10th. Mr. Garriga said yes and the Humana representatives will be present to answer questions. Mr. Garriga said the meeting is held every year, but county staff usually goes to their office. Mr. Garriga said because of the mandatory changes to the healthcare system by the federal government and changes the county may need to make to the plan, the Board may want the opportunity to discuss the changes with Humana as well as ask any questions.

Supervisor Allen Latimer asked Mr. Garriga if it is his opinion that the national healthcare system will cause increases to the county healthcare plan. Mr. Garriga said yes, particularly because of allowing people in college from age 23 to 26 to be covered by their parents. The local taxpayers will be faced with increased costs because of the national healthcare plan.

See Exhibit G.6

7. Voting Precinct Agreement: Hernando Central

County Administrator Michael Garriga said last week we were told the National Guard Armory is being renovated. The armory is the voting be for Hernando Central and it will not be appropriate to use for next week's election. Mr. Garriga said options have been researched for where to temporarily move the precinct and the best choice is a building located next to the armory and it has appropriate access.

Mr. Garriga presented an agreement with Mr. Steve Beene for use of the building as a temporary voting precinct. Mr. Garriga said the temporary precinct will be covered by a temporary rider to the county insurance policy. He said that he had conversations with the Department of Justice and they say it should not be a problem. The DOJ suggested the county make the best decision possible to accommodate the voters for the Hernando Central precinct.

Supervisor Tommy Lewis made the motion and Supervisor Allen Latimer seconded the motion to adopt the agreement between DeSoto County and Mr. Steve Beene for use of the building located next to the National Guard Armory as a temporary voting precinct and to authorize the Board President to sign the agreement. The motion passed by a vote as follows:

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

8. Termination of Engineering Services Contract

County Administrator Michael Garriga said last week he received a letter from County Consulting Engineer Daniel Murphy to terminate his contract with the county for engineering services. Mr. Garriga said the agreement of most concern is the State Aid agreement. He said the county must have a local State Aid Engineer.

Road Manager Russell Dorris said he asked the Board Attorney to research the issue. Board Attorney Tony Nowak said in order to get state aid funding, the county must have a State Aid Engineer who is an engineer licensed to practice in Mississippi.

Mr. Garriga said Mr. Murphy will send final invoices on the projects he has been working on to the county and someone will need to approve the invoices for work Mr. Murphy has done to date.

Supervisor Allen Latimer asked why the invoices do not go through the Road Department. County Administrator Michael Garriga said they will.

Supervisor Allen Latimer made the motion and Supervisor Tommy Lewis seconded the motion to make the letter of resignation from the county consulting engineer part of the minutes and to allow the Smith, Phillips, Mitchell, Scott and Nowak LLP to work with the County Administrator, if necessary, to review the invoices to be received from Mr. Murphy. The motion passed by a vote as follows:

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

9. Board Attorney: Interlocal Agreements

- a. Road Inspection-Town of Walls**
- b. Walls-Animal Control**

Board Attorney Tony Nowak said he and County Administrator Michael Garriga have been reviewing agreements and termination dates. Mr. Nowak said there is an interlocal agreement between the county and Town of Walls for road inspection which is set to expire January 1, 2011.

In addition, Mr. Nowak presented an agreement for Animal Control Services in the Town for Walls which is currently ready to be renewed.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to approve renewing agreements for the Town of Walls for road inspection and animal control services and to allow the Smith, Phillips, Mitchell, Scott and Nowak LLP to work on the agreements. The motion passed by a vote as follows:

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

I. OTHER ISSUES

1. Bicyclists on County Roads

Supervisor Allen Latimer said paint is still on the county roads from when the bicycle riders had a riding event. He said they are supposed to remove the paint when the event is over, but it has not been done.

County Administrator Michael Garriga said the riders indicated they would remove any markings on the roads. They wanted to try and use signs in the future, but it is difficult and unsafe for the biker to take their eyes off the road to read a sign. In addition, the signs are hard to read when a biker is riding by the sign.

Supervisor Tommy Lewis said it is a problem for the riders. He said they are riding to help raise money for different charities.

Supervisor Bill Russell asked if there are products they could use that wash away instead of having to be removed.

Supervisor Allen Latimer made the motion and Supervisor Bill Russell seconded the motion to check into the issue with the biking club about using washable paint and also ask them to remove the paint that is still on the county roads. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----ABSENT
Supervisor Eugene C. Thach-----ABSENT

Supervisor Bill Russell-----YES
Supervisor Allen Latimer-----YES
Supervisor Tommy Lewis-----YES

2. Subdivisions: Nikki Lakes

Supervisor Allen Latimer asked the Road Manager to check and see if the roads have been completed in Nikki Lakes Subdivision.

3. Redistricting

Supervisor Allen Latimer said the Board recently discussed the process for redistricting in the county.

Supervisor Bill Russell reminded the Board they had discussed meeting with the county officials and ask the direction they may want to take for redistricting.

4. Olive Branch Food Pantry

Board Attorney Tony Nowak said there is a local and private which allows the county to provide space for the Olive Branch Food Pantry that will soon expire.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to authorize the Smith, Phillips, Mitchell, Scott and Nowak LLP to work on the local and private agreement and all other documents necessary for the county to provide space to the Olive Branch Food Pantry. The motion passed by a vote as follows:

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

5. Roads: Hwy 61 and Delta View

Supervisor Bill Russell asked if the study was complete on traffic at Highway 61 and Delta View in Walls. Supervisor Russell wanted to know if MDOT has made any progress at reviewing the county's request for signalization at that location.

Road Manager Russell Dorris said the last he heard MDOT has not completed the study. Mr. Dorris said he would write a letter to MDOT today to get an update. Supervisor Russell responded, please do. He said he would like to know where they are on the study. Mr. Dorris said there have been two deaths and 16 incidents at that intersection.

6. Senator Roger Wicker

Kim Chamberlin of Senator Wicker's office appeared before the Board of Supervisors and introduced Hall Carter as a new staff member of Senator Wicker's office.

7. State Aid Engineer

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to authorize the Road Manager to issue requests for proposals for hiring a State Aid Engineer and to authorize Smith, Phillips, Mitchell, Scott and Nowak LLP to work with Mr. Dorris on this issue. 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

Supervisor Allen Latimer made the motion and Supervisor Tommy Lewis seconded the motion to recess the meeting until November 3, 2010, at 9:00 a.m. 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

THIS the 1st day of November, 2010, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Bill Russell, President
DeSoto County Board of Supervisors