

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

Tommy Lewis, PRESIDENT 2009 PRESIDING

September 28, 2009

A. CALL TO ORDER

The September 28, 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. CONSENT

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

After having determined it was in the best interest of taxpayers of the State of Mississippi to transfer position of 4 jet strobe lights to the City of Oakland, Mississippi, for less than fair market value, 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. Accounting – Repay Interfund Loan

From: State Aid Road Fund	\$600.00	(170-000-149)
To: General County Fund	\$600.00	(001-000-054)

2. Bailiff Pay

Liz Medlin - \$415.00 Lee Hodge - \$120.00

3. Safety Officer’s Report (2)

4. Department of Road Management - Additions to Official DC Road Map and Register

Road	Location	Length	Width
Blue Lake Drive	Blue Lake Cove to North end of Subdivision	2,440 feet	22 feet
Lake Springs Cove	Blue Lake Drive – End	615 feet (cove 70’)	22 feet

5. Make Part of Minutes

a. Mississippi Eligibility Update Application – Surplus Property

b. Web Site Hosting Agreement

c. 1999 & 2002 Bond Refunding

6. Sheriff’s Department

a. Approve Deputy Clerks

Effective September 22, 2009: Michelle Rochelle, Sheila Clements, Ashley Erhardt, Ollie Spain, Dana Patrick, Tammie Mannon, Fred Leviton, Shelly Stewart

b. Donation to Oakland City Police – Jet Strobe Lights (4)

c. School Resources Officers – Accept Restricted Donations

Restricted Donations for the School Resources Officers to help stock the School Resource Trailer as follows:

The Leather Store - \$250 Charles Rackett - \$250 Memphis Pizza Café - \$250 Trustmark National Bank \$250

d. Aviation Dept. – Agreement with Navy Donation

To purchase one pair of night vision goggles from the Navy - \$300

e. Approve to Auction 13 Vehicles

- 2003 Ford 2FAFP71W53X206234 34675
- 2000 Ford 2FAFP71W3YX178294 32946
- 2002 Ford 2FAFP71W32X108267 33599
- 2002 Ford 2FAFP71W52X120999 34055
- 2001 Ford 2FAFP71W52X153918 34059
- 2002 Ford 2FAFP71W52X108318 33600
- 2001 Ford 2FAFP71W61X153962 33145
- 2001 Ford 2FAFP71W91X153955 34039
- 2002 Ford 2FAFP71W92X120987 34049
- 2003 Ford 2FAFP71W33X194441 36455
- 2001 Ford 2FAFP71W81X129212 30843
- 2001 Ford 2FAFP74W91X125181 30910
- 1999 Ford 2FAFP74W7XX113670 30016

f. Service Agreement with Steri-Safe

7. Inventory Dispositions- Final

a. Animal Shelter

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary	Disposed of by	Location of Final Disposal
39003	92158	Karsher Pressure Washer	Broken	Animal Shelter	JB	BFI
38041	80337	Karsher Pressure Washer	Broken	Animal Shelter	JB	BFI
39002	23604	Karsher Pressure Washer	Broken	Animal Shelter	JB	BFI
38042	76947	Karsher Pressure Washer	Broken	Animal Shelter	JB	BFI
39099	117956	Karsher Pressure Washer	Broken	Animal Shelter	JB	BFI
39001	15824	Campbell Pressure Washer	Broken	Animal Shelter	JB	BFI
39098	42219	Karsher Pressure Washer	Broken	Animal Shelter	JB	BFI
33837	JS7001	W89 Pressure Washer	Broken	Animal Shelter	JB	BFI
8336	188105	IBM Printer	Broken	Inv. Clerk	JB	5R
35759	9022315274	Canon Camera	Broken	Animal Shelter	JB	5R

b. E-911

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary	Disposed of by	Location of Final Disposal
32211	31281	Dictaphone Recorder	Broken	E911 Ofc.	JB	BFI
32226	JP80737994	Viewsonic Monitor	Broken	E911 Ofc.	JB	BFI
33025	4261843	Sony Monitor	Broken	E911 Ofc.	JB	5R
32204	511AVU9193	Motorola H/H Radio	Broken	E911 Ofc.	JB	5R

c. EMS

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary	Disposed of by	Date of Final Disposal
34111	1FDWF36P04E C75077	2004 Ford Ambulance	Transferred to the City of Southaven	Southaven	BS	Southaven

d.EMS/Fire/EMA

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary	Disposed of by	Date of Final Disposal
3315	60700323	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
30348	N/A	BELL SOUTH CELL /M9	obsolete-disposal	EMA	TC	EMA
30994	N/A	RESCUE LIFE NET	Broken / Obsolete	EMA	TC	EMA
34793	PN20U5D 6V1PH	TUNGSTEN PALM PILOT	Broken	EMA	TC	EMA
36629	SG48521043	HP DESKJET MOBILE PRINTER	Broken	EMA		

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary	Disposed of by	Date of Final Disposal
5026	13001737	Uniden radio	Broken/Parts	EMA	TC	EMA
10066	1G304F106	GAS BLOWER	Broken	EMA	JB	AWS
12098	60200327	KENWOOD TKR VHF REPEATER	Broken / Lightening strike	EMA	JB	5R
12257	9309356	GE MONOGRAM RADIO	Broken/Parts	EMA	TC	EMA
12258	9995892	GE LOW BAND RADIO	Broken/Parts	EMA	TC	EMA
12264	327	LINK COMMUNICATION CONTROL /	Broken / Lightening strike	EMA	JB	5R
16000	435	15KW GENERATOR	Obsolete beyond repair	EMA	JB	TreeSaver
30272	00085-127	ZETRON 4010 CONSOLE	Broken/Parts	EMA	TC	EMA
30273	01184-127	ZETRON 4110 CONSOLE	Broken/Parts	EMA	TC	EMA
30751	MY04C160CZ	HP DESKJET PRINTER	Obsolete beyond repair	EMA	JB	5R
31169	921137922	MAXON H/H RADIO /BELTON	Broken/Parts	EMA	TC	EMA
31188	1000437	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31189	10300881	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary	Disposed of by	Date of Final Disposal
31191	10300883	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31192	10300884	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31193	10300885	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31196	20100541	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31197	20100543	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31199	20100545	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31201	21101663	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31202	21101733	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31203	30200276	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31204	30200277	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31205	80100326	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31206	80300246	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31208	90200262	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary	Disposed of by	Date of Final Disposal
31209	90301462	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31210	90401595	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31211	9041520	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31213	30528065	MAXON MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31216	30225443	MAXON MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31218	30832336	MAXON MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31220	603T30527B	MAXON MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31223	605T30800C	MAXON MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31233	60401474	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31236	60500378	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31241	61200594	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31242	70300367	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary	Disposed of by	Date of Final Disposal
31243	70400352	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31244	70600847	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31246	90700432	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31247	909000554	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
31251	60700073	Kenwood VHF Repeater	Lightning Strike	EMA	TC	EMA
34501	N/A	KMB 14 GANG RAPID CHARGER	Non Inv-Disposal	EMA	In Use	EMA
34738	N/A	SKED COMPLETE STRETCHER	Non Inv-Disposal	EMA	In Use	EMA
30345	N/A	MOTOROLA BAG PHONE /M6	obsolete-disposal	EMA	TC	Returned to Cingular
34792	PN20U5B6R1NV	TUNGSTEN PALM PILOT	Broken	EMA	JB	5R
36630	SG48521012	HP DESKJET MOBILE PRINTER	Broken	EMA	JB	5R
31245	70701106	KENWOOD MOBILE RADIO	Broken/Parts	EMA	TC	EMA
34794		TUNGSTEN PALM PILOT	Broken	EMA	JB	5R
36631	SG48J210TF	HP DESKJET MOBILE PRINTER	Broken	EMA	JB	5R

e. Road Mgt.

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary	Disposed Of By	Location of Final Disposal
30185	811000048	Cobra Micro Radio Set	Non Inventory	Rd Dept	AH	In Use (CM)
30186	81100049	Cobra Micro Radio Set	Non Inventory	Rd Dept	AH	In Use (CM)
30688	911158341	Cobra Micro Radio Set	Non Inventory	Rd Dept	AH	In Use (CM)
32959	211068642	Cobra Micro Radio Set	Non Inventory	Rd Dept	AH	In Use (CM)
30692	90304887	Cobra Micro Radio Set	Non Inventory	Rd Dept	AH	In Use (CM)
32958	211072998	Cobra Micro Radio Set	Non Inventory	Rd Dept	AH	In Use (CM)
30691	903049012	Cobra Micro Radio Set	Non Inventory	Rd Dept	AH	In Use (CM)

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary	Disposed Of By	Location of Final Disposal
12112	HD2580840	Homelite Chainsaw	Broken/parts only	CM	KN	CM
16176	HR2141528	Homelite Chainsaw	Broken/parts only	CM	KN	CM
31152	1062794	Shindaiwa Chainsaw	Broken/parts only	CM	KN	CM
33758	3037440	Shindawia Chainsaw	Broken/parts only	CM	KN	CM
30782	HR6181	Skilsaw	Broken	Inv Clerk	JB	5R
31157	MY1CB190DH	HP Printer	Broken	Inv Clerk	JB	5R
11087	n/a	Tie Mod Telephone System	Obsolete	Inv Clerk	JB	5R

f. Sheriff's Dept.

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary	Disposed Of By	Location of Final Disposal
32295	2FAHP71W93X168726	2003 Ford Crown Vic	Surplus/Donation	DCSO	DM	Oakland PD
36454	2FAFP71W63X206274	2003 Ford Crown Vic	Surplus/Donation	DCSO	DM	Oakland PD
36456	2FAFP71W33X171189	2003 Ford Crown Vic	Surplus/Donation	DCSO	DM	Oakland PD
36437	2FAFP71W23X206241	2003 Ford Crown Vic	Surplus/Donation	DCSO	DM	Oakland PD

g. Youth Crt Victim Witness

Asset #	Serial #	Description	Reason for Disposal	Location at Preliminary	Disposed Of By	Location of Final Disposal
35603	SMY037G211Y	HP OfficeJet Printet	broken	Inv Clerk/5R	JB	5R
35604	2288966001	Micron PC w/ monitor	broken	Inv Clerk/5R	JB	5R

8. Purchasing – Solicit Bids

a. Road Dept. - Annual Bid -Various

b. Sheriff's Office – Uniforms

c. EMS/Sheriff's Ofc. – Pharmacy Supplies

9. Grants

a. Household Hazardous Waste Grant

b. Addendum to Home Grant Contract

10. Chancery Clerk – Homestead Deletion - Jannette LaCroix – Parcel # 2093 0801 27.00

11. Chancery Clerk Allowance (2) - \$1,550 \$1,400

12. Circuit Court Allowances - \$3,900

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

1. 10:00 a.m. - Tax Exemption – New Breed Logistics

President and CEO of DeSoto County Economic Development Council Jim Flanagan and Reggie Thompson of New Breed Logistics appeared before the Board of Supervisors to request a personal tax exemption for New Breed Logistics. Mr. Thompson explained that New Breed Logistics is a third party logistics company who has expanded into DeSoto County. He said they have 174 employees of which 102 are full time and 90 of those employees live in DeSoto County. He said they have 72 temporary employees and 56 of those live in DeSoto County. Mr. Thompson said the only time they hire a non DeSoto County employee is when there is no qualified DeSoto County candidate who meets the job requirements, but they try to look in DeSoto County first. He said their employees have insurance plan options and depending on the plan they chose, they pay fifteen to twenty percent of the insurance plan. Mr. Thompson said that New Breed has a fifteen year lease on the building and they recently secured Boeing Aircraft to store parts in their facility. Mr. Thompson said they anticipate third quarter earnings to be \$260 million.

Supervisor Allen Latimer said the Board is delighted to have New Breed Logistics in DeSoto County with sales of nearly \$1 billion. Supervisor Latimer said the Board appreciates their commitment to DeSoto County and their efforts to hire local employees whenever possible.

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 Warehouse exemption for New Breed Logistics. The motion passed by a vote as follows:

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

See Exhibit E.1

2. MOU with MDOT – I-269 Bridge Expansion at Craft and Red Banks Roads

County Administrator Michael Garriga reminded the Board that at the last meeting he presented an MOU with MDOT for Craft and Red Banks Roads at I-269. Mr. Garriga said the Board asked him to come back with options for funding the projects. Mr. Garriga said this project will obligate the County for \$4 million. He said he talked to Demery Grubbs about funding these projects. Mr. Garriga said he has nothing fluid because the projects are three years away. He said things could be different in three years. Mr. Garriga said the County’s current overall

financial stability may allow options. He said the Board could elect to pay some of the costs for the projects in cash from the 002 account. Mr. Garriga said there is a cushion in this year's budget that can be moved to debt service and that may or may not be an option in three years. He said the County may be able to pay at that time. He said another option is to raise the millage in the debt service levy.

Supervisor Eugene Thach asked if there is any hope the state or federal government will pay that cost. Mr. Garriga said this project is a cost share with MDOT.

Supervisor Allen Latimer said he knows one of the main priorities are bridges. He said the Board should also consider Holly Springs Road and hopefully it will not come due at the same time. Supervisor Tommy Lewis said he did not think so because the Board has already committed \$1.5 million and we have another \$1.5 million from the federal government for Holly Springs Road. Supervisor Lewis said when we use the first \$1.5 million there is a twenty percent match on that money and then we will use the next \$1.5 and pay an additional twenty percent match. He said the County will only be obligated if the Board decides to build the road.

Supervisor Jessie Medlin said when I-269 is built it will change the complexion of both of these intersections. He said \$4 million is a bargain for a four lane bridge and we will be ahead by putting the bridges in place now. Otherwise, we will have to pay for re-doing the ramps and other items if we wait and the costs will be higher. Supervisor Medlin said we thought we were building five lanes on Church Road to soon, but as a result, Church now has five lanes all the way through. He said the Board was wise to build Craft Road and people thought it would not be used that much. They also thought Church Road would not be used either. Craft Road will be a connector for Goodman Road, I-69, Highway 78 and Starlanding. He said if we can do Red Banks Road now, it will put us ahead of the game.

Supervisor Latimer said he does not doubt that now we would get a bargain price and that it is a good project. He said the Board also needs to consider Starlanding Road as well. Supervisor Latimer asked how to pay for these projects. He said perhaps the Board should consider holding a portion of the money in the 002 account each year for these projects.

Supervisor Bill Russell said he thinks that is a good idea. He said, with the economy in the shape it is in, he cannot commit money the County does not have available now. Supervisor Russell said there is a school on Highway 61 that accessed by two, two lane roads. He said he thinks Starlanding will be the next critical road in the County. He said unless the Board comes up with a spending plan, he will not vote for this project.

Supervisor Lewis asked Mr. Garriga if the County has money for this project. Mr. Garriga said we do not have the money today. He said part of the reason there is a problem with the funding, is because we are looking at projects three years down the road and he does not want one resolution for the entire situation when we do not know what better options there may be down the road for the County.

Supervisor Thach said one thing that amazes him is that we built I-269 to the west with five lanes of traffic in a scarcely populated area. On the east side where it is more populated, the state wants to build only three lanes of road.

Supervisor Russell said that is an example of how the of industries like the casino industry is justification for the road.

Supervisor Medlin said MDOT decided to go under the roads to save money on the east side. Supervisor Russell said they did the same thing on the west side.

Supervisor Medlin said there is a \$19.5 million road budget in the County and we could get some money there.

Supervisor Lewis agreed that some money from the road budget could be used toward the projects and find money as time goes by.

Supervisor Russell said he hates to start messing with the road budget. He said that money is spent each year on roads.

Supervisor Latimer said he agrees with Mr. Russell and would like to stay out of the road budget. He asked if it we could set aside seventy five percent of the 002 money each year for these projects.

Mr. Garriga said we have always accounted for the money in the budget as part of the millage into the general fund. He said we always budget ninety five percent collections and in the last four years revenue has exceeded our expectations so no money was moved from the 002 account. Mr. Garriga said his concern with using money in the 002 fund is although there is economic certainty right now, there may be a need for that money in the general fund in the future.

Supervisor Latimer asked if Mr. Garriga is confident we will have this money. Mr. Garriga said if things continue with the economy becoming solid, he will have more of a comfort level. He said he hates to obligate the 002 money because he does not know if we will have the same collection excess as in the past. He said we may need it for the general fund.

Supervisor Medlin said, one reason that money built up, is because the state withheld the money because the tax assessments were not turned in on time.

Supervisor Thach said he would like more information on this subject from the County Administrator before the Board votes. He would like for Mr. Garriga to do more research. These \$4 to \$5 million projects need to be funded securely so other areas of the budget will not be hurt.

Mr. Garriga said the Board just issued \$16 million worth of debt mostly for the jail. He said not knowing what the project will take may be an issue later.

Supervisor Thach said we do not have to make a decision today. Mr. Garriga said that MDOT has asked for a decision as soon as possible.

Supervisor Latimer said the Board meets again next Monday if we want to hold it over.

Supervisor Medlin said since our budget is based on property tax. If people don't pay their taxes, their property will be sold at the tax sale.

Supervisor Latimer said he must have a plan.

Supervisor Russell said if the Board made a strong commitment regarding Starlanding Road and he thinks that is probably the next priority road for the County to build. He said five years ago he would have had some assurance the money would be there. But now with the state of the economy, he is not seeing a lot of good news about the future of the economy.

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to hold this item over until October 5, 2009. 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 E.2

F. NEW BUSINESS

1. Energy Efficiency Block Grant – Energy Assessment

County Administrator Michael Garriga said the County was awarded a \$297,000 block grant in April from the Department of Energy for an energy assessment for county buildings. The Board established a committee with Supervisor Allen Latimer and Supervisor Eugene Thach to assess the proposals for a firm that could perform the assessment. Mr. Garriga said that Siemens made

a presentation to the committee. The presentation explained how Siemens could benefit the County for the energy assessment.

Supervisor Bill Russell confirmed that this assessment is only for County facilities. Mr. Garrgia said yes.

Mr. Garriga introduced Jon Weeks and Chris McNeil of Siemens to address the Board of Supervisors regarding their proposal. Mr. Weeks presented a proposal as addressed in Exhibit F.1

Mr. McNeil said they have walked through the county buildings and a preliminary estimate of savings for DeSoto County is approximately \$155,000 and \$210,000 per year. Mr. McNeil said over ten years that is \$1.5 million. Mr. McNeil said Siemens has been selected by the DeSoto Civic Center and they have done an audit for the DeSoto School System. The School System savings is exceeding Siemens estimate.

Supervisor Bill Russell asked, if the County issues a bond for energy improvements for the buildings, based upon a representation of \$600,000 in savings per year and only save \$400,000, will Siemens pay the rest. Mr. Weeks said that is correct.

Supervisor Tommy Lewis asked the basis used for the projections. Mr. McNeil said they establish a base line using past utility bills. He said they would make recommendations of potential savings to the County. He said the County will review the proposal and decide which direction they will take. In addition, Siemens will be researching grant opportunities for the County.

Mr. Weeks said the state requires a third party to review any contracts and MDA is the third party. He said the construction phase typically takes from six months to one year then they go into the maintenance phase of the contract.

Supervisor Tommy Lewis asked if Siemens uses local contractors. Mr. Weeks said they do when they can. He said sometimes local contractors are not qualified to do some of their recommendations.

Supervisor Latimer said Siemens was very up front in their initial proposal. Supervisor Latimer said they gave a very good presentation. He asked if the County has received this money. Mr. Garrgia said the money has been allotted to DeSoto County but we have not yet received it.

Supervisor Eugene Thach made the motion and Supervisor Bill Russell seconded the motion to approve Siemens to perform an energy assessment for DeSoto County and authorize the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to prepare any contracts and other documents required in accordance with the terms of the grant funding. 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 F.1

2. Erroneous Tax Sales

- a. Lyu Shang**
- b. Bill Langdon – INA**

Ms. Shuang Yu and Mr. Bill Langdon appeared before the Board of Supervisors to discuss an erroneous tax sale.

Tammy Rhoda of the DeSoto County Tax Collector's office said two parcels were erroneously assessed in the last two years tax sales. These were both double assessments. Ms. Rhoda explained that the Tax Collector's office gets the assessments from the Tax Assessor's office. They were both fee in lieu properties and should have not been on the land roll.

Ms. Shuang Yu said she and her husband paid \$488,695 from stocks for this assessment. Ms. Yu said periodically she came into the Tax Collector's office to inquire about the property. She said that Mr. Treadway recently called her and asked to talk to her in person about the assessment. Ms. Yu said she has paperwork to show that from September of last year until August of this year, their money was tied up in good faith through the tax sale purchase.

Mr. Bill Langdon said he is an attorney but is before the Board as an investor. He said his company has been buying tax liens for several years. He said they mostly operate as a bank. They do this business based money they will be getting back. They paid \$749,000 for the tax lien. He said they paid their investors five percent interest on the money they invested in these liens. It is the length of time that has become an issue with this sale. The County held this money for one year. Mr. Langdon said they are asking for something equitable on the money they have paid and lost from having their money tied up in this sale.

Supervisor Tommy Lewis said the Board of Supervisors is bound by state law. He said the Board cannot do something they are not authorized to do. He asked the Board Attorney to convey the Board's authority relating to this issue.

Board Attorney Tony Nowak said he has looked into this issue. Mr. Nowak said he has three Attorney General's opinions with him relating to tax sales, and looked at 15 or so more opinions. He said these parcels were erroneously sold at the tax sale. The purchaser at the tax sale can only be reimbursed in an amount equal to what they paid to the County. The law is clear that the purchase cannot be paid interest. Mr. Nowak said his recommendation would be based on the Attorney General's opinions that the Board of Supervisors cannot pay more than they paid at the tax sale.

Supervisor Latimer clarified that the Board cannot offer any interest that the investors have paid or lost as a result of this money being tied up. Mr. Nowak said that is correct. Mr. Nowak said it does seem harsh, but the law does not allow the Board to do anything more than refund the amounts paid.

Supervisor Russell the Board feels the same way as Mr. Langdon and Ms. Yu. He said he knows what he feels is just, but the law will not allow the Board to do anything. He said the supervisors cannot break the law. Supervisor Russell suggested that the investors talk to their senators and legislators about changing the law.

Supervisor Lewis said the Board wants to do whatever we can in the interest of fairness, but our hands are tied.

Supervisor Eugene Thach made the motion and Supervisor Bill Russell seconded the motion to deny the requests for additional compensation for the erroneous tax sale. The motion passed by a vote as follows:

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

3. Death Certificate Change

Board Attorney Tony Nowak said there was an error on the place of death on a death certificate that was issued by the Coroner. He said something must be filed in court to change the place of death on the death certificate.

Supervisor Bill Russell made the motion Supervisor Eugene Thach seconded the motion to authorize the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to represent the County in

chancery Court to have the place of death changed on the death certificate. 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. Accounting

a. Budget Amendments

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to approve the budget amendments 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. FY 2010 Budget Additions/Carryovers

Comptroller Tom Arnold presented a request to carry over budgeted funds from the FY 09 budget to the FY 10 budget as listed in Exhibit F.4.a.

After discussing the request, Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to approve all budget funds to be carried over as follows:

Sheriff:

- 1) Spex Forensics-\$36,620.00 for an Alfis System – works in conjunction with the upgrade to the Identix fingerprint system.
- 2) Barneys-\$2,270.00 for shotguns which were ordered in June but have not yet been received.
- 3) Hernando Glass-\$2,133.74 - glass to close in the receptionist area.
- 4) Marine Sonic-\$525.00 for sonar repair

Human Resources:

- 1.) Their request is to add \$1,000.00 to the training line item

The motion passed by a vote as follows:

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

See Exhibit F.4.b

c. Supplemental Claims Docket

Accounting Clerk Stephanie Hanks presented the items on the claims docket 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-----YES
Supervisor Eugene C. Thach-----YES

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

See Exhibit F.4.c

5. Grants

a. Homeland Security Task Force - Modification of Contract

Grants Administrator Joyce Herring the County is required to modify the Homeland Security Task Force Protection Coordinator Agreement contract to pay Fred Randall monthly instead of bi-weekly. The budget amendment will modify the grant to allow one monthly payment to Mr. Randall.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to approve amending the Homeland Security Task Force Coordinator Agreement allowing the County to pay Fred Randall monthly instead of bi-weekly and to show Mr Randall as a contractor and not an employee. The motion passed by a vote as follows:

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

See Exhibit F.5.a

b. Solid Waste Grant – 50% of Salary

Grants Administrator Joyce Herring said it is time to apply for the Solid Waste Grant for FY 10. She said that \$14,078 has been allocated to DeSoto County and we need to apply to receive those funds for solid waste purposes. She said this money will off-set some of the expenses of the solid waste program.

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to apply for the Mississippi Department of Environmental Quality Grant Applications for the Solid Waste program. The motion passed by a vote as follows:

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

See Exhibit F.5.a

6. Planning

a. I-69/I-269 Corridor Plan Grant

Director of the DeSoto County Planning Commission Jim McDougal said he has been advised that the Economic Development Commission has a grant program that could benefit DeSoto County for the I-69/I-269 corridor. Mr. McDougal requested the Board's permission to explore that process. Mr. McDougal said this is a 50/50 grant. The work the County wants to do is in line with the grant.

Also, Mr. McDougal asked for permission to fulfill any federal procurement rules. Supervisor Bill Russell asked how the grant would help DeSoto County. Mr. McDougal said the grant would fund part of the corridor study for I69. He said if we hire a grant administrator there will be a 50/50 match for the fee that is estimated to be \$25,000 to \$30,000.

Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to apply for a grant for the I-69/I-269 corridor study and to fulfill whatever federal procurement guidelines are necessary to hire a grant writer. 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

b Air Quality Update

Planning Director Jim McDougal said he attended the Mississippi Air Quality meeting on the Mississippi coast. Mr. McDougal said the EPA has stayed their ozone attainment deadline. By December, 2009, they are looking at setting new attainment standards. It may not be an advantage to the County. Mr. McDougal said the current standard is 75. He said more than likely the standard will be lowered.

Supervisor Jessie Medlin asked if this means next year’s reading will be lower. Mr. McDougal said yes, our trend is down.

Supervisor Allen Latimer said if we do hire Siemens for the energy assessment, will that be beneficial to the County when we send it to EPA. Mr. McDougal said that is exactly what the EPA is looking for. He said carbon emissions are being added to building codes.

Supervisor Eugene Thach asked how the air quality efforts are going at the Mid-South Fair. Mr. McDougal said it is working well. He said there has been good number of people at their booth. Mr. McDougal said they are asking good questions about recycling.

Mr. McDougal said, this Thursday night at the DeSoto County Planning Commission meeting, we will have the Director of Advanced Vehicular Studies from Mississippi State. This person is interested in our master plan and what is happening in Blue Springs and Tunica. He said this is an important meeting for our County. Mr. McDougal said the meeting starts at 7:00 and he invited the Board of Supervisors to attend the meeting.

7. DHS - Lease with Allied Enterprises

Michael Garriga notified the Board of Supervisors that the 20 year lease with DHS expires December, 2009.

Supervisor Eugene Thach made the motion and Supervisor Bill Russell seconded the motion to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to negotiate a new lease agreement for the Allied Building for DHS. 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.7

8. Appointment to Eudora Fire Commission

Supervisor Allen Latimer said there are two openings on the Eudora Fire Commission.

At the recommendation of the Eudora fire Department, Supervisor Allen Latimer made the motion and Supervisor Eugene Thach seconded the motion to appoint Ralph Spears to replace JoAnn Albritton and to appoint Abby Justice to replace Ernie Bowen on the Eudora Fire Commission to fill their unexpired terms respectively. 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. EXECUTIVE SESSION

The executive session portion of these minutes is recorded under the portion of the minutes called "Executive Session".

H. OTHER ISSUES

1. Canteen

Supervisor Allen Latimer asked the Sheriff how the canteen program is going at the DeSoto County Jail. Sheriff Bill Rasco said it is a good program for the department.

2. Sheriff's Department – Request for Letter of Condolence

Sheriff Bill Rasco asked the Board to consider sending a letter of condolence to Panola County on behalf of the loss of their Sheriff. The Board of Supervisors agreed and express their sincere sympathy to Panola County.

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to send a letter to the Panola County Board of Supervisors to express sympathy in the loss of their Sheriff, Shot Bright. The motion passed by a vote as follows:

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

3. Buildings and Grounds - Courthouse

Sheriff Bill Rasco said the Farmer's Market is held on Saturday in Hernando on the Square. Sheriff Rasco said there appears to be no clean up afterwards. He asked if the Sheriff's Department is supposed to clean the area at the courthouse. County Administrator Michael Garriga said he will speak with the appropriate persons regarding that issue. Sheriff Rasco said it is not the Farmer's Market people creating the trash. The grounds are not cleaned up from weekend traffic around the courthouse.

4. Medical Transportation Program

Supervisor Jessie Medlin said he received a letter regarding medical transportation for disabled and elderly individuals. Supervisor Medlin asked that the County look into this program.

Vanessa Lynchard said there is a meeting in early October with Glen Brown the Director of North Delta and the person who wrote the letter.

5. Advertising County Resources – Arkabutla Physically Challenged Hunt

Supervisor Allen Latimer said that Mike Riley has invited the Board of Supervisors to come to the Arkabutla Physically Challenged Hunt in December to eat with the hunters and experience the benefit the hunt gives to the participants and DeSoto County.

The Board of Supervisors acknowledged that this program is a wonderful opportunity for disabled hunters and DeSoto County is fortunate to have volunteers like Mr. Riley to lead the event year after year.

6. Bond Refunding 2009

Board Attorney Tony Nowak said at the last meeting the Board voted to pay off two older bonds. He said that one bond will be paid off completely and the other bond will require that the money be placed in escrow where the bank will pay the money until the bond is paid off.

Mr. Nowak presented an escrow agreement and related documents to the Board for their consideration.

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to approve an escrow agreement with People’s Bank and to authorize the Board President to sign the escrow agreement as shown in Exhibit H.6 and related documents to escrow the bond payments for final payments. 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.6

7. DeSoto Arts Council

Board Attorney Tony Nowak notified the Board of Supervisors that the Plank Road Festival sponsored by the DeSoto Arts Council was cancelled for this year. He said the Council will work to host the event next year.

The Board asked if the Arts Council will refund the monies. The County Administrator said the check was never issued.

8. Advertising County Resources

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve donating \$250 from Advertising County Resources to the student from DeSoto Central High School who was invited to attend the National Youth Leadership Security Forum in Washington, DC, and not give the money until it is confirmed that all the money necessary has been raise for the trip.

Supervisor Bill Russell said a young lady from DeSoto Central High School has been invited to attend the National Youth Leadership Security Forum.

Supervisor Allen Latimer said there are a lot of such opportunities that go through the school system. He asked if this is an open door for a lot of people who get those invitations. Supervisor asked if this is a government organization or a private company.

Supervisor Russell said, according to the letter, it appears to be a government organization.

Supervisor Latimer asked if the staff can look into the organization to make sure it is a government organization and not a private company.

The Board of Supervisors agreed that the County should make sure this is a legitimate opportunity for this young lady.

Supervisor Russell withdrew the motion and Supervisor Medlin withdrew the second.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to carry this item over until October 5, 2009.

Supervisor Tommy Lewis made the motion and Supervisor Allen Latimer seconded the motion to adjourn the meeting until October 5, 2009, at 9:00 a.m. 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

THIS the 28th day of September, 2009, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Tommy Lewis, President
DeSoto County Board of Supervisors