

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

**Tommy Lewis, PRESIDENT 2009 PRESIDING**

**September 9, 2009**

**A. CALL TO ORDER**

The September 9, 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
- Jody Neyman -----Board Attorney
- Sheriff Bill Rasco-----Sheriff

**B. INVOCATION**

Supervisor Eugene Thach presented the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. PLANNING COMMISSION AGENDA**



**DeSoto County Board of Supervisors**

**Planning Agenda**

**September 9, 2009**

There was discussion of the County’s billboard regulations. Specifically, the Board’s current moratorium on the erection of billboards within the County. Supervisor Latimer stated there was an application before the Board that a permit be allowed to install a new billboard to replace a billboard that was grandfathered in per the Board’s Order to institute a moratorium on billboards. Mr. Latimer stated that the billboard had been removed and the owner wished to put a new billboard where the prior one had been located and the new billboard would be the same size, height, design, and with the same lighting, under the same landowner, and would be installed in the identical location. Supervisor Russell stated the question before the Board was for an interpretation of the Board’s moratorium on the erection of billboards to determine if a grandfathered billboard can be replaced if it has been taken down since the moratorium order did not address the issue. Mr. Russell then stated that in his opinion it would be a good idea to consider amending the ordinance to specifically address the issue and include a time limit within which a grandfathered billboard may be replaced after it is taken down, if the Board feels they can be grandfathered in.

Supervisor Russell asked if a public hearing is required to address this issue. Mr. Jody Neyman, Board Attorney, advised a public hearing is not necessary to address the Board's interpretation of its prior Order as it applies to this specific billboard application, but a public hearing would be required to change and amend the Board of Supervisor's Order instituting a moratorium. Supervisor Russell asked if it is appropriate to allow discussion of this particular billboard at this time, but to set a public hearing at a later date to address modifying the prior Order regarding a time limit to replace a grandfathered billboard in the billboard regulations. Mr. Neyman confirmed it is appropriate.

Supervisor Russell stated he is concerned with setting a precedent and that there may be other billboards that have been taken down and the landowners may come back before the Board to request they be allowed to replace them. After discussion, there was general agreement among the Board that if a replacement billboard was allowed it must be the same size, height, design, and lighting, be under the same landowner, and be installed in the identical location as the previous billboard to be replaced.

Supervisor Russell made a Motion to approve the application for a replacement of a billboard sign on the property owned by John Withers (????), on grounds that the location was grandfathered in under the Billboard Moratorium with the condition that it is the same size, height, design, and lighting and is installed in the same spot as the billboard that was removed and set the issue of modifying the prior Board Order instituting a moratorium to place a time limit on erecting the replacement billboards be set for public hearing. Supervisor Latimer seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>	
SECOND DISTRICT SUPERVISOR, EUGENE THACH		<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>	
FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER	<u>YES</u>	
FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS		<u>YES</u>

Supervisor Russell made a Motion to schedule a public hearing on October 7, 2009 for the purpose of determining a time limit to allow replacement of a billboard once one is taken down subject to the Board's Order to institute a moratorium on billboards. Supervisor Medlin seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>	
SECOND DISTRICT SUPERVISOR, EUGENE THACH		<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>	
FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER	<u>YES</u>	
FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS		<u>YES</u>

**CONSENT AGENDA**

**Minor Lots**

***District 1***

**Kris Brady Minor Lot (6772) – Application is for final subdivision approval of one (1) lot of 1.96 acres, one (1) lot of 95 acres, and one (1) lot of 96.33 acres out of approximately 193.3 acres. Subject property is located on the east side of Highway 305 and south of Bethel Road in Section 27, Township 2, Range 6 and is zoned Agricultural-Residential (A-R). (District 1)**

***District 4***

**Rowe Minor Lot (6766) – Application is for final subdivision approval of one (1) lot of 2.7 acres and one (1) lot of 5.5 acres out of 8 acres. Subject property is located on the south side of Church Road and east of Fogg Road in Section 8, Township 2, Range 8 and is zoned Agricultural-Residential (A-R). (District 4)**

***District 5***

**Lewis Minor Lot (6768) – Application is for final subdivision approval of one (1) lot of 5.5 acres and one (1) lot of 1.01 acres out of 6.51 acres. Subject property is located on the east side of Malone Road and north of Brights Road in Section 2, Township 3, Range 7 and is zoned Agricultural (A). (District 5)**

**Parker Farms Minor Lot (6770) – Application is for final subdivision approval of two (2) lots of 1.5 acres each out of 3 acres. Subject property is located at 2455 Clifton Road on the south side of Clifton Road and west of Robertson Gin Road in Section 34, Township 3, Range 8 and is zoned Agricultural (A). (District 5)**

**Moberly Minor Lot (6771) – Application is for final subdivision approval of one (1) lot of 1.8 acres, one (1) lot of 3 acres, and one (1) lot of 11.5 acres out of 16.3 acres. Subject property is located on the west side of Highway 51 and north of Wheeler Road in Section 12, Township 4, Range 8 and is zoned Agricultural (A). (District 5)**

Mr. McDougal presented the applications above and stated the applications appear to be in compliance with the County's Zoning and Subdivision Ordinances. Supervisor Lewis recused himself from the discussion and vote of the above items.

Supervisor Medlin asked if anyone was present to speak for or against the applications. No one was present.

Supervisor Medlin made a Motion to approve the Consent Agenda subject to staff recommendations and required dedication of public road right-of-way and Health Department approvals. Supervisor Latimer seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>	
SECOND DISTRICT SUPERVISOR, EUGENE THACH		<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>	
FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER	<u>YES</u>	
FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS		<u>ABSENT</u>

**NEW BUSINESS**

**Appeal**

**Mark E. Sullivan – Appeal of the Board of Adjustment’s decision to uphold the Building Official’s request for removal of a second electric meter at his residence as related to an approved Mother-In-Law Wing. Subject property is located at 5275 Forest Hill Road North on the west side of Forest Hill Road North and north of Whispering Pines in Section 6, Township 2, Range 5 and is zoned Agricultural-Residential (A-R). (District 1)**

Mr. McDougal presented an appeal by Mr. Mark Sullivan of a decision made by the Board of Adjustment. Mr. McDougal stated a building permit was issued to Mr. Sullivan for a house and a mother-in-law wing and two electric utility meters were in stalled. He went on to state that there is a Board of Supervisors Order that prohibits more than one utility meter of each type from being installed where there is a primary residence and a mother-in-law wing. Mr. McDougal provided copies of the County’s standard agreement require for permit issuance of a mother-in-law wing as signed by the homeowner, Mr. Sullivan, stating agreement that no more than one electric meter would be installed on his property.

Supervisor Russell asked what is the significance of allowing only one utility meter. Mr. McDougal stated there was a concern that mother-in-law wings may become rental units, rather than for use by a family member, and the Order intended to try and discourage this from happening.

Supervisor Medlin asked if the mother-in-law wing is connected to the main house on this property. Mr. McDougal confirmed that it is connected to the primary residence.

Mr. Mark Sullivan of 5275 Forrest Hill Drive came forward and stated the issue with the second meter came up when he recently applied for a pool permit. When building staff reviewed the property file they discovered the mother-in-law wing had never received a final inspection to close out the building permit. Mr. Sullivan stated that up until this time he thought his home and mother-in-law wing were in compliance with County regulations. He then stated the reason they installed a second electric meter is that the meter box for the main house was full and he was not aware that he had signed a statement stating that only one meter was allowed.

Supervisor Russell asked, since there is no way to control property rental through current County regulations, can a homeowner enter into an agreement with the County not to turn the mother-in-law wing into a rental unit? Mr. Neyman advised that, yes, the County can enter into such an agreement with the homeowner. Supervisor Thach responded that this would be difficult for the Planning Commission to enforce.

Supervisor Latimer stated he was concerned with the fact the applicant signed an agreement stating he would not install two meters at the home. Mr. Sullivan responded that he signed the document in haste and felt that the document was confusing to him even when he went back and reread the document. Mr. Sullivan stated to remove the second meter would be a large project that would entail trenching under existing concrete to get to connect to the mother-in-law unit.

Mr. Lofton, a neighbor, came forward and stated these are mostly three-acre lots and none of the neighbors on this cove are opposed to the unit. Mr. Lofton stated he feels it would only be a hardship for Mr. Sullivan to have to remove the second meter.

Ms. Joanna Garner came forward and stated she is Mr. Sullivan’s mother-in-law and tenant of the unit and that she requested the second meter for her own independence, that she had no idea she could not have a second meter under County regulations. She went on to state that she doesn’t understand what having a second meter would hurt, that it is not a safety issue, and affords the opportunity of having some independence with the ability to pay her own utility bill.

Supervisor Medlin made a Motion to allow the second electric meter at 5275 Forrest Hill Drive for the permitted mother-in-law unit under the condition that Mr. Mark Sullivan sign an affidavit agreeing not to rent the unit in the future. Supervisor Russell seconded the Motion and noted he appreciates the diligence of the building department staff to recognize this issue during permit review.

Supervisor Thach expressed concern that the mother-in-law unit agreement was signed by the appellant and waiving this requirement for him would set a precedent which is unintended.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>	
SECOND DISTRICT SUPERVISOR, EUGENE THACH		<u>NO</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>	
FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER	<u>NO</u>	
FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS		<u>YES</u>

**Preliminary Subdivision**

**Poplar Place Revision (6767) – Application is for revisions to the preliminary subdivision plat of 22 lots and 2 out parcels on 53 acres. Subject property is located on the east side of Poplar Corner Road and north of Church Road in Section 1, Township 2, Range 9 and is zoned Agricultural-Residential (A-R). (District 3)**

Mr. Jim McDougal, presented the application for 22 lots and 2 out parcels on 53 acres. He stated the preliminary application was approved in 2001, but no site work had been done, then earlier this year the applicant decided to start working on the subdivision but it was substantially different than what was originally approved. Mr. McDougal pointed out the two out parcels will need to be addressed, as to whether they will be included on the plat or not, and if included it will need to be noted the two parcels are under separate ownership and are not part of the subdivision. Ms. Tynan stated the way that the plat is currently drawn it appears the two parcels at Poplar Corner Road are part of the subdivision and it needs to be made clear they are not a part of the subdivision.

Supervisor Russell asked that since the application was previously approved is it allowed to make the applicant go through the entire process again. Mr. McDougal stated that the Board has the authority to request the applicant to return if there is substantial change from the original application.

Supervisor Latimer asked if future development will be able to tie into the stubbed out turn-around. Mr. McDougal stated, yes, the applicant must stub out to the property line in a way that would allow a connection to occur in the future, if needed, per the County’s Subdivision ordinance.

Mr. Joe Frank Lauderdale stated he will make the two out parcels more distinct as separate lots on the plat. Supervisor Russell asked if the two parcels fronting Poplar Corner Road are owned by the applicant. Mr. Lauderdale confirmed that they are owned solely by Mr. Chuck Taylor, who is a partner in ownership of the proposed subdivision lots.

Mr. McDougal asked if it is the intent of the developer for the two out parcels to abide by the covenants of the subdivision. Mr. Lauderdale stated he could ask the owner if they would agree to make the two out parcels conform to the covenants of the subdivision. Supervisor Thach stated he doesn’t think the Board should require the owner of the two out parcels to adhere to the covenants of the subdivision.

Supervisor Russell asked the Board Attorney if the Board may make as condition of approval that the two front parcels must conform to the subdivision’s covenants. Mr. Neyman advised that they could not require the parcels to adhere to the subdivision’s covenants due to the separate ownership arrangement and the fact that these parcels were previously approved as minor lots, each with their own conditions of approval.

Supervisor Russell made a Motion to approve the application for Preliminary Subdivision Plat for Poplar Place Subdivision subject to staff recommendations. Supervisor Medlin seconded the Motion.

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

- FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN YES
- SECOND DISTRICT SUPERVISOR, EUGENE THACH YES
- THIRD DISTRICT SUPERVISOR, BILL RUSSELL YES
- FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER YES
- FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS YES

**OLD BUSINESS**

**Final Subdivision**

**Love Station, Phase 1 Revision (6761) – Application is for revisions to the final subdivision plat of 24 lots on 40.3 acres. Subject property is located on the north side of Love Road and east of Highway 51 in Section 7, Township 4, Range 7 and is zoned Agricultural (A). (District 5)**

Mr. McDougal presented the application that was carried over from the August 5, 2009 meeting. He stated that the item was carried over in order for the applicant to confirm if water service would be available from Belmont Water Association and to give time for the County Fire Marshal to determine if providing individual wells for each lot of the proposed subdivision phase would affect the rating of the fire district as a whole.

Supervisor Medlin asked for clarification about whether the Planning Commission thought water service would be provided by the Belmont Water association when the Preliminary Subdivision Plat approval was granted. Mr. McDougal stated, yes, the Planning Commission understood, as represented by the applicant at that time, that water service would be provided by Belmont Water Association.

Mr. Taylor Buntin came forward to represent the application. He stated that when the application was brought before the Planning Commission for preliminary plat approval, the previous developer, McPhail and Associates, believed water service would be available but had not yet secured a letter from them to confirm the availability of service. Mr. Buntin stated that shortly after the preliminary approval, a letter was received from Belmont Water Association stating that service was not readily available at that time to serve the 79 lot subdivision. He stated that when SP Capital Investors purchased the property from McPhail and sought financing for the development, they were in receipt of the letter from Belmont Water and believed that individual wells would be required. Mr. Buntin stated that the applicants seek approval of wells for Phase 1, the first 24 lots, of the Love Station Subdivision. Supervisor Russell then asked if it was the developer’s intent to supply

public water for future phases. Mr. Buntin responded, yes, they would prefer public water for future phases but at this time they are requesting approval for 24 lots with wells, as Phase 1 of the Love Station Subdivision.

Supervisor Medlin asked for clarification of the ownership of the remaining phases of the subdivision. Mr. Buntin responded that SP Capital Investors has the future phases under contract but has not yet purchased all future phases.

Supervisor Thach asked if the report from the County Fire Marshal concerning the potential affect on the fire district rating or a letter from Belmont Water Association had been presented to the Planning Department. Mr. McDougal stated that at this time the Planning Department has not received any supplemental information from the applicant.

Mr. Bobby Storey, County Fire Marshal, presented a letter from the Love Station Volunteer Fire Department and explained that the last page of the letter provided a summary, which indicates that wells at this location would jeopardize the rating of the fire district. He stated that if public water or residential fire sprinklers were installed for Phase 1, it would not jeopardize the fire district rating. Mr. Storey went on to say that one available option to assist in obtaining a more desirable fire district rating would be to install individual fire sprinkler systems in each home. Mr. Storey clarified that the type of sprinkler suggested works in conjunction with smoke detectors per a heat sensor and that the cost of installation would be approximately \$500 per home. He said the sprinklers would be installed in areas including the kitchen, bedrooms and living rooms but not in garages or other areas less likely to be the source of a residential fire.

Supervisor Russell asked if the Volunteer Fire Department recommends installation of residential sprinklers for this project and if that would help the Fire District to obtain a more desirable "Class 8" rating. Mr. Storey responded that any improvements made, fire sprinklers or public water service, would be helpful. Supervisor Russell then asked if one well could be provided to serve all homes in the subdivision phase. Staff responded that would be undesirable due to the issues of maintenance and responsibility it would place on the homeowners.

Supervisor Thach asked if it would be inappropriate to require specific conditions regarding fire suppression measures. Board Attorney Mr. Jody Neyman responded that the primary issue before the Board is to identify if the final plat substantially conforms to the preliminary plat or, specifically, if they believe a change from public water service to individual wells would be considered a substantial change.

Mr. Andy Swims, County Engineer, stated concern that if the Board chooses to approve the project as proposed with individual wells, rather than requiring connection to the available public water system, it would set a precedent and set a bar or standard for what is considered economically feasible or infeasible and that other developers may challenge the Ordinance requirements as a result. Supervisor Medlin stated according to the information provided, it will cost approximately \$36,000 to get water service to the site, which breaks down to roughly \$1,500 per lot.

Mr. Buntin stated that the test in the County's Subdivision ordinance is whether or not water service is "readily available" and whether it is economically feasible. Mr. Buntin stated the applicants have provided a letter from their bank stating no additional monies will be loaned for development of this project. Supervisor Latimer confirmed with Mr. Buntin that when SP Capital Investors purchased this property and applied for project financing, it was their understanding that water service was not available from Belmont Water Association and individual wells would have to be installed.

Supervisor Lewis asked if there was anyone present to speak regarding this application.

Mr. John Meadows, developer of Miller Farms Subdivision, came forward and stated that his subdivision was required to comply with the County's requirement to install public water service under similar circumstances including roads and railways that had to be crossed to get water to his site. Mr. Meadows stated that the requirement for public water, due to the challenges involved in bringing the service of the nearest water service provider to his project, resulted in 10% of the total cost of the development. He stated that Miller Farms also was required to find new project financing for the water service installation in order to comply with the County's requirements.

Supervisor Lewis made a Motion to approve the Final Subdivision Plat for Love Station Phase 1 with individual wells due to public water service not being readily available and that the cost to connect water service, by comparison, would be excessive and not economically feasible. Supervisor Thach seconded the motion.

Supervisor Russell and Supervisor Latimer discussed with the applicant if they would be willing to provide installation of fire sprinklers in each house or require each builder or homeowner to install them prior to final permit approval. Mr. Storey confirmed for the Board that if fire sprinklers were not provided in each home it would impact the fire district rating.

Supervisor Lewis amended his Motion to approve the Final Subdivision Plat for Love Station Phase 1 subject to staff recommendations and with the following conditions:

1. Individual wells will be installed on each lot, at the homeowners' cost, due to public water service not being readily available and that the cost to the developer to connect water service, by comparison, would be excessive and not economically feasible;
2. Fire sprinklers shall be installed in each home in Phase 1 of the Love Station Subdivision and this requirement shall be identified in restrictive covenants and on the face of the final plat prior to recording with the Chancery Clerk's Office;
3. The minimum house size shall be noted on the plat as 1,800 square feet;
4. The applicant will be required to submit a revised MDEQ Stormwater permit to reflect the current property ownership to the Planning Commission office prior to recording the plat; and
5. This and each subsequent phase of the Love Station Subdivision shall be subject to the requirement to execute the Residential Development Agreement with the County before platting and recording of each subdivision phase may occur.

Supervisor Thach seconded the motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>NO</u>	
SECOND DISTRICT SUPERVISOR, EUGENE THACH		<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>NO</u>	
FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER	<u>YES</u>	
FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS		<u>YES</u>

**Other Items:**

**1. Discussion of Sunset Farms Subdivision Road Bond – Andy Swims**

Mr. Andy Swims, County Engineer, stated last month the Board of Supervisors voted to not renew bonds for two subdivisions, Sunset Farms being one of the subdivisions. Mr. Swims stated Mr. Michael Hawks, the developer of Sunset Farms, is asking for a 6-month extension of the bond to finish two homes that are currently under construction before adding the final lift of asphalt in Sunset Farms Subdivision. Mr. Swims stated there are some defects in the roads that will need to be addressed immediately.

Mr. Hawks stated he would like to renew the bond for one more year but suggested the Board set a date for the work on the roads and the two homes to be completed by and if not finished by the agreed upon date the bond could be called in at that time. Mr. Hawks suggested a date of June 1, 2010 to have all of the work completed.

Supervisor Latimer made a Motion to approve the renewal of the bond for Sunset Farms Subdivision for one year upon the condition that the defects in the streets are repaired immediately and the work on the two homes currently under construction and final lift of asphalt are completed by June 1, 2010. Supervisor Thach seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>	
SECOND DISTRICT SUPERVISOR, EUGENE THACH		<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>	
FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER	<u>YES</u>	
FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS		<u>YES</u>

**2. Request for Refund of Conditional Use Application Fee by Glenn’s Chapel**

Mr. McDougal presented a request for refund of Conditional Use application fees by Glenn’s Chapel in the amount of \$150, due to the applicant not pursuing the Conditional Use.

Supervisor Russell made a Motion to approve a refund of the application fee in the amount of \$150 to Glenn’s Chapel. Supervisor Latimer seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>	
SECOND DISTRICT SUPERVISOR, EUGENE THACH		<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>	
FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER	<u>YES</u>	
FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS		<u>YES</u>

**3. Request for Refund of Building Permit by Mr. William McCrary**

Mr. McDougal presented a request for refund of Building Permit fee by Mr. William McCrary in the amount of \$348, due to the applicant not beginning construction of the proposed addition due to family illness.

Supervisor Russell made a Motion to approve a refund of building permit fees in the amount of \$348 to Mr. William McCrary. Supervisor Latimer seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>	
SECOND DISTRICT SUPERVISOR, EUGENE THACH		<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>	
FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER	<u>YES</u>	
FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS		<u>YES</u>

**4. Discussion regarding Air Quality**

Mr. McDougal stated that with the changes occurring regarding air quality attainment standards, the County may want to consider hiring the Butler Snow firm to represent the County in all steps necessary to achieve attainment status. Mr. Garriga stated originally there was mention of a spending cap of \$50,000 to retain Butler Snow, but there has since been talk of

lowering the cap to \$30,000. Mr. Garriga then stated that DeSoto County is facing serious issues with meeting the new, lower air quality standards that will be put into place in March 2010 by the Environmental Protection Agency and could face falling into non-attainment status. He went on to say the County needs to assure they are taking all steps necessary to come out of non-attainment or maintain attainment status.

Supervisor Russell asked if Butler Snow has a specific plan in handling the air quality issues in DeSoto County. Mr. Garriga responded DeSoto County has specific plans they expect the firm to follow. Mr. Garriga stated air quality could have a substantial impact on the economic growth of DeSoto County and therefore Mr. Jim Flannagan of the DeSoto County Economic Development Council is agreeing to pay 50% of the fees to hire Butler Snow to represent the County's interests.

Supervisor Lewis recused himself from the discussion and vote of this item.

Supervisor Russell made a Motion to approve a partnership with the DeSoto County Economic Council to each pay 50% of the \$30,000 cap to hire Butler Snow and approve Mr. Michael Garriga to draft a contract regarding this arrangement. Supervisor Thach seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>	
SECOND DISTRICT SUPERVISOR, EUGENE THACH		<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>	
FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER	<u>YES</u>	
FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS		<u>ABSENT</u>

**5. Update on I-69/I-269 International Trade Corridor**

Mr. McDougal gave an update on the I-69/I-269 International Trade Corridor and stated the Planning Office has been made aware of grant opportunities to help fund the study. Mr. McDougal presented a draft copy of the Request for Qualifications to conduct a Strategic Development Master Plan for the I-69/269 International Trade Corridor.

Supervisor Russell made a Motion to approve releasing the Request for Qualifications (RFQ) with concurrence of the Board Attorney. Supervisor Latimer seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>	
SECOND DISTRICT SUPERVISOR, EUGENE THACH		<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>	
FOURTH DISTRICT SUPERVISOR, ALLEN LATIMER	<u>YES</u>	
FIFTH DISTRICT SUPERVISOR, TOMMY LEWIS		<u>YES</u>

**See Exhibit D**

**E. CONSENT**

**1. Purchasing – Sheriff’s Dept. – Solicit Bids to Upgrade Fingerprint Machine**

At the recommendation of the Board Attorney and Audit Department, Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to authorize solicitations for an upgrade to the existing fingerprint machine in the DeSoto County Sheriff’s Department and to carry over the money from the FY 09 budget to the FY 10 budget for this expenditure in an estimated amount of \$16,000. 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

**F. OLD BUSINESS**

**1. FY 2010 – Budget**

County Administrator Michael Garriga said the budget is balanced with a healthy cash reserve. Mr. Garriga reminded the Board that he had presented a list of capital expenditure changes in

the bond accounts in the meeting on September 8<sup>th</sup>. He said efforts are being made to update the EMA facility in Nesbit. He said there was grant funding in the amount of \$50,000 but the improvements have exceeded that amount. Mr. Garriga said EMA needs a security system at that location to better secure their supplies so he has added \$30,000 to the budget for that system. Comptroller Tom Arnold said we can add those expenses and reduce ending cash.

Supervisor Bill Russell said he would like to consider the library allocation. He said they are requesting for an additional \$39,000. He said he thinks we should remodel the Walls Library because it has been promised for some time. Supervisor Russell said that when Ms. Nathan appeared before the Board, she said the \$39,000 will cover computers as well as remodeling the Walls Library. Supervisor Russell said that the Building and Grounds Department can do some of the work and then be reimbursed. Mr. Arnold said he will need to know how much will be needed for the renovation before the budget is set because it is divided into a monthly allocation. Mr. Garriga suggested putting that money into the Building and Grounds budget and putting the remainder into the library budget.

Supervisor Jessie Medlin asked if the Headstart bus is in the budget. Mr. Garriga said yes, but it will require a local and private legislation before the money can be spent.

Supervisor Allen Latimer asked if the Southaven Justice Court exterior renovations are in the budget. Mr. Garriga said yes.

Supervisor Bill Russell made the motion and Supervisor Allen Latimer seconded the motion to approve an allocation of \$39,000 to the library less the renovation costs for the Walls Library from the \$39,000 amount and add the renovation to the Building and Grounds budget for the benefit of the library. The motion passed by a vote as follows:

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

Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to approve an additional \$35,000 plus benefits to the District Attorney's budget for an estimated amount of \$50,000 for a second Victims/Witness coordinator. The motion passed by a vote as follows:

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

Supervisor Russell said the District Attorney made a good case for the additional coordinator for the case load. Supervisor Russell said, the District Attorney said when the legislation for the position gets out of committee it is very likely to pass the Legislature.

Supervisor Medlin said the District Attorney mentioned that expanding this position will get people out of jail quicker which will save the County money. Supervisor Medlin said it is alarming that the County keeps getting expenses in the budget that should be funded by the state.

Supervisor Allen Latimer said nobody deserves a raise more than our County employees. Supervisor Latimer thanked everyone for their work in the County and their work to try to keep the budget numbers low. He said the County has relied on growth and we do not know what will happen next year. The projections show that growth is unlikely.

Supervisor Allen Latimer made the motion and Supervisor Eugene Thach seconded the motion to not consider raises for County Employees.

Supervisor Eugene Thach stated there is no cost of living increase for social security and federal government and the cost of living is down. Supervisor Thach said he would like to wait and see if the economy improves later in the year before considering employee salary increases.

Supervisor Latimer said the last thing we want to do is lay off employees or have to cut our budgets in the middle of the year. Supervisor Latimer said each supervisor can always come to the Board with a particular request for an employee.

Supervisor Medlin said he has always voted for salary increases for County employees. He said that gas prices are lower this year than last year. Supervisor Medlin said we need to work toward giving money back to the taxpayers. He said the County Administrator has shown where many of the salaries are out of line.

Supervisor Lewis agreed that it is tough with the economy. He said people who are self-employed are struggling as well and other people have been laid off from their jobs. There are some discrepancies in employee salaries. Supervisor Lewis said a study needs to be done to correct the issues with salaries.

Supervisor Thach asked if the salary study could be done in-house by each department head. Supervisor Lewis said no, because it would be too political. Supervisor Lewis said he would like for the Board to consider adding the cost of a consultant to do the study to the budget.

Supervisor Medlin said he does not think the statistics regarding unemployment rates from the federal government are not all true. Supervisor Medlin said there are a lot of people out of work and there are a lot of empty lots in DeSoto County. Supervisor Lewis said people with a Bachelor's Degree are delivering pizzas.

Supervisor Thach said this Board has given good raises to the employees. Supervisor Medlin said when he first became a supervisor, two percent raises were given to the employees and the Board has always tried to give raises.

Supervisor Russell said he thinks the employees understand the situation with the economy. He said it is obvious the cost of living index is flat. Supervisor Russell said if the cost of living increases, then the Board can consider giving raises at that time.

Supervisor Thach said the County has a good retirement program and good health insurance benefit. He said very seldom does the County fire anyone or cut back in any way. The County employees have job security.

Supervisor Lewis said Mr. Garriga is trying to update the County by adding the Human Resources Department. Supervisor Lewis said he would like to move forward with the salary study.

Supervisor Russell said we have control of performance reviews and increases in Mr. Garriga's department but not with elected officials. He said the County Human Resources Department can classify the jobs and do some of the preliminary work. If we can prove to the elected officials that it will work and get them on board with a study, he would support the hiring of a consultant.

Mr. Garriga said he appreciated the Board's comments on the salary issues and positions. He agreed that the Board has full authority over departments. Mr. Garriga said he would like to better educate the elected officials and give them a better understanding of a compensation study and how it will benefit their offices. Mr. Garriga said the elected officials may offer some good ideas about the study as well. He said perhaps we should get a better understanding of the scope of services before we do the study.

Sheriff Bill Rasco said that the Human Resources Director, Janna Rogers, approached him regarding compensation of law enforcement in other areas. He said she is already working on the numbers. Sheriff Rasco said DeSoto County Deputies make a salary of \$38,000 compared to \$50,000 to \$55,000 made in other areas. Supervisor Thach said let's take that up at another time.

Supervisor Medlin suggested that Mr. Garriga and Ms. Rogers do some research and present more information to the Board.

Supervisor Latimer said, every time we give a raise, the gap widens with discrepancies in salaries. He said we only authorized to deal with this until the next election.

Supervisor Medlin said the quarterly allocation is one way to manage the elected officials budgets.

Sheriff Bill Rasco said the department heads must decide if a person is doing a good job or not and whether they deserve a raise.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve an additional \$50,000 to renovate the facility for EMA and an additional \$30,000 for a security system in the FY10 budget. 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

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to carry over \$16,000 from the Sheriff's FY09 budget to the FY10 budget for the purchase of a fingerprint machine. 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

Supervisor Allen Latimer made the motion and Supervisor Bill Russell seconded the motion to adopt the FY10 budget as presented with changes as approved by the Board of Supervisors. The motion passed by a vote as follows:

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

## **2. Billboard Ordinance**

The matter of the billboard ordinance is included in the portion of the minutes of the DeSoto County Planning Commission Agenda in Exhibit D.

## **3. MOU with MDOT – I-269 Bridge Expansion at Craft and Red Banks Road**

County Administrator Michael Garriga said he sent the Board's comments to MDOT. He has not been able to talk to the Financial Advisor Demery Grubbs regarding the funding for the projects. He said there are several options. Mr. Garriga said MDOT said this is delaying development of the project and they would appreciate an answer from the Board.

Supervisor Allen Latimer asked if the Board should consider using the 002 money for this purpose until it has accumulated enough to pay for this project. Mr. Garriga said the reason the funding has built up is because our revenue has been enough that we did not have to transfer the money to the general fund. He said some of that money may need to be used for operating costs this year.

Supervisor Bill Russell said \$4 million is a lot of money to commit to when you are not sure where it is coming from.

The Board of Supervisors instructed this item to be held over until September 28, 2009. No motions were made nor votes taken on this issue.

**G. NEW BUSINESS**

**1. Hernando Chamber of Commerce – Heritage Music Festival**

Angie Hick of the Hernando Chamber of Commerce addressed the Board of Supervisors regarding the upcoming Heritage and Music Festival. Ms. Hick said the festival will be held on October 2<sup>nd</sup> and 3<sup>rd</sup>. Ms. Hick said there will be barbecue for the VIP’s on Friday. On Friday night there will be a Kids Zone and music on Friday night. There will be a 5k run, Kids Zone and classic car show on Saturday. Ms. Hick said an upcoming popular singer, Eric Church, will appear on Saturday night.

Ms. Hick said she would like to request street closings for the event. She said, on Friday, they would like to close Loshier Street at 6:30 a.m. and Cathy Street at 11:30 a.m. She said the Board of Supervisors has sponsored the event in the past and she would like to ask their consideration in sponsoring the event this year.

Supervisor Jessie Medlin said, if court is in session that day, will there be a parking problem by closing the street. Mr. Garriga said a lot of the parking comes to the parking lot in the Administration parking lot, but he can check to see if court is in session. Board Attorney Jody Neyman said there will be no Circuit Court on October 2nd.

Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to approve closing Loshier Street at 6:30 a.m. and Cathy Street at 11:30 a.m. on October 2<sup>nd</sup> nd after it was determined by the Board that the Hernando Heritage Music Festival would advertise the resources and possibilities of DeSoto County through attracting participants from outside the county, to authorize \$3,500 from Advertising County Resources to be allocated to this event and authorize the Clerk to write the check. 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. FY 2010 Millage Levy**

Comptroller Tom Arnold presented a synopsis of the changes in the proposed levy sheet. He said the total County levy will remain the same. The only change is the school levy for their debt. He said the school board asked to change their debt levy to an increase of .4 mills, from 53.17 mills to 53.57 mills. Mr. Arnold said the millage will go from 98.3 mills to 98.7 mills county-wide. The fire departments millage in the unincorporated county was increased in territory to add the Love Fire Protection District to the established one mill levy. He said the only request for millage from a drainage district the county has received is the Horn Lake Creek Drainage District. Mr. Arnold said the millage is basically same as last year.

Supervisor Allen Latimer asked what the current county mill is now. Mr. Arnold said a mill brings in \$1 million plus. A non-exempt mill is about \$1.3 million.

Supervisor Allen Latimer made the motion and Supervisor Bill Russell seconded the motion to adopt the levy as follows:

IN THE MATTER OF LEVYING COUNTY AND  
AD VALOREM TAXES FOR  
FISCAL YEAR 2009-2010  
INCLUDING ROAD MAINTENANCE, SCHOOL DISTRICT

AND ANY OTHER TAXING DISTRICTS

It is ordered and adjudged by the Board of Supervisors of DeSoto County that the following ad valorem tax rates, or levies, be and the same hereby are, imposed and levied for fiscal year 2009-2010, upon all taxable property in DeSoto County, State of Mississippi, and in the County school district, drainage districts and any other taxing districts in DeSoto County as the same are now assessed and listed or may hereinafter be assessed and listed on the Assessment Rolls of said County, as of January 1, 2009 upon each dollar of valuation.

	LEVIED	
PURPOSE OF LEVY		MILLS

FOR DESOTO COUNTY GENERAL FUND:

- |  |            |
|--|------------|
| (1) Levy authorized by Section 27-39-329, Mississippi Code of 1972 | 4.00       |
| General County   | 3.00 mills |
| General County Mandatory (current                                  |            |
| Expenses and maintenance authorized                                |            |
| By Section 27-39-329 (2)(b), Mississippi Code of 1972)             | 1.00 mill  |
| (2) For General County purposes (current expense and maintenance   |            |
| authorized by Section 27-39-303, Miss. Code of 1972)               | 21.28      |

This levy for 21.28 mills for General County purposes is for the following items: office and administration, judicial, law enforcement, assistance to individuals, farm and home services, operation and maintenance of buildings and grounds, economic opportunities, advertising county resources, libraries, county health, soil and water conservation and emergency medical services, as shown by the budget to be adopted by the Board of Supervisors in accordance with the regulations of the State Audit Department.

**TOTAL GENERAL COUNTY.....25.28**

- |   |      |
|---|------|
| (3) For maintenance and construction of roads, as authorized by Section |      |
| 27-39-305, Code of 1972.  | 3.00 |
| (4) For county-wide maintenance and construction of bridges and         |      |
| culverts, as authorized by Section 65-15-7, Code of 1972                | 5.84 |

**TOTAL MAINTENANCE OF ROADS AND BRIDGES.....8.84**

- |   |      |
|---|------|
| (5) For operation of the solid waste disposal program and the rubbish |      |
| pit, authorized by Section 19-5-21, Code of 1972                      | 1.32 |

**TOTAL SOLID WASTE.....1.32**

- |   |       |
|---|-------|
| (6) 2003 \$9.3 million refunding bonds, interest and sinking (Section 19-9-9)   | .75   |
| (7) 2004 \$22 million bonds (Section 19-9-9)                                    | 1.375 |
| (8) 2005 \$6.960 million refunding bonds, interest and sinking (Section 19-9-9) | .65   |
| (9) 2007 \$8.755 million refunding bonds, interest and sinking (Section 19-9-9) | .58   |
| (10) 2009 Public Improvement refunding bonds,                                   |       |
| interest and sinking (Section 19-9-9)   | 1.10  |
| (11) 2009 \$16 million general obligation bonds, interest and sinking           |       |
| (Section 19-9-9)  | 1.125 |

**TOTAL DEBT SERVICE.....5.58**

**TOTAL DESOTO COUNTY.....41.02**

**FOR DESOTO COUNTY SCHOOL OPERATIONS:**

- |  |       |
|--|-------|
| (1) For the operations of all public schools in the DeSoto County School   |       |
| District, as required by the State Department of Education, and as         |       |
| authorized by Section 37-57-104, et. seq., Code of 1972                    | 39.35 |
| (2) Board of Education Notes interest and sinking fund (Section 37-59-107) | 3.00  |
| (3) Board of Education Bonds interest and sinking fund (Section 37-59-23)  | 11.22 |

TOTAL DESOTO COUNTY SCHOOLS MILLAGE.....53.57

**FOR NORTHWEST MISSISSIPPI COMMUNITY COLLEGE OPERATIONS:**

- (1) Support of Northwest Mississippi Community College, as authorized by Section 37-29-141, Code of 1972 1.99
- (2) Support of Northwest Mississippi Community College Building and Improvement Fund, as authorized by Section 37-29-141, Code of 1972 2.12

TOTAL NORTHWEST MISS. COMMUNITY COLLEGE MILLAGE.....4.11

TOTAL EDUCATION MILLAGE.....57.68

**TOTAL COUNTY-WIDE MILLAGE.....98.70**

**OTHER LEVIES:**

- (1) For support of County Fire Protection Districts and Volunteer Fire Departments, in accordance with Section 83-1-39, Code of 1972, as follows:
  - a. Brights/Lewisburg Fire Protection District (real property only) 1.00
  - b. Walls Fire Protection District (real property only) 1.00
  - c. Summershill Fire Protection District (real property only) 1.00
  - d. Eudora Fire Protection District (real property only) 1.00
  - e. Love Fire Protection District (real property only) 1.00
  - f. All property, exclusive of municipalities 2.00
- (2) For providing fire protection, a forest acreage tax on all timbered and uncultivated lands in DeSoto County is hereby levied as authorized by Section 49-19-115, Code of 1972. .09 per acre
- (3) Yazoo Mississippi Delta Joint Water Management District (Section 51-31-65) .61
- (4) Drainage tax against all property liable therefore, as authorized by Orders of Records as of this date, and as authorized by Section 51-31-65, Code of 1972
  - a. Cane Mussacuna Drainage District 8.00
  - b. Northwest Mississippi Consolidated Drainage District 3.50
  - c. Short Fork Creek Drainage District 0.25
  - d. Lake Cormorant Drainage District 0.00
  - e. Horn Lake Creek Watershed Drainage District 2.60
- (5) Walls Sewer District interest and sinking fund acreage assessment (HB 39, Local and Private laws of 1990) \$27,510

None of these levies exceed any of the limitations set out in Title 27, Chapter 39, Code of 1972, or amendments thereto.

STATE OF MISSISSIPPI, DESOTO COUNTY

I, W.E. Davis, Chancery Court Clerk and ex-officio Clerk of the Board of Supervisors, in and for said County and State, do hereby certify that the above is a true and correct copy of the taxes levied by the Board of Supervisors at its September 9, 2009 meeting.

Given under my hand and official seal this the 9th day of September, 2009.

(SEAL) \_\_\_\_\_  
W.E. Davis, Chancery Clerk

The motion passed by a motion as follows:

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

See Exhibit G.2

**3. Purchasing – Sheriff’s Dept. – Pocket Cop (Sole Source)**

Vanessa Lynchard presented a sole source affidavit for the DeSoto County Sheriff’s Department. This request is for PDA configuration that they are obtaining on the county- wide communications system. Vanessa said that AT&T got the county-wide program through a bid with the City of Southaven. The county is purchasing several parts to that system for the Sheriff’s Department and that purchase appropriately went to the Wireless Communications Commission and the Mississippi ITS Department. She said the PDA’s and other parts of this system were purchased off of state contract and within approved purchasing guidelines. The software, certain computer parts and programming for the PDA’s is not on state contract and exceeds the limit authorized for purchasing without a quote. Because AT&T has the county’s system, they are the only ones who can program the PDA’s. Vanessa said the Mississippi ITS Department has suggested these be approved as a sole source. The DeSoto County Board Attorney has looked into this purchase and agrees that it qualifies as a sole source. Vanessa recommended that the Board consider this as a sole source purchase.

Supervisor Allen Latimer made the motion and Supervisor Jessie Medlin seconded the motion to approve a sole source purchase in the amount of \$13,051.20 for custom application interfaces including, installation training and first year support, for the DeSoto County Sheriff’s Department through AT&T Public Safety Solutions. The motion passed by a vote as follows:

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

See Exhibit G.3

**4. Appointment – E-911 Commission**

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to extend the appointment of Bill Dahl to the E-911 Commission thru September 7, 2010. 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

Supervisor Tommy Lewis made the motion and Supervisor Allen Latimer seconded the motion to appoint Shane Ellis as the appointee for the Hernando area to fill the unexpired term of Mr. Levan Gates, who retired from the City of Hernando and now lives in Tate County; the motion set to expire September 7, 2010. The motion passed by a vote as follows:

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

See Exhibit G.4

**5. Advertising County Resources**

Chancery Clerk Sluggo Davis said that Harold Gary, the former Director of the DeSoto County Soil and Water District, is now associated with the Mississippi Rural Rehabilitation Corp. The

Mississippi organization will host the Conference for the National Association of Rural Rehabilitation Corporation and DeSoto County will be the host county. The Conference will be held at Whispering Woods Hotel and Conference Center in Olive Branch on September 26-29, 2010. He said twenty seven states will be represented at the Conference. Mr. Davis said there is a thirty member Board for the association who will be staying in the County for two nights and three days. Mr. Davis said Mr. Gary is asking for a support from the County in the amount of \$3,000.

Supervisor Bill Russell asked what the money will be used for. Mr. Davis it will help defer the cost of the conference. He said it is a good way to show Mississippi, Olive Branch and DeSoto County.

County Administrator Michael Garriga said the Rural Rehabilitation Corporation started in the 1930's as a government relief program.

Supervisor Allen Latimer asked if the local Soil and Conservation group will participate. Mr. Davis said yes.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve an allocation in the amount of \$3,000 from Advertising County Resources for the National Association of Rural Rehabilitation Corporation to have a conference in DeSoto County on September 26-29, 2010 after the Board determined this event would be an ideal opportunity to advertise the county resources and possibilities of DeSoto County through the participation of twenty seven states, and authorized the Clerk to write the check. The motion passed by a vote as follows:

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

**See Exhibit G.5**

## **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. Sheriff's Department – Purchase of Vehicle**

Sheriff Bill Rasco said the marshal's office wants to donate \$25,000 to the Sheriff's Department for the purchase of a vehicle.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to accept \$25,000 from the marshal's office as a restricted donation to the Sheriff's Department for a vehicle and to approve a budget amendment to accept the money and authorize the purchase of the vehicle for the Sheriff's Department. 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.1**

### **2. Interlocal Agreement - DeSoto County and Southaven – Justice Court/Tax Collector**

Board Attorney Jody Neyman said his office was contacted by the Mississippi Attorney General's Office who advised that the previously approved interlocal agreement between DeSoto County and Southaven for the exterior renovation of the Justice Court/Tax Collector building in Southaven needed to be amended to add language detailing the benefits to the City of Southaven would receive. Mr Neyman added that since Southaven City taxes are collected there, the addition of language reflecting that would be needed to be added to the Interlocal Agreement.

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to approve the amended interlocal agreement between the City of Southaven and the DeSoto County for the exterior renovations at the Justice Court/Tax Collector building site. 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. Subdivision Regulations

Supervisor Tommy Lewis said this is the first time he remembers that water and fire were involved in the development of a subdivision regarding the Love subdivision. Supervisor Lewis said everyone should know the regulations on the front end. He said he would like the Board to establish a committee to research the County's requirements and any prudent changes needed to the regulations concerning getting water to a subdivision.

Supervisor Bill Russell said he is not sure we can put a number on that issue that would work in every situation.

Supervisor Lewis said he would like to keep DeSoto County business friendly.

No action taken on this issue.

### 4. Human Resources – Health Claims

Supervisor Allen Latimer said he noticed that medical claims were down the last couple of months. Mr. Garriga said that is because there has been a backlog on claims with Humana.

Sheriff Bill Rasco said they have had problems with Benefits Management on processing claims as well.

Supervisor Jessie Medlin made the motion and Supervisor Allen Latimer seconded the motion to recess the meeting until September 28, 2009, at 9:00 a.m. 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

THIS the 9<sup>th</sup> day of September, 2009, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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Tommy Lewis, President  
DeSoto County Board of Supervisors