

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

ALLEN LATIMER, PRESIDENT 2008 PRESIDING

November 3, 2008

A. CALL TO ORDER

The November 3, 2008 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Allen Latimer, Board President.

Sheriff Bill Rasco of the DeSoto County Sheriff’s Department was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

- Supervisor Jessie Medlin-----District 1
- Supervisor Eugene C. Thach-----District 2
- Supervisor Bill Russell-----District 3
- Supervisor Allen Latimer-----District 4
- Supervisor Tommy Lewis-----District 5
- W. E. Sluggo Davis-----Chancery Clerk
- Michael Garriga-----County Administrator
- Tony Nowak -----Board Attorney
- Sheriff Bill Rasco-----Sheriff

B. INVOCATION

Supervisor Eugene Thach presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF OCTOBER MINUTES

The official minutes of the Board of Supervisors were read for the month of October, 2008 pursuant to Section 19-3-27 of the Mississippi Code of 1972, Annotated. Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to approve the minutes for the month of October, 2008. 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

E. CONSENT

The Board of Supervisors considered the items presented on the Consent Agenda. Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve the Consent Agenda and the reports and actions set forth therein as follows:

1. Accounting

a. Ratification of Monthly Health Claims

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

| Funding Request | Date Paid | Amount | Claim Type |
|------------------------|------------------|---------------------|---------------------|
| Date | | | |
| 10/1/08 | 10/1/08 | \$57,056.71 | Administration Fees |
| 10/6/08 | 10/7/08 | \$80,912.83 | Medical |
| 10/6/08 | 10/7/08 | \$6,169.10 | Dental |
| 10/6/08 | 10/7/08 | \$13,383.14 | Pharmacy |
| 10/14/08 | 10/17/08 | \$52,056.43 | Medical |
| 10/14/08 | 10/17/08 | \$4,568.80 | Dental |
| 10/14/08 | 10/17/08 | \$16,457.91 | Pharmacy |
| 10/21/08 | 10/21/08 | \$34,513.31 | Medical |
| 10/21/08 | 10/21/08 | \$3,955.57 | Dental |
| 10/21/08 | 10/21/08 | \$19,042.23 | Pharmacy |
| 10/27/08 | 10/29/08 | \$44,251.13 | Medical |
| 10/27/08 | 10/29/08 | \$6,143.30 | Dental |
| 10/27/08 | 10/29/08 | \$16,904.89 | Pharmacy |
| | | | |
| | TOTAL | \$355,415.35 | |

| | | |
|-------------------------------|-----------------------|--|
| October Book Balance | \$3,164,497.16 | |
| September Book Balance | \$3,194,506.12 | |
| August Book Balance | \$3,145,442.19 | |
| July Book Balance | \$3,141,423.19 | |
| June Book Balance | \$3,258,082.22 | |
| May Book Balance | \$3,351,176.08 | |

b. Request to Repay Interfund Loan

From: Circuit Court Reporters Fund \$42,000.00 (024-000-149)
 To: General County Fund \$42,000.00 (001-000-054)

c. Approval for Interfund Loan

From: General County Fund 001-000-054 \$74,128.34
 To: State Aid Fund 221-000-149 \$74,128.34

d. Interfund Transfers

To: Chancery Court Administrators Fund \$45,221.00 (028-000-387)
 To: Circuit Court Administrators Fund \$53,485.80 (025-000-387)
 To: Chancery Court Reporters Fund \$95,700.00 (027-000-387)
 To: Circuit Court Reporters Fund \$118,459.50 (024-000-387)
 From: General County Fund \$312,866.30 (001-900-951)

e. Approval of Bill - Light Bill for Jail (Late Bill) - \$562.86

f. Ratify Bond Payment

\$18,000,000.00 MS Development Bank Special Obligation Bonds

Trustmark Bank Ck#040653 issued 10/30/08

| | | |
|----------|--------------------|-------------|
| Interest | <u>\$55,143.45</u> | 215-800-802 |
| Total | <u>\$55,143.45</u> | |

Hancock Bank Ck#040651 issued 10/29/08

| | |
|-----------|---------------------|
| Principal | \$ 20,833.33 |
| Interest | <u>\$ 24,602.75</u> |
| | \$ 45,436.08 |

2. Justice Court Report

| | | |
|-----------------------------|-----------------------|--------------|
| Criminal Cases Filed – 111 | State Assessments - | \$50,201.00 |
| Civil Cases Filed – 467 | County General Fund - | \$91,604.69 |
| Traffic Tickets Filed – 746 | Total Collections - | \$141,805.69 |
| Total Cases Filed – 1,324 | | |

3. Bailiff Pay

Joe Holmes - \$230.00 Jason Motz -\$230.00 Liz Medlin - \$190.00 Lee Hodge - \$160.00

4. Approval of Publication of Board Proceedings

5. Inventory Dispositions – Final

a. Animal Shelter

| Asset # | Serial # | Description | Reason for Disposal | Location of Final Disposal | Date of Final Approval |
|---------|------------|----------------------|---------------------|----------------------------|------------------------|
| 35611 | 8722127203 | Canon Digital Camera | Lost/stolen | Affidavit Attached | 11/03/2008 |

b. Sheriff's Dept.

| Asset # | Serial # | Description | Reason for Disposal | Location of Final Disposal | Date of Final Approval |
|---------|-----------------|---------------------|---------------------|----------------------------|------------------------|
| 38338 | 359409007008618 | MOTOROLA CELL PHONE | BROKEN | 5R | 11/03/2008 |
| 31167 | N/A | WEEDEATER | LOST | Affidavit Attached | 11/03/2008 |
| 32674 | 6VW611 | DELL CPU | BROKEN | 5R | 11/03/2008 |
| 32933 | A3120164 | FARGO CARD PRINTER | BROKEN | 5R | 11/03/2008 |
| 32734 | 64R9C11 | DELL CPU | BROKEN | 5R | 11/03/2008 |
| 32111 | N/A | BODY ARMOR | OUTDATED | AWS | 11/03/2008 |
| 32110 | N/A | BODY ARMOR | OUTDATED | AWS | 11/03/2008 |
| 36923 | PW8060101931 | VIEW SONIC MONITOR | BROKEN | 5R | 11/03/2008 |
| 8044 | 604AUC0161 | SPECTRA CAR RADIO | BROKEN | 5R | 11/03/2008 |
| 32736 | 69THN11 | DELL CPU | BROKEN | 5R | 11/03/2008 |
| 36858 | 53PN038790 | ASUS CPU | BROKEN | 5R | 11/03/2008 |
| 36926 | PW8061S25499 | VIEW SONIC MONITOR | BROKEN | 5R | 11/03/2008 |
| 32687 | MY162B11KX | HP PRINTER | BROKEN | 5R | 11/03/2008 |
| 32704 | 2KB411 | DELL CPU | BROKEN | 5R | 11/03/2008 |
| 36927 | 155229 | PRESSURE WASHER | BROKEN | Treesaver | 11/03/2008 |
| 36435 | KCTDL44440143 | KODAK CAMERA | BROKEN | 5R | 11/03/2008 |
| 8284 | 579TWW0735 | MOTOROLA H.H. RADIO | BROKEN | 5R | 11/03/2008 |
| 8279 | 579TWW0717 | MOTOROLA H.H. RADIO | BROKEN | 5R | 11/03/2008 |
| 1060 | 579TWW1415 | MOTOROLA H.H. RADIO | BROKEN | 5R | 11/03/2008 |
| 1059 | 579TWW1421 | MOTOROLA H.H. RADIO | BROKEN | 5R | 11/03/2008 |
| 8282 | 579TWW0715 | MOTOROLA H.H. RADIO | BROKEN | 5R | 11/03/2008 |
| 8285 | 579TWW0730 | MOTOROLA H.H. RADIO | BROKEN | 5R | 11/03/2008 |
| 32701 | SGG19E13TY | HP PRINTER | BROKEN | 5R | 11/03/2008 |

6. Appointment of Youth Court Prosecutor – Honorable Paige Williams

7. Grants

- a. Accept Hazardous Household Waste Grant**
- b. Closeout on Victim Witness Program Grant**

8. Make Part of Minutes-Election Commission-Agreement with Ebenezer Baptist Church to Use as Polling Place

9. Sheriff's Department – Accept Restricted Donation – Bushmaster Semi Automatic Rifle .223 caliber, value approximately \$2,600, will be used for SWAT purposes.

10. Department of Road Management

- a. Road Report and Work Schedule
- b. Road Bond Report
- c. Buchart Horn, Inc – Engineering Services Agreement

11. Make Part of the Minutes - Year End Balances, Tax Collector

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

F. OLD BUSINESS

1. Clock Tower Landscaping

County Administrator Michael Garriga reminded the Board of Supervisors that the Hernando Women’s Club is landscaping around the Clock Tower on the northeast corner of the courthouse. Mr. Garriga said that Cathy Chatham is at the meeting to present the plans. He said that the plans could be perceived as an intrusion on Highway 51 at Commerce Street and there is a loss of one parking place. He said one space has already been lost due to re-striping of the parking places and he is concerned since parking is so limited on the Square. Mr. Garriga said, before the Board makes a final decision, he would like to place barrels where the potential landscaping will be to allow the public to respond and to help determine if it is going to be an intrusion or obstruction to traffic on Highway 51 and Commerce Street.

Supervisor Allen Latimer asked if the City of Hernando has looked at the plans. Mr. Garriga said yes, the city is fine with the plans.

Supervisor Jessie Medlin asked if the state has been notified. Mr. Garriga said yes but we have not heard from MDOT.

Mrs. Chatham said that she has talked to Mr. Minor and Mr. Dickerson many times but she has not talked to them lately. They did not seem to have a problem with the plans.

Supervisor Tommy Lewis asked if it is possible to paint stripes on the area so the Board can look at it on Wednesday. Mrs. Chatham said if she can contact Mr. Lauderdale and he has time. Mrs. Chatham said the plans show that it does come out onto Commerce Street. She said, now there will be no cars in the parking places when the oncoming traffic comes around the corner. It should slow the traffic down and funnel it more. There will be 25 feet for traffic, which is equal to a two lane street.

Supervisor Eugene Thach said there is a lot of traffic coming around the courthouse and Highway 51 because it is open to all of DeSoto County. He said Highway 51 needs to be open for the traffic.

Supervisor Medlin said he is concerned about the big trucks coming through and trying to make that turn. Mrs. Chatham said there is still enough space for trucks.

Supervisor Latimer said he thinks Mr. Lewis has a good idea about striping and asked if the merchants have given their input. Mrs. Chatham said, not so far. She said they thought the plans were already approved.

Supervisor Thach said that safety is the issue and not the landscaping. He wants to look at it with striping before he makes a decision.

Mrs. Chatham described the landscaping and presented the plans to the Board to look at.

After looking at the plans, Supervisor Bill Russell said he liked Mr. Garriga’s idea of placing barrels in the area. He said, like Supervisor Medlin, he is concerned about trucks making that turn.

Supervisor Latimer asked if they are putting in an irrigation system and who is maintaining the landscaping. Mrs. Chatham said they are donating the landscaping to the county and the county will maintain it. There is no irrigation included. Supervisor Russell said maybe we can get the City of Hernando to participate. Mrs. Chatham said they already have.

Supervisor Russell said he likes the plans and wants to make sure it is accessible and works for all of the people.

Mrs. Chatham asked when it could be brought up again for approval. Supervisor Latimer said it could be brought up at the November 17th meeting if it is okay with everyone.

Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to authorize Kenny Evans to place barrels in the potential landscape area, and do it today if possible.

After discussion, Supervisor Russell withdrew the motion and Supervisor Lewis withdrew the second.

Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to authorize the DeSoto County Road Department to mark and identify the proposed landscape area at the Clock Tower and to place barrels in the space and to carry this item over until November 17th, in order to hear from the public and to evaluate if the area will interfere with traffic flow on Highway 51 and Commerce Street. 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. Board Attorney

a. Election Equipment Hauling Contracts

Board Attorney Tony Nowak presented the contacts for hiring two men to haul election equipment to and from the polling places. He said the agreements are in the amount of \$2,000 per election for a one year term with automatic renewal. Mr. Nowak said the amount was previously \$1,600. He said the amount is higher because he felt the contractors will be required to carry cargo insurance on the equipment.

Supervisor Latimer asked if they are picking up signs. Supervisor Russell said, in the previous meeting, it was discussed that they would pick up signs. Supervisor Medlin said he thought the Election Commission would pick up signs no later than the next day. Mr. Nowak said he did not think the haulers were picking up signs. Mr. Garriga said he thought the Election Commission was picking up the signs.

Vanessa Lynchard spoke to Paul Beale and he said they did not remember the contractors agreeing to pick up the signs but they would do it this time.

Supervisor Lewis asked what time would the signs be picked up. Supervisor Russell said, if a voter is in line, they have already seen the signs. The Board discussed the time to pick up the signs and where to take them. Supervisor Medlin asked Sheriff Rasco if he had a crew that

could help pick up signs and he said yes. Supervisor Medlin said they should pick up the signs at church polling places first. Supervisor Medlin asked if the trustees could help the day after the election and Sheriff Rasco said yes. Supervisor Medlin told Sheriff Rasco that he and the other Board members appreciated the help.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the contract for hauling election equipment to and from the polling places as detailed in Exhibit F.2.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.2.a

b. Resolution Voiding HUD Tax Sales

Board Attorney Tony Nowak said that several HUD properties had inadvertently been sold in the tax sale. He explained that properties that are owned by HUD cannot be sold in the tax sale. Mr. Nowak presented an order to set aside and refund money without penalty for these properties.

Supervisor Bill Russell made the motion and Supervisor Eugene Thach seconded the motion to approve the order to set aside the tax sale and refund money without penalty for HUD properties. 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

c. Horn Lake Creek Basin Interceptor Sewer District Interlocal Agreement

Board Attorney Tony Nowak presented an interlocal agreement for the purchase of materials between DeSoto County and the Horn Lake Creek Basin Interceptor Sewer District for the purchase of vehicles, materials, etc. Mr. Nowak said he has spoken with their attorney and everything appears to be in order.

Supervisor Eugene Thach made the motion and Supervisor Bill Russell seconded the motion to approve the interlocal agreement between DeSoto County and the Horn Lake Creek Basin Interceptor Sewer District for the purchase of a vehicles and materials. 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. NACo Prescription Drug Update

Director of Administrative Services, Vanessa Lynchard, said there will be a Public Hearing on November 17th to receive public comment on DeSoto County joining a prescription drug discount program through the National Association of Counties. Vanessa said the program has proven to be beneficial in a lot of other counties for anyone who is uninsured or their insurance program does not include that particular drug. She said if anyone has questions or wants her to

Vanessa said she will speak to churches, groups, clubs and other organizations that want more information on the program. Supervisor Eugene Thach asked if this drug program is for every resident in DeSoto County. Vanessa said yes.

Vanessa said we have sent letters about the program to every pharmacy in the county. She said we want to put cards in doctor's offices because a person seeing a doctor may not be able to buy their medicine. If the cards are there, it will help so many people in the county. Supervisor Latimer asked if Vanessa had seen the cards. She said she has seen the cards and you can design them with the county logo. Supervisor Russell asked if the back of the cards could be condensed without the message promoting the program. Vanessa said she was not sure if we could. She said we can list the Board of Supervisors' information on them as well as putting out sheets with the drug information.

Supervisor Jessie Medlin asked if Vanessa had received feedback from druggists. Vanessa said not yet.

The Board of Supervisors thanked Vanessa for the time and effort she put into this program and for helping the residents of DeSoto County have better access to pharmacy programs.

G. NEW BUSINESS

1. Grants – Advertising for Administrator of HOME Grants

Grants Administrator Joyce Herring said the State put a hold on the HOME Grant and made changes to require the administrator to be advertised. She said we can reapply and they will reinstate the grant.

Supervisor Jessie Medlin asked if there is any money available. Ms. Herring said she has no idea and it is open to others. She said we will advertise for an administrator and it is open. Vanessa Lynchard said a gentleman who is moving to DeSoto County from Florida came into the Administrative Office and said he had been the administrator on a lot of block grants. Supervisor Latimer asked if the county pays the administrator. Ms. Herring said no. She said the grant pays for everything and nothing comes from the county.

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to advertise for the Administrator of HOME Grants. 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.1

2. Preliminary Dispositions

At the recommendation of the Inventory Clerk Amy Henley, Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve the preliminary inventory dispositions as follows:

a. E-911

| Asset # | Serial # | Description | Reason for Disposal | Location at Preliminary | Preliminary Approval Date |
|---------|--------------|--------------|---------------------|-------------------------|---------------------------|
| 36594 | F55081301078 | ACER PC | Obsolete | 911 Office | 11/03/2008 |
| 32191 | 6V430145 | Xerox Copier | Obsolete | 911 Office | 11/03/2008 |

b. Buildings & Grounds

| Asset # | Serial # | Description | Reason for Disposal | Location at Preliminary | Preliminary Approval Date |
|---------|----------|-------------|---------------------|-------------------------|---------------------------|
| 38360 | 201526W | camera | non repairable | shop | 11/03/2008 |
| 38361 | 201588P | camera | non repairable | shop | 11/03/2008 |
| 38359 | 201527W | camera | non repairable | shop | 11/03/2008 |
| 38356 | 201563 | camera | non repairable | shop | 11/03/2008 |

c. Circuit Court Reporters

| Asset # | Serial # | Description | Reason for Disposal | Location at Preliminary | Preliminary Approval Date |
|---------|------------|------------------|---------------------|-------------------------|---------------------------|
| 297 | 158539 | Lanier Dual Deck | broken | Inv. Clerk | 11/03/2008 |
| 32016 | LCR5215201 | Lanier recorder | broken | Inv. Clerk | 11/03/2008 |

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.2

3. Accounting - Claims Docket

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

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

See Exhibit G.3

4. Purchasing – Janitorial Supplies

Purchasing Clerk Vanessa Lynchard said that it is time to renew bids for janitorial supplies. She said that we took the contract for six months with an option to review six months, instead of one year so that if we received good service, we could renew it for six more months based on the original bids.

Supervisor Eugene Thach made the motion and Supervisor Allen Latimer seconded the motion to approve renewing the contracts for janitorial supplies for a term of six months with NOI, Magnolia Paper and Action Chemical. The motion passed by a vote as follows:

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

5. Board Attorney – DCRUA Encroachment Agreement

Board Attorney Tony Nowak said that a retaining wall was constructed behind the new Health Department Building and encroaches on the DCRUA easement. Mr. Nowak advised the Board that DCRUA has agreed to allow the wall to remain in place but if they have to do work in that area, the county would have 30 days to tear down the wall or make other appropriate arrangements to allow DCRUA full access to the easement. He said, originally, they thought they had designed around that issue.

Supervisor Tommy Lewis made the motion and Supervisor Bill Russell seconded the motion to approve the agreement with DCRUA regarding the retaining wall behind the new Department of Health Building which allows the wall to remain and gives the county 30 days to remove it or make other appropriate arrangements to allow DCRUA full access to easement if work needs to be done. 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

6. Dept. of Road Management

a. Thousand Oaks Dr. & Oak Bridge Dr.

Road Manager Russell Dorris presented the Intersection Safety Assessment for the intersection at Thousand Oaks Drive and Oak Bridge Road that was done by Florence and Hutcheson, Inc. Mr. Dorris said the assessment shows that the intersection does not meet the requirements for a 4 four way stop at this time. He said that he recommends that the 2 way stop at Oak Bridge be retained. He said that the city will have to change one small area from a 25 mile speed zone to a 30 mile speed zone.

Supervisor Bill Russell made the motion and Supervisor Tommy Lewis seconded the motion to accept the recommendation of the Road Manager to retain the existing 2 way stop control on Oak Bridge Road. The motion passed by a vote as follows:

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

See Exhibit G.6.a

b. Craft Road Landscaping Quotes

Road Manager Russell Dorris presented the bids for the Craft Road landscaping project as follows:

| | | |
|-------------------------------|-----------|-------------|
| Trey Construction, Inc. | Total Bid | \$24,484.00 |
| Michael Hatcher & Assoc. | Total Bid | \$17,700.00 |
| e-Landscape & Irrigation, Inc | Total Bid | \$16,569.50 |

Supervisor Jessie Medlin said this is the landscaping that we talked about earlier on Craft Road at the golf course. He said the City of Olive Branch has agreed to pay half of the cost.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the low bid with e-Landscape for the landscaping on Craft Road at the golf course in

the amount of \$16,569.50 with the City of Olive Branch paying half of the cost. 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.6.b

c. Foxwood Circle West Drive

Road Manager Russell Dorris said the paperwork is not ready for this item and requested the item be carried over until November 17th.

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. EMA – Emergency Declaration

EMS Director Bobby Storey said that he is requesting that the Board declare a local state of emergency in consideration of concerns with an event that is being held at Whispering Woods Conference Center in Olive Branch. He said that the event could cause harm to the people of the City of Olive Branch and Emergency Services needs to be able to work with Shelby County and the City of Olive Branch if it becomes necessary. Chief Storey said that a seven day declaration is required and he has discussed the issue with the Board Attorney. He said the Board needs to find that the event could possibly cause harm to the people to justify the declaration. Sheriff Rasco and Bobby Storey agreed that this is a matter of public safety.

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to approve declaring a local state of emergency regarding the event being held in Olive Branch at the Whispering Woods Conference Center based on the findings that, if the event takes place and there is a risk of harm is posed to the people, which Emergency Services may lack sufficient personnel and equipment to respond and to authorize Emergency Services to coordinate with the cities and staff to protect the people from harm. It was further moved that Smith, Phillips, Mitchell, Scott and Nowak Law Firm be authorized to draft and negotiate a mutual aid agreement with Shelby County, TN as may be found necessary by Chief Storey and the Board Attorney. 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. Roads – Highway 305

Supervisor Jessie Medlin expressed concern over the wreck that killed at least one person this past week at the dangerous curve on Highway 305. He said there are a lot of trees in that curve and he thinks if they are removed, a car would go into the field and it could be less serious. He said, over the last ten years there have been six to eight people killed at that spot. Supervisor Medlin said he talked to Jimmy Dickerson about the issue about putting up signs or doing

something to fix the problem. Mr. Dickerson said they are going to straighten the highway but he does not know how long it will be before they can do it. Supervisor Medlin recommended sending a letter to MDOT and request the trees be removed, place warning signs and put up a guard rail to keep our citizens from being killed.

Supervisor Bill Russell asked if we can document the wrecks that occurred the last ten years. Sheriff Rasco said yes.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the County Administrator to write a letter to MDOT and request the trees be removed, place warning signs and put up a guard rail. 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. Sheriff – Jail Site Selection

Supervisor Jessie Medlin said there was an article in the newspaper on Saturday regarding the potential jail location on Starlanding Road. He said he does not want the public to worry about the Board disturbing the landfill.

Supervisor Allen Latimer said it is a legitimate concern to the public.

Supervisor Medlin said the average citizen may not know that legally the Board cannot do anything to disturb the landfill.

County Administrator Michael Garriga said, no matter which site is chosen, an environmental assessment will have to be done. We have already contacted an environmental engineer to help us through this process.

No motions were made nor votes taken on this issue.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to recess the meeting until November 5, 2008, at 9:00 a.m. The motion passed by a vote as follows:

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

THIS the 3rd day of November 2008, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Allen Latimer, President
DeSoto County Board of Supervisors