

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

JESSIE MEDLIN, PRESIDENT, 2012 PRESIDING

January 3, 2012

A. CALL TO ORDER

The January 3, 2012 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie Medlin, there being no current Board president or vice 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 all business to come before the Board. The following were present:

- Supervisor Jessie Medlin-----District 1
- Supervisor Mark Gardner-----District 2
- Supervisor Bill Russell-----District 3
- Supervisor Lee Caldwell-----District 4
- Supervisor Harvey Lee-----District 5
- W. E. Sluggo Davis-----Chancery Clerk
- Michael Garriga-----County Administrator
- Tony Nowak -----Board Attorney
- Sheriff Bill Rasco-----Sheriff

Supervisor Bill Russell asked if there needed to be someone designated to preside over the meeting. Board Attorney Tony Nowak recommended the Board to appoint a Board member to preside over the meeting in the absence of the president and vice president.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to appoint Supervisor Jessie Medlin to preside over the meeting in the absence of the president and vice president. The motion passed by a vote as follows:

- Supervisor Jessie Medlin-----YES
- Supervisor Mark Gardner-----YES
- Supervisor Bill Russell-----YES
- Supervisor Lee Caldwell-----YES
- Supervisor Harvey Lee-----YES

B. INVOCATION

Pastor, Dr. Steve Bennett of Heartland Church in Southaven, Mississippi, presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. ACKNOWLEDGEMENT OF DECEMBER MINUTES EXECUTED BY PRIOR BOARD PRESIDENT

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to acknowledge the December 2011 minutes of the DeSoto County Board of Supervisors as approved by the prior Board and executed by the prior Board President Supervisor Allen Latimer, and to accept said minutes part of the official minutes of the Board. The motion passed by a vote as follows:

- Supervisor Jessie Medlin-----YES

Supervisor Mark Gardner-----YES
Supervisor Bill Russell-----YES
Supervisor Lee Caldwell-----YES
Supervisor Harvey Lee-----YES

See Exhibit D

E. APPROVAL OF AGENDA: ADDITIONS AND DELETIONS

Supervisor Bill Russell asked if the public comments usually listed on the Agenda is being discontinued.

The Board of Supervisors discussed this section of the Agenda as “Approval of Agenda: Addition and Deletions”. The County Administrator said this section will continue so as to allow items not listed on the Agenda to be added or items listed could be deleted prior to the Board taking the full agenda up for consideration.

Supervisor Jessie Medlin said he would not like to see someone drive from across the County and not be able to present his or her business to the Board of Supervisors. He said he had no problem having a cut-off to add items to the Agenda on a certain day, but he did not want to block items from the Agenda that need to be heard by the Board. He said the Board only meets twice monthly and waiting on some items to be heard, might not be in the best interest of the County.

Supervisor Bill Russell said he did not want to block items from being heard either. He said he would allow anyone to speak at any time before the Board of Supervisors.

Supervisor Lee suggested a time limit to be set for public comment from three to five minutes per item, but the Board of Supervisors could extend the time limit if necessary.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to add “Citizens Comments” to the first section of the Agenda and add a note to limit comments to five minutes, but the Board of Supervisors could extend that time if necessary. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----NO
Supervisor Mark Gardner-----YES
Supervisor Bill Russell-----YES
Supervisor Lee Caldwell-----YES
Supervisor Harvey Lee-----YES

Supervisor Caldwell said additional items could always be added or amended and the Board could vote on those additions. The Board agreed this would include individual items from the Supervisors.

The Board of Supervisors discussed the structure of the Agenda and no additional motions were made nor votes taken.

Supervisor Medlin asked if there was anyone present to appear before the Board regarding an item not already listed on the Agenda.

No one came forward.

F. 2012 TERM OF THE BOARD OF SUPERVISORS

1. Organization of the Board of Supervisors: Election of Officers

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to appoint Supervisor Jessie Medlin as President of the Board of Supervisors for the year 2012. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES

Supervisor Mark Gardner-----YES
Supervisor Bill Russell-----YES
Supervisor Lee Caldwell-----YES
Supervisor Harvey Lee-----YES

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to appoint Supervisor Mark Gardner as Vice President of the Board of Supervisors for the year 2012. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Mark Gardner-----YES
Supervisor Bill Russell-----YES
Supervisor Lee Caldwell-----YES
Supervisor Harvey Lee-----YES

2. Approval of Bonds (Acknowledgement from Chancery Clerk Bonds are Executed and Recorded)

a. Board of Supervisors

Chancery Clerk Sluggo Davis said, as County Treasurer, he has signed the bonds for the Board of Supervisors and they are in the Chancery Clerk's office. Mr. Davis said the Chancery Clerk's bond would be kept in the Circuit Clerk's office.

b. Newly Elected Officials Bonds

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to authorize the Board President to sign all bonds for DeSoto County elected officials and to file the bonds with the Chancery Clerk and to acknowledge that the bond for the Chancery Clerk would be filed with the Circuit Clerk. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Mark Gardner-----YES
Supervisor Bill Russell-----YES
Supervisor Lee Caldwell-----YES
Supervisor Harvey Lee-----YES

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to authorize the Board President to sign all bonds of all other elected or appointed officials requiring bonds. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Mark Gardner-----YES
Supervisor Bill Russell-----YES
Supervisor Lee Caldwell-----YES
Supervisor Harvey Lee-----YES

3. Appointments to Statutory Positions (Various Code Sections)

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to reappoint serving positions for which appointment by the Board is required by statute as follows:

a. County Administrator-Michael Garriga

b. County Road Manager-Russell Dorris

c. Comptroller-Tom Arnold

d. County Board Attorney (including approval of the legal services agreement)

Tony Nowak of Smith, Phillips, Mitchell, Scott and Nowak Law Firm

e. County Engineer-Andy Swims

f. County Fire Coordinator-Bobby Storey

g. Justice Court Clerk-Shirley Beshears

h. Purchase Clerk-Vanessa Lynchard

i. Inventory Clerk-Charmaine McCool

j. Receiving Clerk-Ann Richmond

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----NO
 Supervisor Mark Gardner-----YES
 Supervisor Bill Russell-----YES
 Supervisor Lee Caldwell-----YES
 Supervisor Harvey Lee-----NO

Supervisor Jessie Medlin asked that the minutes reflect his dissenting vote was due to the reappointment of the Road Manager.

4. Appointments to Boards and Commissions (See Appointment Book)

a. District 1 Nominations

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to reappoint all of the appointees for District 1 and District 3 as follows:

Appointment	Appointed By:	Appointee	Expires	Term
Board of Adjustments	District 1	Michael Hatcher	01/07/2013	1 Year
Handicap Compliance Grievance Committee	District 1	Jackie Hannaman	01/07/2013	1 Year
Library - Olive Branch, City of - Library Board	District 1	Lelia Payne	01/07/2013	1 Year
Library - Olive Branch, City of - Library Board	District 1	Betty Collins	01/07/2013	1 Year
Library - Olive Branch, City of - Library Board	District 1	Daphine Craig	01/07/2013	1 Year
Library - Southaven, City of - Library Board	District 1	Peggy Hall	01/07/2013	1 Year
License Commission	District 1	Ed Paseur	01/05/2016	4 Years
Massage Parlor Commission	District 1	William Bowen	01/05/2016	4 Years
Park Commission	District 1	Bill Welch	01/07/2013	1 Year
Planning Commission	District 1	Len Lawhon	01/07/2013	1 Year
Planning Commission	District 1	Julius Cowan Jr	01/07/2013	1 Year
Planning Commission	District 1	Pat Hefley	01/07/2013	1 Year

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Mark Gardner-----YES
 Supervisor Bill Russell-----YES
 Supervisor Lee Caldwell-----YES
 Supervisor Harvey Lee-----YES

b. District 2 Nominations

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to reappoint all previous District 2 appointees as follows and to add Bill Sexton to fill the vacancy in the Planning Commission:

Appointment	Appointed By:	Appointee	Expires	Term
Board of Adjustments	District 2	Billy G Smith	01/07/2013	1 Year
Handicap Compliance Grievance Committee	District 2	Pat Sylvester	01/07/2013	1 Year
Library - Southaven, City of - Library Board	District 2	Donna Bouchillon	01/07/2013	1 Year
License Commission	District 2	Samuel McMinn	01/05/2016	4 Years
Massage Parlor Commission	District 2	Vaudie Emerson	01/05/2016	4 Years
Park Commission	District 2	Mike Mullins	01/07/2013	1 Year
Planning Commission	District 2	Charles W McNemar	01/07/2013	1 Year
Planning Commission	District 2	Bill Sexton	01/07/2013	1 Year
Planning Commission	District 2	Randy Jones	01/07/2013	1 Year

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Mark Gardner-----YES
 Supervisor Bill Russell-----YES
 Supervisor Lee Caldwell-----YES
 Supervisor Harvey Lee-----YES

c. District 3 Nominations

(Clarification of the minutes.) The District 3 appointments were made as a part of the motion for the District 1 appointments, see Item 4.a, which motion is incorporated herewith by reference as if set forth in its entirety. The appointments included for District 3 being as follows:

Appointment	Appointed By:	Appointee	Expires	Term
Board of Adjustments	District 3	Rudy Davis	01/07/2013	1 Year
Handicap Compliance Grievance Committee	District 3	Sara Watkins	01/07/2013	1 Year
Library Board - Horn Lake, City of - Library Board	District 3	Bess Burgess	01/07/2013	1 Year
Library - Southaven, City of - Library Board	District 3	Betty Moore	01/07/2013	1 Year
License Commission	District 3	Larry Ray	01/05/2016	4 Years
Massage Parlor Commission	District 3	Patrick Doyle	01/05/2016	4 Years
Park Commission	District 3	Susan Whitten	01/07/2013	1 Year
Planning Commission	District 3	Wade Carter	01/07/2013	1 Year
Planning Commission	District 3	Joe Forsythe	01/07/2013	1 Year
Planning Commission	District 3	Joan Robertson	01/07/2013	1 Year
Port Commission	District 3	Robert Sayle	07/01/2015	5 Years

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Mark Gardner-----YES
 Supervisor Bill Russell-----YES
 Supervisor Lee Caldwell-----YES
 Supervisor Harvey Lee-----YES

d. District 4 Nominations

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to appoint and reappoint District 4 nominations as follows:

Appointment	Appointed By:	Appointee	Expires	Term
Board of Adjustments	District 4	D. W. Gilbert	01/07/2013	1 Year
Handicap Compliance Grievance Committee	District 4	Barry Carter	01/07/2013	1 Year
Library - Horn Lake, City of - Library Board	District 4	Anne Ashcraft	01/07/2013	1 Year
Library - Horn Lake, City of - Library Board	District 4	Carolyn Hobbs	01/07/2013	1 Year
License Commission	District 4	William Brown, Jr.	01/05/2016	4 Years
Massage Parlor Commission	District 4	Tom Pennington	01/05/2016	4 Years
Park Commission	District 4	Henry Lee Ashcraft	01/07/2013	1 Year
Planning Commission	District 4	David Arnett	01/07/2013	1 Year
Planning Commission	District 4	Melissa Storey	01/07/2013	1 Year
Planning Commission	District 4	Jeannie Shannon	01/07/2013	1 Year

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Mark Gardner-----YES
 Supervisor Bill Russell-----YES
 Supervisor Lee Caldwell-----YES
 Supervisor Harvey Lee-----YES

e. District 5 Nominations

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to make appointments for District 5 nominations and to hold over appointees as follows:

Appointment	Appointed By:	Appointee	Expires	Term
Board of Adjustments	District 5	Tom Williams	01/07/2013	1 Year
Handicap Compliance Grievance Committee	District 5	Hold over	01/03/2012	1 Year
DeSoto County Library Board	District 5	Lucie Bridgforth	01/04/2017	5 years
Library - Horn Lake, City of - Library Board	District 5		01/07/2013	1 Year
License Commission	District 5	David R. Johnson	01/05/2016	4 Years
Massage Parlor Commission	District 5	Danette Williams	01/05/2016	4 Years
Park Commission	District 5	Danny Phillips	01/07/2013	1 Year
Planning Commission	District 5	Steve Reeves	01/07/2013	1 Year
Planning Commission	District 5	Hold over	01/03/2012	1 Year
Planning Commission	District 5	Greg Ryan	01/07/2013	1 Year

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Mark Gardner-----YES
 Supervisor Bill Russell-----YES
 Supervisor Lee Caldwell-----YES
 Supervisor Harvey Lee-----YES

f. Board of Supervisors At Large

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to hold over the following Board of Supervisors At Large appointments as follows:

Appointment	Appointed By:	Appointee	Expires	Term
Port Commission - Post 1	Hold Over		07/01/2010	5 Years
Fire Protection District - Lewisburg	Hold Over		01/03/2012	5 Years

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Mark Gardner-----YES
 Supervisor Bill Russell-----YES
 Supervisor Lee Caldwell-----YES
 Supervisor Harvey Lee-----YES

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to reappoint Floyd Robertson to the Port Commission Post 2 position.

Appointment	Appointed By:	Appointee	Expires	Term
Port Commission - Post 2	BOS	Floyd S Robertson	07/01/2015	5 Years

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Mark Gardner-----YES
 Supervisor Bill Russell-----YES
 Supervisor Lee Caldwell-----YES
 Supervisor Harvey Lee-----YES

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to reappoint Robert Abbay, III as the BOS appointee to the Coldwater River Watershed Council.

Appointment	Appointed By:	Appointee	Expires	Term
Coldwater River Watershed Council	BOS	Robert Abbay, III	01/07/2013	1 Year

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Mark Gardner-----YES
 Supervisor Bill Russell-----YES
 Supervisor Lee Caldwell-----YES
 Supervisor Harvey Lee-----YES

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to appoint Billy Baldwin as the DeSoto County Deputy Medical Examiner Investigator.

Appointment	Appointed By:	Appointee	Expires	Term
DC Deputy Medical Examiner Investigator	BOS	Billy Baldwin	01/07/2013	1 Year

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Mark Gardner-----YES
 Supervisor Bill Russell-----YES
 Supervisor Lee Caldwell-----YES
 Supervisor Harvey Lee-----YES

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to reappoint Damien Weaver as DeSoto County Deputy Medical Examiner Investigator.

Appointment	Appointed By:	Appointee	Expires	Term
DC Deputy Medical Examiner Investigator	BOS	Damien Weaver	01/07/2013	1 Year

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Mark Gardner-----YES
 Supervisor Bill Russell-----YES
 Supervisor Lee Caldwell-----YES
 Supervisor Harvey Lee-----YES

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to reappoint Ralph Spears to the Eudora Fire Protection District.

Appointment	Appointed By:	Appointee	Expires	Term
Fire Protection District- Eudora		Ralph Spears	01/03/2012	5 years

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Mark Gardner-----YES
 Supervisor Bill Russell-----YES
 Supervisor Lee Caldwell-----YES
 Supervisor Harvey Lee-----YES

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to reappoint Eric Creasy to the Walls Fire Protection District and to hold over a nomination to the Massage Parlor Commission Clerk.

Appointment	Appointed By:	Appointee	Expires	Term
Fire Protection District- Walls		Eric creasy	01/03/2012	5 years

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Mark Gardner-----YES
 Supervisor Bill Russell-----YES
 Supervisor Lee Caldwell-----YES
 Supervisor Harvey Lee-----YES

Appointment	Appointed By:	Appointee	Expires	Term
Massage Parlor Commission-Clerk	BOS	Hold over	01/03/2012	4 years

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to approve the following appointees:

Appointment	Appointed By:	Appointee	Expires	Term
Mid State Opportunity Board of Directors	BOS	Board President	1/7/2013	1 Year

Memphis Area of Governments	BOS	Board President	1/7/2013	1 Year
Metropolitan Planning Organization	BOS	Board President	1/7/2013	1 Year

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Mark Gardner-----YES
 Supervisor Bill Russell-----YES
 Supervisor Lee Caldwell-----YES
 Supervisor Harvey Lee-----YES

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to appoint Supervisor Bill Russell as the County appointee to the North Central Mississippi Resource Conservation and Development District.

Appointment	Appointed By:	Appointee	Expires	Term
North Central MS Resource Conservation & Development		Supervisor Bill Russell	01/07/2013	1 Year

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Mark Gardner-----YES
 Supervisor Bill Russell-----YES
 Supervisor Lee Caldwell-----YES
 Supervisor Harvey Lee-----YES

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to appoint Michael Garriga and Vanessa Lynchard to the North Delta Planning and Development District Board, appoint Charlie Reese as the minority representative to the North Delta Planning and Development District and to appoint Lorine Cady as the municipal representative to the North Delta Planning and Development District.

Appointment	Appointed By:	Appointee	Expires	Term
North Delta Planning & Development District	BOS	Michael Garriga	01/07/2013	1 Year
North Delta Planning & Development District - Minority Representative	BOS	Charlie Reese	01/07/2013	1 Year
North Delta Planning & Development District	BOS	Vanessa Lynchard	01/07/2013	1 Year
North Delta Planning & Development District - Municipal Representative	BOS	Lorine Cady	01/07/2013	1Year

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Mark Gardner-----YES
 Supervisor Bill Russell-----YES
 Supervisor Lee Caldwell-----YES
 Supervisor Harvey Lee-----YES

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to appoint Jim Flanagan, County Administrator and Director of Administration and Procurement to the Tax Advisory Committee.

Appointment	Appointed By:	Appointee	Expires	Term
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Tax Advisory Committee	BOS	Jim Flanagan	01/07/2013	1 Year
Tax Advisory Committee	BOS	County Administrator	01/07/2013	1 Year
Tax Advisory Committee	BOS	Director of Administration & Procurement	01/07/2013	1 Year

The motion passed by a vote as follows:

- Supervisor Jessie Medlin-----YES
- Supervisor Mark Gardner-----YES
- Supervisor Bill Russell-----YES
- Supervisor Lee Caldwell-----YES
- Supervisor Harvey Lee-----YES

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to appoint Human Resources Director Janna Rogers as the EEOC Officer for DeSoto County.

Appointment	Appointed By:	Appointee	Expires	Term
EEOC Officer	BOS	Human Resource Director		4 Years

The motion passed by a vote as follows:

- Supervisor Jessie Medlin-----YES
- Supervisor Mark Gardner-----YES
- Supervisor Bill Russell-----YES
- Supervisor Lee Caldwell-----YES
- Supervisor Harvey Lee-----YES

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to reappoint Stanley Rochelle; Andy Alberson; Shirley Beshears; Stephanie Hanks - Alternate; Lucy Massey - Alternate to the employee grievance committee.

Appointment	Appointed By:	Appointee	Expires	Term
Employee Grievance Committee	BOS	Stanley Rochelle; Andy Alberson; Shirley Beshears; Stephanie Hanks - Alternate; Lucy Massey - Alternate	01/02/13	1 Year

The motion passed by a vote as follows:

- Supervisor Jessie Medlin-----YES
- Supervisor Mark Gardner-----YES
- Supervisor Bill Russell-----YES
- Supervisor Lee Caldwell-----YES
- Supervisor Harvey Lee-----YES

At the recommendation of DCRUA Executive Director Bill Austin, Supervisor Bill Russell and Supervisor Mark Gardner seconded the motion to reappoint Barry Bridgforth the DeSoto County Regional Utility Authority for a term of four years and set to expire January 5, 2016.

Appointment	Appointed By:	Appointee	Expires
DeSoto County Regional Utility Authority	BOS	Barry Bridgforth	01/07/2012

The motion passed by a vote as follows:

- Supervisor Jessie Medlin-----YES
- Supervisor Mark Gardner-----YES
- Supervisor Bill Russell-----YES

Supervisor Lee Caldwell-----YES
 Supervisor Harvey Lee-----YES

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to appoint Supervisor Lee Caldwell at the representative for the I-269 Coalition for DeSoto County for an indefinite term.

Appointment	Appointed By:	Appointee	Expires
I-269 Coalition	BOS	Sup. Lee Caldwell	Indefinite

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Mark Gardner-----YES
 Supervisor Bill Russell-----YES
 Supervisor Lee Caldwell-----YES
 Supervisor Harvey Lee-----YES

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to appoint Supervisor Mark Gardner as the appointee to the Workforce Investment Committee for an indefinite term.

Appointment	Appointed By:	Appointee	Expires
Workforce Investment	BOS	Sup. Mark Gardner Gardner	Indefinite

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Mark Gardner-----YES
 Supervisor Bill Russell-----YES
 Supervisor Lee Caldwell-----YES
 Supervisor Harvey Lee-----YES

Later in the meeting, Emergency Service Directory Bobby Storey presented a form acknowledging Mr. Storey as Fire Investigator for DeSoto County.

At the recommendation of Chief Bobby Storey, Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to acknowledge and approve the Board appointment of Chief Bobby Storey as Fire Investigator for DeSoto County and authorize the Board President to sign the document confirming the appointment. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Mark Gardner-----YES
 Supervisor Bill Russell-----YES
 Supervisor Lee Caldwell-----YES
 Supervisor Harvey Lee-----YES

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to hold over any appointments not filled by the foregoing motions be deemed tabled and held over to the next meeting. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Mark Gardner-----YES
 Supervisor Bill Russell-----YES
 Supervisor Lee Caldwell-----YES
 Supervisor Harvey Lee-----YES

See Exhibit F

G. CONSENT AGENDA

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

Supervisor Mark Gardner asked for clarification on item number ten on the Consent Agenda, which is a request for Andy Swims to be appointed as “Certifying Official” for the Johnson Circle NRCS Project.

County Engineer Andy Swims explained NRCS is the Natural Resource Conservation Service. Mr. Swims said that NRCS is a service that works with the County and is instrumental in obtaining funding for certain projects. He said it is a requirement of NRCS to appoint a “Certifying Official” for the NRCS Project, and he has historically served in that role.

Supervisor Jessie Medlin asked if there were any other NRCS projects that require the same authorization. Mr. Swims said yes, there is a project the County is partnering with Horn Lake Creek Drainage District for work at Horn Lake Road. He said that project is not moving quickly so it would not be treated as an emergency.

Supervisor Gardner said the Board wants to be more open to the public in terms of information about projects like the NRCS Project. Supervisor Gardner asked Mr. Swims for an explanation regarding the type of project.

Mr. Swims said NRCS is a federal agency. The County gets money to stabilize ditch projects through NRCS. Mr. Swims said there are a number of people requesting these projects to address various drainage issues. Mr. Swims said as funding opportunities become available, NRCS might ask for a list of areas where there are drainage issues and then see if they qualify as NRCS Projects for funding.

Supervisor Bill Russell agreed that when people call about drainage issues, NRCS could be contacted to see if the project can be done under their approval.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to 1.) Add authorization for Andy Swims to be the Certifying Official for the Horn Lake Road Project and 2.) Approve authorization for four Board members, the County Administrator and the Board Attorney to travel to Washington, DC for the Blue Ribbon trip and 3.) Approve the Consent Agenda as follows:

1. Dept. of Human Resources: Monthly Health Claims

The following is a recap of all insurance claims funded for the month of December and paid to Humana:				
Funding Request	Date Paid	Amount	Claim Type	
Date				
12/1/11	12/1/11	\$72,684.07	Administration Fees	
12/5/11	12/6/11	\$110,371.23	Medical	
12/5/11	12/6/11	\$3,692.35	Dental	
12/5/11	12/6/11	\$15,992.28	Pharmacy	
12/12/11	12/13/11	\$42,220.53	Medical	
12/12/11	12/13/11	\$3,726.85	Dental	
12/12/11	12/13/11	\$11,147.83	Pharmacy	
12/19/11	12/20/11	\$43,282.15	Medical	
12/19/11	12/20/11	\$2,607.00	Dental	
12/19/11	12/20/11	\$21,698.22	Pharmacy	
12/26/11	12/27/11	\$67,772.15	Medical	
12/26/11	12/27/11	\$6,111.95	Dental	
12/26/11	12/27/11	\$12,123.45	Pharmacy	
	TOTAL	\$413,430.06		

2. Justice Court Report

Criminal Cases Filed	91
Civil Cases Filed	487
Traffic Tickets Filed	715
Total Cases Filed	1293
State Assessments	\$48,880.44
County General Fund	\$85,662.82
Total Collections	\$134,543.26

3. Bailiff Pay - Liz Medlin - \$230.00 175.00

4. Publication of Board Proceedings

5. Office of Finance & Accounting

a. Budget Amendments

b. Request for Transfer of Sheriff Seized Funds

Case #	Defendant	Date Seized	Receipt #	Amount	Date of Forfeiture
2011-45420	Christopher Currie	10/28/11	25544	\$172.00	1/3/12
2011-46918	David Shelton	11/9/11	25604	\$262.00	1/3/12
2011-47995	Marcus Edwards	11/18/11	25637	\$164.00	1/3/12
			TOTAL	\$598.00	

6. Make Part of Minutes

a. Agreement for I-69/269 International Trade Corridor Project with McBride Dale Associates

b. Sheriff’s Department – LeadsOnline Agreement

7. Office of Procurement - Approval to Reject Bids and Re-bid Sand and Gravel

8. Board Attorney

a. Resolution Approving MOU for Expansion of Olive Branch Food Pantry

b. Resolution Approving Interlocal Agreement for Olive Branch to Use DC Animal Shelter

9. Department of Road Management

a. Road Report

b. Work Schedule

c. Road Bond Report

10. Authorization for Andy Swims to be the “Certifying Official” for the Johnson Circle NRCS Project

11. Authorization of Travel to Washington, DC for 2012 Blue Ribbon Trip February 29-March 2

12. Chancery Clerk Allowance (1) \$1,500.00

13. Election Commission: Agreement with Mineral Wells United Methodist Church for use of Building as a Polling Place

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Mark Gardner-----YES
Supervisor Bill Russell-----YES
Supervisor Lee Caldwell-----YES
Supervisor Harvey Lee-----YES

Supervisor Russell said the Board's approach to the Blue Ribbon Trip has evolved. He said in the past, all Board members went on the Blue Ribbon Trip, but it is best for the Board President to attend with the County Administrator and Board Attorney. Supervisor Russell said other Board members have not been traveling on that trip, but are welcome to do so.

See Exhibit G

H. OLD BUSINESS

1. Polling Precinct Relocation – Greenbrook North

Election Commissioner Barry Chatham said the last time he appeared before the Board, they discussed relocating the Greenbrook North polling precinct. Mr. Chatham said he now has an agreement with Gracewood Baptist Church located at 8551 Getwell Road North in Southaven for use of the building.

Mr. Chatham said there might not be enough time to get approval in time for the Presidential Primary in March. The Election Commission is requesting to get approval for the November elections rather to rush for the March election.

Supervisor Bill Russell said he would like the newspapers help to inform the voters of the new voting precinct. Mr. Chatham said they would get with the newspapers to make sure the word is out before the election. Mr. Chatham said they would also hand out information at the March election with relocation information. He said voters would vote at the golf course location in March and then at the church in November.

Supervisor Mark Gardner asked if the church is more centrally located. Mr. Chatham responded yes. He said there is also more space for parking and it would accommodate people better during inclement weather.

Supervisor Jessie Medlin asked how many registered voters are at that precinct. Mr. Chatham said about 3,000 voted in the November election. It was a very tight fit.

Supervisor Lee Caldwell asked if the Election Commissioners have talked to Southaven about using this as a polling place for city elections. Mr. Chatham said they have not yet talked to Southaven. He said they are still working on that process throughout the County.

Supervisor Gardner said he would really like to see the city and county voters using the same polling place for every election. It is very confusing for voters to vote in different locations for different elections. Supervisor Gardner said he knows not all people have access to the internet, but the Circuit Clerks office has a great web site to access to find out where to vote.

Supervisor Bill Russell said the county has to vote within its district, but the cities do not. He said the Board has asked the cities to move to a county polling place, but they have not done so.

Supervisor Harvey Lee asked if anyone has gotten everyone together to discuss and work on the issue. Supervisor Russell said yes. He said when they looked at the district lines and other details it was not as simple as it sounds.

Supervisor Gardner asked if any of the polling places could be merged. Mr. Chatham said two polling places have been merged. They have looked at others and would continue to do so, but the number of voters in a precinct affects voter turnout.

Supervisor Jessie Medlin said in the past the County was growing so quickly it was hard to keep up with polling place changes and make sure the buildings would accommodate the number of voters.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to approve moving the Greenbrook North Precinct to Gracewood Baptist Church, 8551 Getwell Road North, Southaven, MS 38672 after the March 2012 elections subject to the United States Department of Justice approval and to approve the agreement for use of facilities with Gracewood Baptist Church for location of the polling precinct. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Mark Gardner-----YES
Supervisor Bill Russell-----YES
Supervisor Lee Caldwell-----YES
Supervisor Harvey Lee-----YES

See Exhibit H.1

I. NEW BUSINESS

1. Consideration of Amended and Revised Contract with Ken Thompson, MD for Jail Medical Services

County Administrator Michael Garriga said he presented an agreement in November to the Board to approve a contract with Ken Thompson, MD for medical services at the jail and the Board executed it. Mr. Garriga said Dr. Thompson is required to obtain mal-practice insurance. Dr. Thompson’s underwriter for mal-practice insurance requested a couple minor changes in the medical services agreement. Mr. Garriga presented the original copy of the contract and the amended contract to the Board and asked for approval of the amended contract.

Board Attorney Tony Nowak said the underwriter made minor changes to the agreement language, which primarily consisted of removing references to the Doctors’ staff. Mr. Nowak said there is not much change in the overall scope of the contract. It does confirm that Dr. Thompson does not provide oversight of jail staff.

Supervisor Mark Gardner asked if the changes were monetary. Mr. Garriga said there are no monetary changes. Dr. Thompson’s salary is \$90,000 per year and that comes out of the Sheriff’s budget.

Sheriff Bill Rasco explained that Dr. Thompson is going to save the Sheriff’s Department a lot of money by seeing inmates in the jail instead of taking every inmate requiring medical care to the hospital.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve the amended contract for the DeSoto County Jail Medical Directorship with Ken Thompson, MD, for medical services at the DeSoto County Jail and authorize the Board President to sign the agreement according to the terms in Exhibit I.1. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Mark Gardner-----YES
Supervisor Bill Russell-----YES
Supervisor Lee Caldwell-----YES
Supervisor Harvey Lee-----YES

See Exhibit I.1

2. Office of Finance and Accounting

a. Inventory Dispositions: Preliminary-Special Investigations Division (2pgs)

Inventory Clerk Charmaine McCool presented preliminary inventory dispositions for the Special Investigations Division for the Board of Supervisors review. Ms. McCool said there is an auction scheduled for January to sell these vehicles.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the preliminary inventory dispositions to dispose of the following items and to authorize the sell at auction:

Asset#	Serial#	Description	Reason for Disposal	Location at Preliminary
41718	1FALP52USA278559	1995 Ford Taurus	Forfeiture-Auction	SID Lot
41776	2MECM74WXNX610682	1992 Grand Marquis	Forfeiture-Auction	SID Lot
41784	1FTZF1726WKB07652	2002 Chrysler Concord	Forfeiture-Auction	SID Lot
41719	1FTZF1726WKB07652	1998 Ford F150	Forfeiture-Auction	SID Lot
41766	2MELM75W7X620066	1997 Mercury Marquis	Forfeiture-Auction	SID Lot

The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Mark Gardner-----YES
 Supervisor Bill Russell-----YES
 Supervisor Lee Caldwell-----YES
 Supervisor Harvey Lee-----YES

See Exhibit I.2.a

b. Consideration of Claims Docket

Chief Financial Officer Tom Arnold said when the budget was approved it was based on two constables instead of three constables. Mr. Arnold presented a budget amendment to accommodate the third constable.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to approve the budget amendment as presented and fully described in Exhibit I.2.b. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
 Supervisor Mark Gardner-----YES
 Supervisor Bill Russell-----YES
 Supervisor Lee Caldwell-----YES
 Supervisor Harvey Lee-----YES

Supervisor Mark Gardner asked if this is everything that would be needed to get the new constables on the street. Mr. Arnold said hopefully, this would be everything needed.

Supervisor Gardner asked the Sheriff if he thought they needed hand-held radios. Sheriff Bill Rasco said yes.

See Exhibit I.2.b

Finance Clerk Stephanie Hanks, and Chief Financial Officer Tom Arnold, of the Office of Finance and Accounting, presented the claims docket to the Board. Ms. Hanks and Mr. Arnold read the items on the claims docket individually and the Board discussed these items.

Supervisor Mark Gardner asked if there is a projected completion date for the new jail. Sheriff Bill Rasco said he was told the new jail should be completed in September.

Supervisor Jessie Medlin asked if Kenny Evans signs off on the financial expenses for the new jail. County Administrator Michael Garriga said there are three layers of oversight for the new jail. Mr. Garriga said there is a site supervisor from the architect of Evans, Taylor, Foster and Childress, the DeSoto County Facilities Management Director, Kenny Evans and the contractor has a site supervisor. All three oversee the jail construction and sign off on the bills as construction is completed.

Supervisor Gardner asked how often \$20,000 is paid to Impact Missions. Chief Financial Officer

Tom Arnold said this is a monthly allocation. Mr. Arnold reminded the Board of Supervisors there was a revision to the payment schedule of the approved budget to Impact Missions earlier this year.

Supervisor Gardner said he frequently sees the company of RJ Young listed and asked if they are the supplier for the county copiers. He also asked if it would be more economical and better to centralized copy paper for the entire county. Supervisor Gardner also asked if the county gets all supplies from RJ Young.

Procurement Director Vanessa Lynchard said bids are solicited for copiers under the required guidelines. Vanessa said each department has their own copier and they are under maintenance agreements. She explained the bidding process and that RJ Young was doing a good job of providing copiers to the county. She said, statistically, the savings would be offset by additional costs to the County.

Vanessa explained that copy paper is budgeted through each department. There are different types of paper needs, which vary with departments. In addition, there is no central area to house it and no one to manage the distribution.

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 Mark Gardner seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Chief Financial Officer. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Mark Gardner-----YES
Supervisor Bill Russell-----YES
Supervisor Lee Caldwell-----YES
Supervisor Harvey Lee-----YES

3. House Bill 1216: Authorize Board President to Write Letter to Legislative Delegation

Supervisor Bill Russell explained House Bill 1216, which says no title search is required for vehicles to be crushed if they are ten years or older and the owner claims a lost title. He said, if there is lien on the vehicle or another person owns the vehicle, the car could be crushed without validating ownership. Supervisor Russell presented a copy of the Florida statute, which has language that could be beneficial to the State of Mississippi on this issue. Supervisor Russell asked the Board to write a letter to the Legislators and the Mississippi Association of Supervisors requesting to amend the law to add language to protect lien holders and rightful owners.

Supervisor Mark Gardner said he thinks this makes perfect sense. He asked if the Speaker of the House should be added to the list of approvals.

Supervisor Jessie Medlin asked why they passed the Bill.

Supervisor Russell said they passed the Bill to limit it to vehicles older than ten years and simplify the process for crushing vehicles.

Supervisor Harvey Lee said he knew that Supervisor Medlin had a problem with legitimate people doing business being hurt by changing the legislation. He said it would be better if there was a waiting period that would add a control to allow time for verification of ownership.

Supervisor Medlin said he does not have a problem with adding control, but does not want a person with a ragged car that needs to be sold to have to wait on their money.

Supervisor Bill Russell motion and Supervisor Mark Gardner seconded the motion to send a letter to the Legislators and the Mississippi Association of Supervisors requesting to change the statute resulting from House Bill 1216 and authorize the Board President to sign the letter. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Mark Gardner-----YES

Supervisor Bill Russell-----YES
Supervisor Lee Caldwell-----YES
Supervisor Harvey Lee-----YES

See Exhibit I.3

4. Planning Director Update

County Administrator Michael Garriga said a copy of the memo he sent to the Board regarding the open position of Planning Director is in the Board packet. Mr. Garriga said announcements were placed on several jobs posting web sites. He said, since the job was posted in mid-September, 41 applications have been received.

Mr. Garriga said over the past several weeks, the applicants have been reviewed and screened. Mr. Garriga said 16 of those applicants were short-listed. He said, after further screening and phone call interviews, eight candidates have been identified as acceptable and qualified for the position.

Mr. Garriga said the next step is to do panel interviews with each of the eight candidates and choose three from those interviews. For the panel interviews, Mr. Garriga suggested two people from the Planning Commission, the Human Resources Director and the County Administrator to interview the candidates. He said that choice for the position could then be submitted to the Board of Supervisors for consideration and a final interview. Mr. Garriga said he is open to any suggestions or revisions to the plan by the Board of Supervisors.

Supervisor Jessie Medlin said, when the three candidates are identified, he thinks some of the Board members need to sit in on the interviews.

Supervisor Mark Gardner agreed and asked if all of the Board members wanted to be part of the interview process. Supervisor Gardner said his preference is to narrow the candidates to three and for the Board members to interview the candidates in two-two-one meetings. Supervisor Gardner said he was not talking about doing that on every hire, just the higher-level management positions.

Mr. Garriga said if some of the candidates for the position are from outside the state and come to the county for interviews, two-two-one meetings could be difficult.

Supervisor Bill Russell suggested that two Board members interview the candidates and then the other Board members meet with them as necessary.

Supervisor Gardner asked if the interviews could be scheduled at different times in one day.

Supervisor Medlin said the Board could meet with them in Executive Session at the same time.

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion for the entire Board of Supervisors to meet the three final candidates for the position of Planning Director as part of a board meeting. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Mark Gardner-----YES
Supervisor Bill Russell-----YES
Supervisor Lee Caldwell-----YES
Supervisor Harvey Lee-----YES

J. PLANNING COMMISSION AGENDA

**DeSoto County Board of Supervisors
Planning Agenda
January 3, 2012**

11:00 a.m.

PUBLIC HEARING

Rezoning

Turkey Creek (717) – Application is for vacation of the Creekside Estates West Subdivision rezoning of 59.3 acres to R-20, Single Family Residential (Low Density), and rezoning to Agricultural-Residential (A-R). Subject property is west of Turkey Creek Drive and Highway 305 and north of Bethel Road in Section 21, Township 2, Range 6 and is zoned R-20, Single Family Residential (Low Density). (A). (District 5)

CONSENT AGENDA

Minor Lots

District 5

Betty Ray Minor Lot (6838) – Application is for final subdivision approval of one (1) lot of 2.3 acres and one (1) lot of 2.0 acres out of 4.3 acres. Subject property is located on the north side of Byhalia Road and east of Tchulahoma Road in Section 4, Township 3, Range 7 and is zoned Agricultural (A). (District 5)

Other Items:

1. Air Quality Update – EPA Ozone Standard Designation
2. Update: I-69/I-269 International Trade Corridor Study
3. Request to waive Variance and building permit fees for addition to Olive Branch Fire Station #5 – Olive Branch Fire Department

Supervisor Russell made a Motion to open a Public Hearing. Supervisor Lee seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

PUBLIC HEARING

Rezoning

Turkey Creek (717) – Application is for vacation of the Creekside Estates West Subdivision rezoning of 59.3 acres to R-20, Single Family Residential (Low Density), and rezoning to Agricultural-Residential (A-R). Subject property is west of Turkey Creek Drive and Highway 305 and north of Bethel Road in Section 21, Township 2, Range 6 and is zoned R-20, Single Family Residential (Low Density). (A). (District 5)

Ms. Tynan presented the application for vacation of the Creekside Estates West Subdivision rezoning of 59.3 acres to R-20. She then stated the applicant is Renasant Bank and the lot has not been developed. The bank has a buyer for the lot who wishes to place a single dwelling on the property, but as part of the sale wishes to have the rezoning revert back to Agricultural-Residential confirmed.

Supervisor Russell asked what the current zoning of the property is. Mr. Nowak stated that technically with the reverter clause in the approval of the prior rezoning it automatically reverted back to Agricultural-Residential zoning after the time limit to initiate the development expired. The Bank is simply requesting this reverter be recognized and made part of the minutes. It was confirmed the last rezoning had the reverter clause as a condition of the approval.

Supervisor Medlin stated he is concerned whether this property would be affected by the Starlanding Road alignment and feels the new owner should know there is a possibility Starlanding Road would go through part of this property. Ms. Tynan stated the property is approximately a quarter of a mile from the Starlanding Road alignment.

Supervisor Lee made a Motion for the application for vacation of the Creekside Estates West Subdivision rezoning of 59.3 acres to R-20, and to approve the property reverting back to Agriculture-Residential. Supervisor Caldwell seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

Supervisor Russell made a Motion to close a Public Hearing. Supervisor Gardner seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

CONSENT AGENDA

Minor Lots

District 5

Betty Ray Minor Lot (6838) – Application is for final subdivision approval of one (1) lot of 2.3 acres and one (1) lot of 2.0 acres out of 4.3 acres. Subject property is located on the north side of Byhalia Road and east of Tchulahoma Road in Section 4, Township 3, Range 7 and is zoned Agricultural (A). (District 5)

Ms. Tynan presented the application above and stated it appears to be in compliance with the County’s Zoning and Subdivision Ordinances, subject to right-of-way dedication and Health Department approval. She noted that this application did not go before the Planning Commission, as the December meeting of the Planning Commission was canceled.

Supervisor Medlin asked when the owner decides to build a home on this lot can it be required that the driveway be off of Green T Road. Ms. Tynan stated that the driveway being on Green T Road could be made part of the approval.

Supervisor Lee made a Motion to approve the Consent Agenda subject to staff recommendations, required dedication of public road right-of-way and Health Department approvals and that the driveway for this lot be located on Green T Road. Supervisor Russell seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>

FOURTH DISTRICT SUPERVISOR, LEE CALDWELL
FIFTH DISTRICT SUPERVISOR, HARVEY LEE

YES
YES

Other Items:

1. Air Quality Update – EPA Ozone Standard Designation

Ms. Tynan stated that on December 9, 2011 the Federal EPA rendered a preliminary designation for the northern half of DeSoto County of “non-attainment”. Ms. Tynan gave highlights of the meeting with MDEQ and County staff concerning the “non-attainment” designation. She stated MDEQ has assembled data to support that DeSoto County is in attainment. Ms. Tynan stated MDEQ, MDOT and local officials are joining together to fight the “non-attainment” designation.

Supervisor Medlin asked if the Board needs to write a letter to the legislature again. Mr. Michael Garriga stated he would be happy to write a formal correspondence to the legislature concerning this matter. He went on to state he thought it would be worth mentioning in the Blue Ribbon trip, but feels that with the timing of that it would be too late. He also stated the Board of Supervisors may want to consider engaging Butler Snow to assist with this matter.

Supervisor Medlin asked if the County would be divided north and south as far the designation of attainment is concerned. Ms. Tynan confirmed that the new designation would divide the County with the northern part of DeSoto County being designated “non-attainment” and the southern part of the County being designated “attainment.”

There was discussion of how the rating was determined and the factors that are involved in determining the rating.

Supervisor Russell stated he did not feel the Blue Ribbon trip would be sufficient to discuss this matter, as there is not the ability to speak specifically in depth about a particular subject. He then suggested approving a trip to Washington D.C. prior to the Blue Ribbon trip to discuss air quality. Supervisor Russell suggested he, Gina Tynan, and Michael Garriga make the trip to Washington D.C. to meet with the EPA. Supervisor Gardner suggested sending Jimmy Palmer with Butler Snow and Jim Flanagan on the trip to Washington D.C. as well.

Supervisor Russell made a Motion to approve Mr. Michael Garriga to coordinate with MDEQ and bring back recommended dates and participants to make a trip to Washington D.C. to meet with the Federal EPA to discuss the air quality designation of DeSoto County. Supervisor Gardner seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>NO</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

Supervisor Caldwell asked if a motion needs to be made to contract Butler Snow to represent the County in the air quality issue. Mr. Garriga stated the County has a contract with Butler Snow form 2-3 years ago, and he will need to see if it is still valid.

2. Update: I-69/I-269 International Trade Corridor Study

Ms. Tynan gave an overview of the planning process of the Corridor Study for the new Supervisors.

She stated the next Steering Committee will be February 2, 2012 at 6:30 p.m. and it will be the big kickoff of the Scenario Planning. She then stated the Planning offices plans to have a public event in the Spring of 2012.

Supervisor Gardner stated he would like to applaud the Planning staff on their work with the Corridor Study. He then stated he has attended a Corridor Study in the past and it was well done.

3. Request to waive Variance and building permit fees for addition to Olive Branch Fire Station #5 – Olive Branch Fire Department

Ms. Tynan stated the fire station is located in the County but is owned by the City of Olive Branch. She then stated the Olive Branch Fire Department is looking to make a 700 square foot addition to the existing fire house and cannot meet the side setback. She then stated they are requesting to have the fees for the Variance and the building permit waived.

Supervisor Medlin made a Motion to approve the requested Variance and to waive the Variance fees and the building permit fees for the addition to Olive Branch Fire Station #5. Supervisor Russell seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

Ms. Tynan presented the building permit reports, stormwater reports and code enforcement reports.

Supervisor Russell suggested that Planning Commission agenda packets could be delivered electronically to the Board prior to the meeting, but still give notebooks on day of the meeting as needed for large subdivision plats and such items. Mr. Garriga suggested large subdivision plats could be handed out in place of notebooks.

Supervisor Medlin asked if the Board could get an overview of Planning Commission Board of Adjustment members' attendance for the year of 2011. Ms. Tynan stated that information will be included in the yearend review presented at the Board of Supervisors meeting in February.

Supervisor Russell asked how often the Comprehensive Plan needs to be updated. Mr. Garriga stated there is no required update time limit in Mississippi on comprehensive plans. He went on to state he thinks the end of the Corridor Study would be a good segway into updating the Comprehensive Plan.

Ms. Tynan asked what time the Board of Supervisors would like Planning Staff to advertise public hearing items to be heard. Supervisor Russell and Supervisor Medlin both stated posting the public hearing time to be 11:00 a.m. was fine.

K. EXECUTIVE SESSION

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

L. OTHER ISSUES

1. Legislation - Health and Wellness

Supervisor Bill Russell discussed the need for a local and private on the Health and Wellness Center. He explained that this does not obligate the County to make a donation, but would allow them to do so if they desire.

County Administrator Michael Garriga said originally a local and private was done for the Health and Wellness Center, the Historic DeSoto Museum and the Hernando Civic Center to authorize funding for each entity.

Supervisor Lee Caldwell asked if the money for the Health and Wellness Center is in the budget. Supervisor Russell said yes.

Mr. Garriga said the last legislation for the Health and Wellness Center authorized an allocation up to \$50,000.

Supervisor Caldwell said she was approached by the Nesbit Fire Department for the County to help with a bay of the fire department. She said they have asked for a needs assessment for the fire departments. Supervisor Caldwell asked if the County would need a local and private to help the fire department since they own their property.

Board Attorney Tony Nowak explained the options to give money to a fire department. Supervisor Bill Russell said Mr. Nowak gave the Board Attorney comprehensive report about fire departments throughout the county. He suggested Mr. Nowak bring the report back to the next Board meeting to discuss. He said the Board might want to form a committee to look at the overall structure of the fire departments so the County can become uniform in how they support the fire departments.

County Administrator Michael Garriga said we need to get the report about the fire departments from Chief Storey.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to authorize the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to work on securing new local and private legislation for Health and Wellness Center, the Historic DeSoto Museum and the Hernando Civic Center as necessary. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Mark Gardner-----YES
Supervisor Bill Russell-----YES
Supervisor Lee Caldwell-----YES
Supervisor Harvey Lee-----YES

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to recess the meeting until January 17, 2012 at 9:00 a.m. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Mark Gardner-----YES
Supervisor Bill Russell-----YES
Supervisor Lee Caldwell-----YES
Supervisor Harvey Lee-----YES

THIS the 3rd day of January 2012, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Jessie Medlin, President
DeSoto County Board of Supervisors