

**MINUTES OF THE REGULAR MEETING
OF JUNE 17, 2008
OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF SOUTHAVEN, MISSISSIPPI**

BE IT REMEMBERED that the Mayor and Board of Aldermen of the City of Southaven, Mississippi met in Regular Session on the 17th day of June, 2008, at six o'clock (6:00) p.m. at City Hall.

Present were:

Charles G. Davis	Mayor
Greg Guy	Alderman, at Large
Lorine Cady	Alderman, Ward 1
James Stark	Alderman, Ward 2
James Loftis	Alderman, Ward 3
Paul Ollar	Alderman, Ward 4
Ricky Jobes	Alderman, Ward 5
Randall Huling	Alderman, Ward 6

Alderman Jobes was present by telecommunications. Alderman at Large, Greg Guy was absent. Alderman Cady was absent at the beginning of the meeting. Also present were Chris Wilson, City Administrator, Mark Sorrell, City Attorney, Glenda Smallwood, City Clerk, Whitney Choat, City Planner, and Bradley Wallace, Director of Operations. Approximately fifteen (15) other people were present.

Mayor Davis called the meeting to order. Alderman Jim Loftis opened the meeting with prayer. Following the Pledge of Allegiance led by Alderman Ollar, a motion was made by Alderman Huling to approve the minutes of the meeting of June 3, 2008 with any corrections, deletions, or additions necessary. Motion seconded by Alderman Stark. Motion passed unanimously with Aldermen Guy and Cady being absent.

\$4,000,000 G.O.B. RESOLUTION

A motion was made by Alderman Huling to adopt REOLUTION TO DIRECT THE SALE OF GENERAL OBLIGATION BONDS, SERIES 2008, OF THE CITY OF SOUTHAVEN, MISSISSIPPI, IN THE PRINCIPAL AMOUNT OF FOUR MILLION DOLLARS (\$4,000,000). Motion seconded by Alderman Loftis. Motion was put to a roll call vote and passed unanimously with Alderman Guy being absent.

Roll call was as follows:

Alderman Guy	Absent
Alderman Cady	Yea
Alderman Stark	Yea
Alderman Loftis	Yea
Alderman Ollar	Yea
Alderman Jobses	Yea
Alderman Huling	Yea

A copy of aforesaid Resolution is hereby attached to and made a part of these minutes.

At this time Alderman Cady joined the meeting.

ITT WATER & WASTEWATER U.S.A., INC.

A motion was made by Alderman Huling to adopt RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF CITY OF SOUTHAVEN, MISSISSIPPI GRANTING EXEMPTION FROM AD VALOREM TAXES TO THE FULL EXTENT PERMITTED BY STATUTE TO ITT WATER & WASTEWATER U.S.A., INC., OPERATOR OF A FREEPORT WAREHOUSE, AS AUTHORIZED BY SECTION 27-31-53 OF THE MISSISSIPPI CODE (1972), AS AMENDED. Motion seconded by Alderman Stark. Motion was put to a roll call vote and passed unanimously with Alderman Guy being absent.

Roll call was as follows:

Alderman Guy	Absent
Alderman Cady	Yea
Alderman Stark	Yea
Alderman Loftis	Yea
Alderman Ollar	Yea
Alderman Jobses	Yea
Alderman Huling	Yea

A copy of aforesaid Resolution is hereby attached to and made a part of these minutes.

INDUSTRIAL DEVELOPMENT INTERNATIONAL, INC.

A motion was made by Alderman Huling to adopt RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN MISSISSIPPI GRANTING THE EXEMPTION FROM AD-VALOREM TAXES FOR A PERIOD OF TEN YEARS TO INDUSTRIAL DEVELOPMENT INTERNATIONAL, INC., AS AUTHORIZED BY SECTION 27-31-101 ET SEQ., OF THE MISSISSIPPI CODE (1972), AS AMENDED. Motion was seconded by Alderman Stark. Motion was put to a roll call vote and passed unanimously with Alderman Guy being absent.

Roll call was as follows:

Alderman Guy	Absent
Alderman Cady	Yea
Alderman Stark	Yea
Alderman Loftis	Yea
Alderman Ollar	Yea
Alderman Jobs	Yea
Alderman Huling	Yea

A copy of the aforesaid Resolution is hereby attached to and made a part of these minutes.

SCAN SOURCE

A motion was made by Alderman Huling to adopt RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI GRANTING EXEMPTIN OF AD-VALOREM TAXES FOR A TEN PERIOD TO SCAN SCOURCE INC. AS AUTHORIZED BY SECTION 27-31-101 OF THE MS CODE AS AMDENDED. Motion seconded by Alderman Stark. Motion was put to a roll call vote and passed unanimously with Alderman Guy being absent.

Roll call was as follows:

Alderman Guy	Absent
Alderman Cady	Yea
Alderman Stark	Yea
Alderman Loftis	Yea
Alderman Ollar	Yea
Alderman Jobs	Yea
Alderman Huling	Yea

A copy of aforesaid Resolution is hereby attached to and made a part of these minutes.

WETHERILL

A motion was made by Alderman Huling to adopt RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI GRANTING EXEMPTION FROM AD-VALOREM FOR A FIVE YEAR PERIOD TO WETHERILL ENTERPRISES, INS. AS AUTHORIZED BY SECTION 27-31-101 OF THE MS CODE AS AMENDED. Motion seconded by Alderman Stark. Motion was put to a roll call vote and passed unanimously.

Roll call was as follows:

Alderman Guy	Absent
Alderman Cady	Yea
Alderman Stark	Yea
Alderman Loftis	Yea
Alderman Ollar	Yea
Alderman Jobses	Yea
Alderman Huling	Yea

A copy of the aforesaid Resolution is hereby attached to and made a part of these minutes.

FUTURE ELECTRONICS

A motion was made by Alderman Huling to adopt RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI GRANTING EXEMPTION FROM AD-VALOREM TAXES FOR A TEN YEAR PERIOD TO FUTURE ELECTRONICS DISTRIBUTION CENTER AS AUTHORIZED BY SECTION 27-31-105 OF THE MS CODE AS AMENDED.

Roll call was as follows:

Alderman Guy	Absent
Alderman Cady	Yea
Alderman Stark	Yea
Alderman Loftis	Yea
Alderman Ollar	Yea
Alderman Jobses	Yea
Alderman Huling	Yea

A copy of aforesaid Resolution is hereby attached to and made a part of these minutes.

SOUTHAVEN DISTRIBUTION CENTER LLC

A motion was made by Alderman Huling to adopt RESOLUTON OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI GRANTING EXEMPTION FROM AD-VALOREM TAXES FOR A TEN YEAR PERIOD TO SOUTHAVEN DISTRIBUTION CENTER LLC AS AUTHORIZED BY SECTION 27-31-101 OF THE MS CODE AS AMENDED. Motion seconded by Alderman Stark. Motion was put to a roll call vote and passed unanimously with Alderman Guy being absent.

Roll call was as follows:

Alderman Guy	Absent
Alderman Cady	Yea
Alderman Stark	Yea
Alderman Loftis	Yea
Alderman Ollar	Yea
Alderman Jobses	Yea
Alderman Huling	Yea

A copy of the aforesaid Resolution is hereby attached to and made a part of these minutes.

RESOLUTION TO CLEAN PRIVATE PROPERTY

A motion was made by Alderman Loftis to adopt **RESOLUTION GRANTING AUTHORITY TO CLEAN PRIVATE PROPERTY**. Those properties being: 1809 Central Trails Drive, 5646 Casey Lane, 7970 Milestone Drive, 7533 Cherry Valley Blvd., 8590 Cedar Circle West, 538 Long Street, 2257 Linda Shore Drive, 3418 Woodland Trace North, 3426 Woodland Trace North, 8550 Darlington Cove. Motion seconded by Alderman Cady. Motion was put to a roll call vote and passed unanimously with Alderman Guy being absent.

Roll call was as follows:

Alderman Guy	Absent
Alderman Cady	Yea
Alderman Stark	Yea
Alderman Loftis	Yea
Alderman Ollar	Yea
Alderman Jobs	Yea
Alderman Huling	Yea

A copy of aforesaid Resolution is hereby attached to and made a part of these minutes.

Roll call was as follows:

Alderman Guy	Absent
Alderman Cady	Yea
Alderman Stark	Yea
Alderman Loftis	Yea
Alderman Ollar	Yea
Alderman Jobs	Yea
Alderman Huling	Yea

A copy of the aforesaid Resolution is hereby attached to and made a part of these minutes.

PLANNING

The Planning Agenda was presented by Whitney Choat, City Planner. Item #1 Application by Susan Hopper for subdivision approval to amend lots 163 and 165 of the Stonehedge Place Patio Homes Section "A" on the north side of Goodman Road between Swinnea Road and Tchulahoma Road. A motion was made by Alderman Huling to approve item #1 as recommended by the Planning Commission. Motion seconded by Alderman Jobs. Motion passed unanimously with Alderman Guy being absent.

Item #2 Application by Grove Partners, LLC for subdivision approval to revise Briargate Commercial Subdivision Section B on the east side of Airways Blvd. south of Goodman Road. Ms Choat reported they have been asked to change the street names. They are currently Briargate Loop east, north, and west which could be confusing. A motion was

made by Alderman Huling to approve item#2 as recommended by the Planning Commission. Motion seconded by Alderman Loftis. Motion was put to a vote and passed unanimously with Alderman Guy being absent.

Item #3 Application by Cherry Tree Development, LLC for subdivision approval to revise lots 38 and 39 of Cherry Tree Park South on the west side of Getwell Road, north of Star Landing. A motion was made by Alderman Huling to approve item #3 as recommended by the Planning Commission. Motion seconded by Alderman Loftis. Motion was put to a vote and passed unanimously with Alderman Guy being absent.

MAYOR'S REPORT

1.FY 2007 AUDIT REPORT- Mayor Davis presented the highlights of the FY 2007 Audit Report to the Board of Aldermen as reported by Chris Wilson, Chief Financial Officer.

General Fund unreserved fund balance as of September 30,2007was 5.2 Million. Total assets equaling \$156,000,000.

Enterprise Fund- (Utilities & Sanitation) Assets increased by 3.5 Million. We continue to fund a portion of our Capitol Improvements Plan with cash rather than issuing Bonds. Mayor Davis reported the City has allocated some 1.4 Million to the MS State Public Employees Retirement System in one year. He reported that as always Chris Wilson's Office is available for questions or comments. A motion was made by Alderman Cady to accept the FY 2007 Audit as performed by Williams & Pitts. Motion seconded by Alderman Stark. Motion was put to a vote and passed unanimously with Alderman Guy being absent.

2.Mayor Davis reported the City was the host to the Water District 9 meeting which is the MS Waste Pollution Control Operator's Association. They implement rules and regulations. We received a perfect score of 5 on our last health rating. Some of the comments were "Beautiful Facility", "Outstanding Heads Above". Mayor Davis reported we as a City are proud of that and he congratulated the Utility Department for the outstanding job they are doing.

3.Budget Revision- Mayor Davis reported on the budget revision. A motion was made by Alderman Cady to accept the budget revision as presented. Motion seconded by Alderman Stark. Motion was put to a vote and passed unanimously with Alderman Guy being absent. A copy of the budget revision is hereby attached to and made a part of these minutes.

4. Mayor Davis reported that he has received an official request for the City to enter into an agreement with DeSoto County Board of Supervisors to house our City prisoners at \$20 per day plus medical expenses. He reported that some years ago the City of Southaven along with the other Cities and the County had a tax equity study done which proved City residents also pay county taxes, so we shouldn't have to pay again for services we are already paying for through our property taxes. At that point the Board of Supervisors did away with fees for housing

city prisoners. They have come back to us now with an agreement. They did state they wouldn't start collecting the fees until October. As of today 78% of the County's assessed value lies within municipal boundaries. When the math is done it seems to be reasonable that the cities should get 78% of the jail capacity. He reported there are things that need to be worked out. Mayor Davis assured the citizens that the City will not stop locking up criminals, will not stop prosecuting criminals and will not start letting those who break the laws go because there is not a place to send them. He reported we will continue to remain strong on enforcement of the laws and the penalties that are associated with that. He reported there are some other alternatives that will be looked into. He reported that we work well with the Board of Supervisors and hopefully we will be able to work through this and move forward with making sure we protect our residents of DeSoto County as a whole. Mayor Davis reported this would impact our budget by several hundred thousand dollars if we had to start paying for prisoners to be locked up. He reported that 31% of the assessed value is from the City of Southaven.

CITY ATTORNEY'S LEGAL UPDATE

Mark Sorrell, City Attorney had no new update at this time.

CLAIMS DOCKET

A motion was made by Alderman Stark to approve the docket of claims for June 3, 2008 including demand checks and payroll and excluding voucher #102260-102269, 102284-102293, 102310-102324, 102327, 102364, 102365, 102615, 102622, 102623, 102627, 102644, 102646, 102682, 102917, 102926-102932, 102934, 102948, 102973, 103037, 103051-103056, 103068, 103098, 103178.

Roll call was as follows:

Alderman Guy	Absent
Alderman Cady	Yea
Alderman Stark	Yea
Alderman Loftis	Yea
Alderman Ollar	Yea
Alderman Jobes	Yea
Alderman Huling	Yea

Next, Alderman Huling moved for a closed determination on the issue of whether or not to go into Executive Session. Hearing no objections, a motion was made by Alderman Loftis to go into Executive Session for the purpose of discussing a matter of litigation. Motion seconded by Alderman Huling. Motion passed unanimously.

Next, a motion was made by Alderman Loftis to give Mayor Davis the authority to settle a lawsuit for a minimum amount of \$300,000. Motion seconded by Alderman Stark. Motion passed unanimously.

Next, there being no more business to come before the Mayor and Board of Aldermen, a motion was made by Alderman Loftis to adjourn. Motion seconded by Alderman Huling. Motion passed unanimously. Time 7:00 p. m. on June 17, 2008.

Charles G. Davis, Mayor

Glenda Smallwood, City Clerk