


**ORDER: ADOPT RESOLUTION REQUESTING LOCAL AND PRIVATE  
LEGISLATION TO AMEND MISSISSIPPI CODE SECTION 27-7-801  
REGARDING THE DEBT SETOFF FILINGS**


Motion was made by Chad McLarty, duly seconded by Brent Larson, to adopt resolution requesting local and private legislation to amend MS Code Section 27-7-801 regarding the debt setoff filings.

The vote on the motion was as follows:

Supervisor Brent Larson, voted yes  
Supervisor Larry Gillespie, voted yes  
Supervisor David Rikard, voted yes  
Supervisor Chad McLarty, voted yes  
Supervisor Mike Roberts, voted yes

After the vote, President Roberts, declared the motion carried, this the 15<sup>th</sup> day of June, 2020.

  
Mike Roberts, President  
Board of Supervisors

  
Sherry Wall, Chancery Clerk

April 22, 2020

Dear Supervisors,

I am attaching for your consideration a draft local and private bill and a resolution that will need to be passed by your county board. We need 2 original copies (2 copies provided) of the resolution returned to Three Rivers (TRPDD). This proposed local and private legislation in no way obligates your County to contract with Three Rivers, **nor** does legislation alter the duties of Mississippi Association of Supervisors (MAS) in the debt setoff legislation passed last year. The proposed legislation only authorizes TRPDD, at the option of your County to contract for TRPDD to provide coordinator functions, written notice requirements, holding of a hearing for any desired citizens, and prepare necessary documentation for the County to submit to MAS for appropriate debt setoff filings. In the event this legislation is passed, your County and Three Rivers will have the authority to negotiate a contract with Three Rivers to perform the above duties.

In closing, please note this resolution and legislation does not obligate your County to contract with Three Rivers, but gives you authorization if you and your board deem a contract beneficial for your County. Only counties that pass the attach resolution will be included in the proposed legislation.

If you have any further questions, feel free to contact me.

Sincerely,



Vernon R. Kelley, III  
Executive Director

Three Rivers Planning & Development District serves as the fiscal and administrative agency for:

Three Rivers Solid Waste Management Authority  
Three Rivers Area Agency on Aging (AAA)  
Three Rivers CDE, Inc.  
IMR, LLC

Three Rivers Community Investment, Inc.  
The Mississippi Partnership for Workforce Development  
GM&O Rails-to-Trails Recreational District of North Mississippi

Three Rivers Local Development Company, Inc.  
Mississippi Access to Care (MAC)  
Enhance Mississippi, LLC  
The PUL Alliance

AN ACT TO AUTHORIZE THE BOARDS OF SUPERVISORS OF CALHOUN COUNTY, CHICKASAW COUNTY, ITAWAMBA COUNTY, LAFAYETTE COUNTY, LEE COUNTY, MONROE COUNTY, PONTOTOC COUNTY AND UNION COUNTY, AND THE GOVERNING AUTHORITIES OF THE MUNICIPALITIES OF ABBEVILLE, ABERDEEN, ALGOMA, AMORY, BALDWIN, BLUE SPRINGS, BRUCE, CALHOUN CITY, DERMA, ECRU, FULTON, GATTMAN, GUNTOWN, HATLEY, HOUSTON, MANTACHIE, MYRTLE, NETTLETON, NEW ALBANY, NEW HOULKA, OKOLONA, OXFORD, PITTSBORO, PLANTERSVILLE, PONTOTOC, SALTILLO, SHANNON, SHERMAN, SLATE SPRINGS, SMITHVILLE, TAYLOR, THAXTON, TOCCOPOLA, TREMONT, TUPELO, VARDAMAN, VERONA AND WOODLAND, TO APPOINT OR EMPLOY THE THREE RIVERS PLANNING AND DEVELOPMENT DISTRICT TO SERVE AS THEIR AGENT IN THE PERFORMANCE OF CERTAIN DEBT COLLECTION FUNCTIONS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

**SECTION 1.** The Board of Supervisors of Calhoun County, Chickasaw County, Itawamba County, Lafayette County, Lee County, Monroe County, Pontotoc County and Union County, and the governing authorities of the municipalities of Abbeville, Aberdeen, Algoma, Amory, Baldwin, Blue Springs, Bruce, Calhoun City, Derma, Ecrú, Fulton, Gattman, Guntown, Hatley, Houston, Mantachie, Myrtle, Nettleton, New Albany, New Houlka, Okolona, Oxford, Pittsboro, Plantersville, Pontotoc, Saltillo, Shannon, Sherman, Slate Springs, Smithville, Taylor, Thaxton, Toccopola, Tremont, Tupelo, Vardaman, Verona and Woodland, all located within the boundaries of the Three Rivers Planning and Development District, are authorized and empowered, in their discretion, to appoint or employ the Three Rivers Planning and Development District to:

(a) Serve as their point of contact with the Mississippi Association of Supervisors (for counties) or the Mississippi Municipal League (for municipalities) for purposes of submitting debts owed for collection;

(b) Serve as their agent or designee to provide notice to debtors of a county's or municipality's intent to submit a debt owed for collection setoff; and

(c) Select and designate a disinterested party as a hearing officer to conduct a hearing, if requested, regarding a debt submitted for collection by a county or municipality.

**SECTION 2.** This act shall take effect and be in force from and after its passage.

ST: Three Rivers PDD; authorize counties and municipalities to appoint or employ for certain debt collection

**RESOLUTION**

Upon Motion, second, and by a unanimous vote, a quorum being present, the following Resolution is adopted and approved:

BE IT RESOLVED, that the Lafayette County Board of Supervisors requests the Mississippi Legislature, including the House and Senate, to file and enact local and private legislation to amend House Bill 991 (Laws of 2019 Regular Session) which was codified at Sections 27-7-801, et. seq., M.C.A., to allow the Lafayette County Board of Supervisorsto:

- A. Appoint or employ Three Rivers Planning & Development District as its "point of contact" with the Mississippi Association of Supervisors, under M.C.A., Section 27-7-801, (3)(f); and
- B. Appoint or employ Three Rivers Planning & Development District as its agent/designee to provide notice to debtors that the County intends to submit the debt owed by the debtor for solid waste fees for collection by set-off, under M.C.A., Section 27-7-811 (6)(2); and
- C. Appoint or employ Three Rivers Planning & Development District to select and designate a disinterested party as a hearing officer to conduct a hearing, if requested, for the County.

Supervisor Larson voted AYE

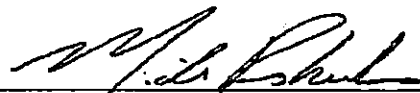
Supervisor Gillespie voted AYE

Supervisor Rikard voted AYE

Supervisor McCarthy voted AYE

Supervisor Roberts voted AYE

This the 15 day of June, 2020.



BOARD PRESIDENT

ATTEST:

  
BOARD SECRETARY

