

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

EUGENE C. THACH, PRESIDENT, PRESIDING

February 16, 2000

A. CALL TO ORDER

The February 16, 2000, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Eugene C. Thach of DeSoto County.

Commander John Magness 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 Gerald Clifton-----District 3
Supervisor John Caldwell-----District 4
Supervisor Tommy Lewis-----District 5
W. E. "Sluggo" Davis-----Chancery Clerk
James. A. Riley-----Sheriff
David Armstrong-----County Administrator
William Austin-----Board Attorney

B. INVOCATION

The invocation was presented by County Administrator David Armstrong.

C. PLANNING COMMISSION

The Planning Commission brought several items before the Board of Supervisors as evidenced by the portion of the minutes submitted by the Planning Commission.
****See Exhibit C****

D. OLD BUSINESS

1. Archives Department

Bill Hanna, Director of the Local Government Records Office addressed the Board regarding the statutory authority of the Department of Archives and History with local government records. Mr. Hanna gave a copy of the retention guidelines for county records to the Board of Supervisors. Mr. Hanna said the Department of Archives does not accept records from local governments except in rare circumstances.

Mr. Hanna said that during the 1996 Legislative Session, legislation was enacted affecting the management of local government records. Mr. Hanna said that the Local Government Records Program was developed at that time and participation by counties and cities in the program is optional. The program allows local officials to apply the retention guidelines to the records. Mr. Hanna said that the local governments who opted out have to follow the State guidelines

ITEM D.1, CONTINUED,

that were in effect prior to the 1996 legislation.

2/16/00

E. C. T.

County Administrator David Armstrong asked if the County owns records unless they are transferred to the State or to an organization. Mr. Hanna said yes and that the title will remain with the County even if records are transferred to an organization. Mr. Hanna said that only non-permanent records can be transferred and that his office has to be contacted before records are transferred or destroyed. Mr. Hanna said that his office works with counties to help decide the best disposition of records and that the Board should call with any questions that they have in the future. ****See Exhibit D.1****

2. Federal Credit Union

County Administrator David Armstrong informed the Board of Supervisors that Personnel Director Ginger Allison prepared a comparison between the Mississippi Credit Union and the FAA Federal Credit Union for the Board to review. Mr. Armstrong said that based on the comparison, both he and Ms. Allison recommend the FAA Federal Credit Union. Mr. Armstrong said participation in the credit union by employees is optional. Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion for the County to join the FAA Federal Credit Union. The **motion passed** by a unanimous vote. ****See Exhibit D.2****

3. Gun Ordinance

County Administrator David Armstrong presented an updated gun ordinance to the Board of Supervisors. Mr. Armstrong said that Supervisor Tommy Lewis requested that on page one the ordinance be changed to read “less than five acres is prohibited” and Supervisor John Caldwell requested that on page two a paragraph be added to read that the discharge of firearms must be at least 150 feet from any and all neighboring residences.

Monty Westmoreland, a resident of Walls, told the Board of Supervisors that he was okay with the two requested changes to the ordinance.

Ernest Cleveland, Jr., a resident of Hernando, said that he did not think the 150 feet from neighboring residences is fair to those citizens who had land prior to new houses being built within 50 feet of their property. Supervisor John Caldwell said that the “150 feet” provision is more of a noise ordinance and that the main reason for this provision is for individuals target practicing and not to penalize hunters.

Brooks Bumpous, resident of Ingrams Mill, said he agrees with Mr. Cleveland in that citizens who have paid for property should not be penalized because new houses are built. Supervisor John Caldwell said that builders have to build 50 feet from property lines.

Supervisor Tommy Lewis said that Mr. Westmoreland made a good point at the last meeting when he said that citizens should shoot back from their property lines instead of away from the property lines.

Supervisor John Caldwell said that acres will not totally fix gun safety and the “150 feet” provision will not totally fix the noise problem. Supervisor Caldwell asked what a reasonable distance is. Mr. Bumpous said 50, 70, or 100 feet from a house and agreed that it is better to sit on the property line and shoot away from a house.

Supervisor Jessie Medlin said the ordinance is not to punish hunters but to regulate individuals that are target practicing. Supervisor Medlin asked if citizens can call the Sheriff if there is a problem with the “150 feet” noise issue. Board Attorney Bill Austin said yes, they can call and

ITEM D.3, CONTINUED,

sign an affidavit on disturbing the peace.

Supervisor John Caldwell said the Sheriff does not enforce noise because there is no clear

2/16/00

E. C. T.

ordinance. Supervisor Caldwell said if there is no gun ordinance, is the County liable if someone gets shot. Supervisor said if an ordinance is drawn up the concerns should be addressed whether it is noise or safety.

Supervisor Gerald Clifton said irresponsible persons will shoot anyway and that footage won't matter.

Resident Joe Crenshaw said he has 630 acres of farm land and the footage won't affect him. Mr. Crenshaw asked if the ordinance will apply to both hunters and to individuals who are target practicing. The Board said that ordinance applies to both.

Supervisor Eugene Thach said the Board has to make decisions representative of the majority of people and that with an ordinance, individuals would not have to take neighbors to court.

Supervisor John Caldwell made a motion and Supervisor Eugene Thach seconded the motion to adopt the gun ordinance with paragraph (2) on page two being amended to the discharge of firearms must be at least 100 feet from any and all neighboring residences instead of 150 feet. The **motion failed** by a vote as follows:

Supervisor Jessie Medlin-----NO
Supervisor Eugene Thach-----YES
Supervisor Gerald Clifton-----NO
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----NO

****See Exhibit D.3****

Supervisor Tommy Lewis said that he did not agree with this ordinance but did think the County needs a gun ordinance for small subdivisions.

4. Dean Road at Tulane Road

This issue was held over. ****See Exhibit D.4****

5. College Road

Road Manager Kenny Gunn informed the Board of Supervisors that no action is needed on this issue because according to engineer Ben Smith, the subdivision had been redesigned and the drive was relocated and there is no longer a sight problem.

6. Chris Gouras

a. CDBG Funds - Marvin Johnson

Architect Marvin Johnson presented a needs assessment for CDBG funds to the Board of Supervisors. Chris Gouras said the Board originally discussed the amount of \$450,000.00 with the County providing the building but after researching the needs, the project is much larger than anticipated. Mr. Gouras said there are three alternatives listed in the handout to be considered.

Mr. Gouras said the applications are due April 6th through April 10th. Mr. Gouras said that if an

ITEM D.6.a, CONTINUED,

application is submitted for public facilities and we get funding, the project can be changed after the fact as long as you stay within the main scope for which the funds are intended.

Supervisor John Caldwell asked how the square footage compares to what is currently being

2/16/00

E. C. T.

used. Mr. Johnson said that it is basically the same but that additional space was added to the DHS area for future growth. Supervisor Caldwell asked if DHS gets a new building, will the current space be ample for the Health Department. Mr. Gouras said yes.

Mr. Gouras said the next step is to get direction from the Board to begin the application process. Mr. Gouras said that the Board can use the value of the land the County owns for the grant match. Mr. Gouras said he recommends alternate "B" and that with this alternate, Marvin Johnson can design a building than can be easily expanded in the future.

Supervisor Tommy Lewis asked when the funds would be available if the CDBG grant is received. Mr. Gouras said the grant would be received approximately in June, the environmental process will be done in July and August and the architect will be engaged by Labor Day.

Mr. Gouras said that he needs to know the alternate as soon as possible to begin the application process. County Administrator David Armstrong asked if another alternative could be considered with the Health Department Building being sold. Mr. Gouras said he could work up another alternative but the building will be harder to sell due to its location and a need for that type of building.

The Board of Supervisors held this item until February 28, 2000.

b. TIF

Chris Gouras gave a list of projects related to joint City and County TIF projects for the Board of Supervisors to review. Mr. Gouras said that the law was amended in 1993 to include county participation in Tax Increment Financing. County Administrator David Armstrong said that Demery Grubbs will be here next week to discuss the direction of funds for the County.

7. Budget Amendment

a. Youth Court Grant

b. E-911

c. Sheriff's Department

In accordance with the provisions set forth in Section 19-11-11 of the Mississippi Code, the Board of Supervisors did discuss an amendment to the budget for the Fiscal year beginning October 1, 1999, and ending September 30, 2000. Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to approve the budget amendment for the Youth Court Grant, E-911, and the Sheriff's Department under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

a. Youth Court Grant

Fund 001 - Department 175 (County Youth Court Grant)		
001-175-251	County Youth Court Grant	\$26,574.00
001-175-384	Transfer from General County	\$ 8,858.00

Personal Services:		
001-175-404	Victims Witness Coordinator	\$18,000.00

ITEM D.7.a.b.c, CONTINUED,

001-175-465	Retirement	\$ 1,755.00
001-175-466	FICA	\$ 1,377.00
001-175-467	Worker's Comp Insurance	\$ 25.00
001-175-468	Group Insurance	\$ 3,275.00
001-175-475	Out of County Travel	\$ 2,000.00
001-175-476	Meals & Lodging	\$ 1,000.00

2/16/00

E. C. T.

001-175-477 In County Travel \$ 500.00

Contractual Services:

001-175-501 Postage \$ 700.00
001-175-502 Telephone \$ 500.00
001-175-521 Legal Advertising \$ 100.00
001-175-523 Contract Printing \$ 500.00
001-175-543 Repairs-Office Machines \$ 200.00
001-175-571 Dues & Subscriptions \$ 200.00
001-175-587 Training & Registration \$ 500.00

Consumable Supplies:

001-175-603 Office Supplies & Materials \$ 1,500.00
001-175-606 Computer Supplies \$ 300.00

Other Expenses:

001-175-933 Office Machines \$ 300.00
001-175-934 Office Furniture \$ 1,000.00
001-175-936 Computer Equipment \$ 1,700.00

b. E-911

Decrease 381-243-912 New Construction \$31,263.00
Increase 381-243-937 Radio Equipment \$31,263.00

c. Sheriff's Department

Decrease 001-202-433 Patrol Salaries \$2,400.00
Increase 001-202-544 Service Contract \$2,400.00

The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene Thach-----YES
Supervisor Gerald Clifton-----YES
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----ABSENT

****See Exhibit D.7.a.b.c***

8. County Engineer Job Description

County Administrator David Armstrong informed the Board that the County Engineer job description is finished. Mr. Armstrong said that he and County Engineer Daniel Murphey recommend the job description for approval. The Board of Supervisors took this item under advisement. ****See Exhibit D.8****

ITEM D.9.a, CONTINUED,

Supervisor Eugene Thach made a motion and Supervisor Tommy Lewis seconded the motion to recess for lunch until 1:00 p.m. The **motion passed** by a unanimous vote.

9. Appointments

a. Walls Sewer District

Supervisor Gerald Clifton made a motion and Supervisor John Caldwell seconded the motion

2/16/00

E. C. T.

to appoint Mickael S. Byars as the appointment to the Walls Sewer District. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene Thach-----YES
Supervisor Gerald Clifton-----YES
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----ABSENT

****See Exhibit D.9.a****

b. DeSoto County Library Board

This item was held over at the request of Supervisor Jessie Medlin. ****See Exhibit D.9.b****

c. Horn Lake Interceptor Sewer

Supervisor Gerald Clifton made a motion and Supervisor Jessie Medlin seconded the motion to hold this item. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene Thach-----YES
Supervisor Gerald Clifton-----YES
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----ABSENT

10. Four-Way Stop Sign at Nail and Poplar Corner

Supervisor Gerald Clifton made a motion and Supervisor John Caldwell seconded the motion to uphold the Road Manager’s recommendation not to put a four-way stop sign at Nail Road and Poplar Corner. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene Thach-----YES
Supervisor Gerald Clifton-----YES
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----ABSENT

11. Approval to Pay Brandt Engineering - E-911 Bond

County Administrator David Armstrong informed the Board of Supervisors that E-911 paid this invoice and no action was necessary on this item. ****See Exhibit D.11****

12. Abandoning Goodman Road from ICRR to Highway 161

This item was held over by the Board of Supervisors. ****See Exhibit D.12****

ITEM D.13, CONTINUED,

13. Realignment of School Bus Turnarounds

Board Attorney Bill Austin informed the Board of Supervisors that he had talked to Suzanne Wallace about this issue. Mr. Austin said that her property was surveyed and the driveway was realigned now that the location of the property line was determined. Mr. Austin said Ms. Wallace was going to talk to Mr. Baird about the County maintaining the school bus turnaround on her property.

County Administrator David Armstrong presented a letter dated February 15, 2000 to the Board of Supervisors from DeSoto County Schools Superintendent Jerry Baird requesting that

2/16/00

E. C. T.

the county maintain the school bus turnaround for the 1999-00 school year at the following address:

Suzanne Wallace, 8725 Oak Grove Road, Hernando, Bus #8

In accordance with Section 19-3-42, Mississippi Code of 1972 as amended, stating that the school bus turnarounds will be built, maintained and improved, Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to maintain and improve the property listed in the Superintendent’s letter dated February 15, 2000 as a school bus turnaround for the 1999-00 school year, and to direct the County Road Manager to carry out this order of the Board forthwith. The **motion passed** by a unanimous vote.

****See Exhibit D.13****

14. Central Maintenance Equipment - Mid America International

Road Manager Kenny Gunn asked the Board of Supervisors if a decision was made regarding the invoice to Mid America International. Mr. Gunn said that Mid America International asked for the County to pay a third of the bill and that the County’s cost will be \$1,311.68. Board Attorney Bill Austin recommended that the Board share cost with Mid America International since the County workers may have caused part of the damage to the truck. Supervisor John Caldwell made a motion and Supervisor Gerald Clifton seconded the motion to pay one third of the invoice to Mid America International in the amount of \$1,311.68 and authorized the clerk to write the check. The **motion passed** by vote as follows:

Supervisor Jessie Medlin-----NO
Supervisor Eugene Thach-----YES
Supervisor Gerald Clifton-----YES
Supervisor John Caldwell-----YES
Supervisor Tommy Lewis-----YES

****See Exhibit D.14****

E. NEW BUSINESS

1. Judge Barbee - Request for Cellular Phone to Combine Paging Service

County Judge Mills Barbee requested authorization to purchase a new cellular phone at a cost of \$239.00. Judge Barbee said the new phone will be used as both cellular phone and a pager and that the funds are in available in his budget for the phone. Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to authorize the County Judge to purchase a new cellular phone at a cost of \$239.00 and to extend the service contract. The **motion passed** by a unanimous vote. ****See Exhibit E.1****

ITEM E.2, CONTINUED,

2. Group Insurance - Ginger Allison

Personnel Director Ginger Allison addressed the Board of Supervisors about group insurance for County employees. Ms. Allison said the County recommended that the Board remain with Mississippi Administrative Services. Ginger Allison said that Cigna Health Care was the only health care proposal received. Ms. Allison explained that the County has the option of contracting with MAS for two years but that the same providers at the same rates and benefits cannot be guaranteed for more than one year.

Supervisor Jessie Medlin made a motion and Supervisor John Caldwell seconded the motion to remain with Mississippi Administrative Services for a term set to expire February 28, 2001 with the same coverage for health and dental insurance with the following additional benefits:

2/16/00

E. C. T.

1. Tubal Ligation and Vasectomy
2. Newborn Well Baby Care - for nursery care
3. Second, Fourth, and Sixth month immunizations for newborn children
4. \$1,000.00 Accidental Injury Benefit
5. \$1,500.00 Annual Maximum on Dental
6. Major services at 75% under dental

The **motion passed** by a unanimous vote. ****See Exhibit E.2****

Prescription Card

Ginger Allison recommended United Provider Services for the prescription drug card because there is no administrative fee with this provider, the charge per prescription is only \$1.00, and the County will only be charged when an employee uses the card. Ms. Allison said prescriptions will still cost \$ 0.00 for generic and \$10.00 for name brand prescriptions. Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to accept United Provider Services as the provider for prescription drug cards for County employees. The **motion passed** by a unanimous vote. ****See Exhibit E.2****

Life Insurance

At the recommendation of Personnel Director Ginger Allison, Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to accept Unum Provident as the provider for life insurance for County employees with basic coverage of \$15,000.00 per employee. The **motion passed** by a unanimous vote. ****See Exhibit E.2****

3. Jail Inspection

Section 19-5-1 of the Mississippi Code Annotated of 1972, which states that a least annually, and as often as it may think proper, the Board of Supervisors, or a competent person authorized by the Board of Supervisors, shall examine into the state and condition of the jail, in regard to its safety, sufficiency and accommodation of the prisoners, and from time to time take such legal measures as may best tend to secure the prisoners against escape, sickness and infection, and have the jail cleansed.

Having completed such inspection, Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion to acknowledge the inspection of the DeSoto County Jail by the Board of Supervisors as outlined in Section 19-5-1 of the Mississippi Code Annotated. The **motion passed** by a unanimous vote.

ITEM E.4, CONTINUED,

4. Veterans Officer Report

N. C. Ferguson, Director of Veterans Affairs, informed the Board of Supervisors that there are currently 7,600 veterans in DeSoto County. Mr. Ferguson said that he meets with the veterans in the Courthouse or in their homes if they are unable to come to the Courthouse. Mr. Ferguson said the State now has information on Mississippi veterans available on computers. Mr. Ferguson said he is currently working on an updated report on DeSoto County veterans. Mr. Ferguson reported to the Board of Supervisors on the success he has had helping DeSoto County Veterans. ****See Exhibit E.4****

5. Northwest Regional Very Special Arts Festival - Request for Donation

In accordance with Section 17-3-1, of the Mississippi Code of 1972, which states the board of supervisors of any county in Mississippi may in their discretion, set aside, appropriate and

2/16/00

E. C. T.

expend moneys, not to exceed one mill of their respective valuation and assessment for the purpose of advertising and bringing into favorable notice the opportunities, possibilities and resources of such municipality or county, Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion to advertise DeSoto County Resources by contributing \$ 200.00 to the Very Special Arts of Mississippi and authorized the Clerk to write the check. In addition, the Board of Supervisors clarified that none of the funds donated can be used for the purchase of lunch. The **motion passed** by a unanimous vote. ****See Exhibit E.5****

6. Budget Amendment

a. County Administrator

In accordance with the provisions set forth in Section 19-11-11 of the Mississippi Code, the Board of Supervisors did discuss an amendment to the budget for the Fiscal year beginning October 1, 1999, and ending September 30, 2000. Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to approve the budget amendment for the County Administrator under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Decrease	001-120-934	Furniture and Fixtures	\$ 40.00
Increase	001-120-933	Office Equipment	\$ 40.00
Decrease	001-120-587	Training and Registration	\$150.00
Increase	001-120-934	Furniture and Fixtures	\$150.00

The **motion passed** by a unanimous vote. ****See Exhibit E.6.a****

b. DHS/EA

In accordance with the provisions set forth in Section 19-11-11 of the Mississippi Code, the Board of Supervisors did discuss an amendment to the budget for the Fiscal year beginning October 1, 1999, and ending September 30, 2000. Supervisor Tommy Lewis made the motion and Supervisor Gerald Clifton seconded the motion to approve the budget amendment for DHS/EA the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Decrease	001-454-933	Office Equipment (DHS/Child Support)	\$400.00
Increase	001-450-933	Office Machines & Equipment (Economic Assistance)	\$400.00

The **motion passed** by a unanimous vote. ****See Exhibit E.6.b****

ITEM E.6.c, CONTINUED,

c. County Engineer

In accordance with the provisions set forth in Section 19-11-11 of the Mississippi Code, the Board of Supervisors did discuss an amendment to the budget for the Fiscal year beginning October 1, 1999, and ending September 30, 2000. Supervisor Tommy Lewis made the motion and Supervisor Gerald Clifton seconded the motion to approve the budget amendment for the County Engineer under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Decrease	001-156-479	Travel - Out of State	\$100.00
Increase	001-156-587	Training & Registration	\$100.00

The **motion passed** by a unanimous vote. ****See Exhibit E.6.c****

7. Sheriff - Adopt Transfer of Leave Policy

2/16/00

E. C. T.

County Administrator David Armstrong informed the Board of Supervisors that the Sheriff's Department will adopt the same donation of vacation or sick leave policy that the County has. Board Attorney Bill Austin said the Sheriff wants his handbook to mirror the County handbook to that leave can be transferred among Sheriff's Department employees and County employees. Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to accept the Sheriff's Department transfer of leave policy, acknowledging that the Sheriff reserves the right and power to modify any provisions of this policy. The **motion passed** by a unanimous vote. ****See Exhibit E.7****

8. Approval to Declare Certain Equipment as Surplus and Authorize including in Equipment Sale

Road Manager Kenny Gunn presented a list of items to be sold in the equipment sale to the Board of Supervisors for review. Mr. Gunn said it doesn't have to be an absolute auction and that certain items will not be sold unless they are sold at certain prices.

Mr. Gunn also requested authorization to attend the public auction on March 18, 2000 to bid on a used tractor for Central Maintenance. Mr. Gunn said that the 1992 tractor on the list of items to be sold is contingent on another tractor being purchased at the auction. Mr. Gunn said that the 1996 Crown Victoria will not be sold unless the new car for the Road Manager is received prior to the sale.

In accordance with Section 31-7-13 (m)(v) of the Mississippi Code, which states motor vehicles or other equipment purchased from a federal or state agency or a governing authority at a public auction held for the purpose of disposing of such vehicles or other equipment, any purchase by a governing authority under the exemption authorized by this paragraph (v) shall require advance authorization spread upon the minutes of the governing authority to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items, Supervisor John Caldwell made a motion and Supervisor Gerald Clifton seconded the motion to authorize the Road Manager to bid up to \$8,000.00 on a tractor at a public auction to be held March 18, 2000 and to declare as surplus and authorize the following to be sold in the equipment sale to be held in March 2000:

<u>Property #</u>	<u>Unit</u>	<u>Description</u>	<u>Serial Number</u>	<u>Recommended Price</u>
20107	1	84 Chevy C-10	1GCDC14H2EF342200	accept high bid
20048	19	87 GMC Truck	1GTB14H1HF722809	accept high bid
16160	56	96 Ford Crown Vic	2FALP71W1TX156550	accept high bid
20090	102	89 GMC Dump Truck	IGDG7DIBXKB51427	accept high bid

ITEM E.8, CONTINUED,

20122	120	84 Ford Dump Truck	1FDNHSEVA51342	accept high bid
20136	202	89 Chev Dump Truck	IGBS7D4YKV114800	at least \$10,000.00
20138	306	89 Chev Dump Truck	IGBT7D4Y3KV114388	at least \$10,000.00
20197	526	92 995 Case Tractor	JJE0004868	accept high bid
20142	579	1494 Case Tractor	144BGB115119083	accept high bid
30269	599	Dresser TD-20 Dozer	4460020U035091	at least \$20,000.00
01052	601	Fertilizer Spreader	N/A	accept high bid
		40 HP Elec Motor		accept high bid

The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----NO
 Supervisor Eugene Thach-----YES
 Supervisor Gerald Clifton-----YES
 Supervisor John Caldwell-----YES
 Supervisor Tommy Lewis-----YES

****See Exhibit E.8****

2/16/00

E. C. T.

9. Authorization to Bid
a. Food Supplies
b. Janitorial Supplies

Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to advertise for bids for food supplies and janitorial supplies. The **motion passed** by a unanimous vote.

10. Administration Building - Approval of Building Plaque

Vanessa Lynchard notified the Board of Supervisors that Allen and Hoshall needs to know what the Board wants on the plaque at the Administration Building. Vanessa said Allen and Hoshall needs to know as soon as possible so that the plaque can be ordered. Vanessa said it doesn't matter how many names are on the plaque. Supervisor Gerald Clifton made a motion and Supervisor Jessie Medlin seconded the motion to include following names on the Administration Building plaque:

- Supervisor Jessie L. Medlin, District 1
- Supervisor Eugene C. Thach, District 2
- Supervisor Gerald Clifton, District 3
- Supervisor John M. M. Caldwell, Sr., District 4
- Supervisor Tommy Lewis, District 5
- W. E. "Sluggo" Davis, Chancery Clerk
- William H. Austin, Jr., Attorney
- David Armstrong, County Administrator

The **motion passed** by a vote as follows:

- Supervisor Jessie Medlin-----YES
- Supervisor Eugene Thach-----YES
- Supervisor Gerald Clifton-----YES
- Supervisor John Caldwell-----ABSTAIN
- Supervisor Tommy Lewis-----NO

****See Exhibit E.10****

ITEM E.11, CONTINUED,

11. School Bus Turnarounds

County Administrator David Armstrong presented a letter to the Board of Supervisors from DeSoto County Schools Superintendent Jerry Baird requesting that the county maintain the school bus turnarounds for the 1999-00 school year. The addresses for the turnarounds are as follows:

- Clemistine Christian, 4100 Davis Road, Southaven, Bus #122
- Linnie Wilkerson, 580 Getwell Road, South, Hernando, Bus #67
- Debbie House, 1890 Old Pigeon Roost, Olive Branch, Bus #80

In accordance with Section 19-3-42, Mississippi Code of 1972 as amended, stating that the school bus turnarounds will be built, maintained and improved, Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to maintain and improve the property listed in the Superintendent's letter dated February 10, 2000 as school bus turnarounds for the 1999-00 school year, and to direct the County Road Manager to carry out this order of the Board forthwith. The **motion passed** by a unanimous vote.

****See Exhibit E.11****

2/16/00

E. C. T.

12. Sheriff's Employee Report

Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to accept the Sheriff's Department Employee Report for the months of 12/21/99 through February 14, 2000 into the minutes. The **motion passed** by a vote as follows:

- Supervisor Jessie Medlin-----YES
- Supervisor Eugene Thach-----YES
- Supervisor Gerald Clifton-----YES
- Supervisor John Caldwell-----NO
- Supervisor Tommy Lewis-----YES

****See Exhibit E.12****

13. Approval of Late Bill - District Attorney's Departmental Allowance

Supervisor Tommy Lewis made a motion and Supervisor Jessie Medlin seconded the motion to approve the late bill for the District Attorney's monthly allowance in the amount of \$2,916.67. The **motion passed** by a unanimous vote. ****See Exhibit E.13****

14. Approval of Travel - Blue Ribbon Trip

Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion to approve the travel reimbursement to the Blue Ribbon Trip in Washington, D. C. for the Board of Supervisors, County Administrator, Board Attorney, and Chancery Clerk and authorized the Clerk to write the checks. The **motion passed** by unanimous vote.

15. Making Final Decree Approving Formation of the DeSoto County Regional Utility Authority a Part of Minutes and Organization Details

Supervisor Jessie Medlin made a motion and Supervisor Tommy Lewis seconded the motion to make the final decree approving the formation of the DeSoto County Regional Utility Authority a part of the minutes and to accept the organization details. The **motion passed** by a unanimous vote. ****See Exhibit E.15****

ITEM E.16, CONTINUED,

16. Making Final Approval of Exemption of State Tax Commission Part of Minutes

- a. Huffly Bicycle Company**
- b. Dollar Tree Distribution, Inc.**
- c. Thomas & Betts Corporation**

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to make the final approval of the State Tax Commission for a 10 year ad valorem taxation exemption for Huffly Bicycle Company in the amount of \$ 16,452,547.00, a 10 year ad valorem taxation exemption for Dollar Tree Distribution, Inc. in the amount of \$20,523,985.00, and a 10 year ad valorem taxation exemption in the amount of \$226,768.00 on real property and a 5 year ad valorem taxation exemption in the amount of \$991,133.00 on personal property for Thomas & Betts Corporation a part of the minutes. The **motion passed** by a unanimous vote. ****See Exhibit E.16.a.b.c.****

Bill Bryant of the Tax Assessor's Office informed the Board that a tax exemption is taken off of the books and put back on the tax rolls when a company closes.

17. Tax Assessor - Approval of Increases and Reductions in Assessments

Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion to

2/16/00

E. C. T.

approve the petitions for reduction of tax assessments and notice to increase the assessment of real and personal property as recommended by the DeSoto County Tax Assessor. The **motion passed** by a unanimous vote. ****See Exhibit E.17****

18. Countywide Easter Egg Hunt

County Administrator David Armstrong presented a request from Doug Jones of the DeSoto County Tribune asking for a \$1,000.00 contribution for the 4th annual DeSoto County Easter Egg Hunt. Mr. Armstrong said the Board contributed \$750.00 last year. The Board of Supervisors discussed and determined that the participation of people from outside the county will make this a good opportunity to advertise the resources of the County.

In accordance with Section 17-3-1, of the Mississippi Code of 1972, which states the board of supervisors of any county in Mississippi may in their discretion, set aside, appropriate and expend moneys, not to exceed one mill of their respective valuation and assessment for the purpose of advertising and bringing into favorable notice the opportunities, possibilities and resources of such municipality or county, Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to advertise DeSoto County Resources by contributing a \$ 1,000.00 sponsorship fee for the County Wide Easter Egg Hunt to be held April 22, 2000 at 11:00 a.m. at the Whispering Woods Conference Center in Olive Branch and authorized the Clerk to write the check. The **motion passed** by a unanimous vote. ****See Exhibit E.18****

19. Bill Bryant - Millage Rates

Bill Bryant of the Tax Assessor's Office presented an overview of the millage rates to the Board of Supervisors. Mr. Bryant said that each item on the tax levy brings in a different amount of revenue because they are not all applied to the same assessment. Mr. Bryant said the Cities are denoted on the attachment with a numeral in the Tax District as follows: Hernando 1, Horn Lake 2, Olive Branch 3, Southaven 4, and Memphis 5. Mr. Bryant said an additional 4% is built into the total millage for issues such as BellSouth, where the total amount of an assessment is not received. ****See Exhibit E.19****

ITEM E.19, CONTINUED,

Mr. Bryant informed the Board that progress is being made on the reassessment update. Supervisor Eugene Thach asked when it will be complete. Mr. Bryant said that it will be on the tax rolls in July 2002.

20. Flood Control Funds

County Administrator David Armstrong informed the Board of Supervisors that under the Federal Flood Control Act, \$22,734.63 in funds are available for DeSoto County. Supervisor Jessie Medlin made a motion and Supervisor Tommy Lewis seconded the motion to accept \$22,734.63 in funds available under the Federal Flood Control Act and authorized the Board President to sign the agreement. The **motion passed** by a unanimous vote. ****See Exhibit E.20****

21. Larry Wood

a. Approval of Contract - Move of Computer System to New Building

Larry Wood, Director of Data Processing, informed the Board of Supervisors that two quotes were received for contracts to move the main computer systems to the new building. Mr. Wood said that funds are available in his budget for this. Mr. Wood said that the IBM maintenance agreement covers the equipment even if another moving company is chosen to move the computers. Mr. Wood said he recommends Mainframe Services, Inc., who is the low bidder. Supervisor Jessie Medlin made a motion and Supervisor Tommy Lewis seconded the

2/16/00

E. C. T.

motion to accept Mainframe Services, Inc, the low bidder, as the company to move the main computer systems to the new Administration Building at a cost of \$2,450.00. The **motion passed** by a unanimous vote. ****See Exhibit E.21.a****

b. Y2K Update

Larry Wood informed the Board of Supervisors said that all of the Y2K issues are finished except for the accounting software. Mr. Wood said that the biggest change with the payroll software is having to get new checks. Mr. Wood said the new form will be on the next payroll. ****See Exhibit E.21.b****

Supervisor Jessie Medlin asked why the printout for the claims docket is no longer available. Mr. Wood said the report is there and that they are working on this issue.

The Board of Supervisors commended Mr. Wood for the work that he and his department put into the Y2K update.

22. Investment of Surplus Funds

In accordance with Section 19-2-29 of the Mississippi Code, which states that whenever any county shall have on hand any bond and interest funds, any funds derived from the sale of bonds, special funds, or any other funds in excess of the sums which will be required to meet the current needs and demands of no more than seven (7) business days, the Board of Supervisors of such county shall invest such excess funds.

At the recommendation of the Comptroller, Joyce Riales, Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve the investment of surplus funds to Bancorp South, who was the high bidder that placed their bid as follows:

ITEM E.22, CONTINUED,

<u>DATE OF INVESTMENT</u>	<u>BANK</u>	<u>AMOUNT</u>	<u>RATE</u>	<u>DAYS</u>
February 9, 2000	Bancorp South	\$3,500,000.00	5.952	56
February 9, 2000	Bancorp South	\$6,500,000.00	5.952	84

The **motion passed** by a unanimous vote. ****See Exhibit E.22****

23. North Delta Planning Development District - Quarterly Allocation

Supervisor Tommy Lewis made a motion and Supervisor John Caldwell seconded the motion to approve the quarterly allocation for North Delta Planning and Development District on the claims docket for March. The **motion passed** by a unanimous vote. ****See Exhibit E.23****

24. Horn Lake Creek - Commitment for Drainage Assistance

Board Attorney Bill Austin reminded the Board of Supervisors they had earlier asked the Horn Lake Drainage Commissioners about giving assistance on deteriorating drainage pipes and other drainage issues. We met with them about that and the Chairman of the Drainage District Commissioners has written a letter stating they will help on such issues if they can. ****See Exhibit E.24****

A. EXECUTIVE SESSION

The “Executive Session” portion of this meeting is presented under the portion of minutes called “Executive Session.

2/16/00

E. C. T.

B. OTHER ISSUES

1. Koko Reef

Road Manager Kenny Gunn informed the Board of Supervisors that when the Road Crew was working in the Koko Reef Subdivision, a water line close to the ground was damaged by the weight of the road equipment. Mr. Gunn said the homeowners hired a plumber to repair the water line and then forwarded the bill to the County. Mr. Gunn asked if it should be paid.

Board Attorney Bill Austin recommended that the Board approve paying the bill and said that more documentation is needed to show that the Road Crew was in that area and the damage was the result of the equipment being used by the Road Crew.

In accordance with section 25-1-47 of the Mississippi Code, Supervisor John Caldwell made a motion and Supervisor Gerald Clifton seconded the motion to pay for the damage to the water line in Koko Reef Subdivision that was caused by the Road Crew and authorized the Clerk to write the check. The **motion passed** by a unanimous vote.

2. Road Overlay Program

Road Manager Kenny Gunn presented the Road Overlay Program for Spring 2000 to the Board of Supervisors for approval. Mr. Gunn said it is the same as it is on the Four Year Road Plan except that Cleveland Road to Malone Road was taken off and Davis Road to the dead end on Church Road was added. Supervisor Eugene Thach requested that Old Getwell Road from Park entrance to Nail Road be added. Supervisor John Caldwell added Sunset off Wetonga to the list and Supervisor Jessie Medlin added Old Polk Lane to the Pleasant Grove Subdivision. Supervisor John Caldwell said the turnaround on Sherrod Drive needs to be paved. Supervisor

ITEM G.2, CONTINUED,

Jessie Medlin added Old Pigeon Roost, 1/10 mile from the railroad.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to accept the Hot-Mix Overlay Program for Spring 2000 with the addition of Old Getwell Road, Sunset off Wetonga, Old Polk Lane to the Pleasant Grove Subdivision, the turnaround on Sherrod Drive, and Old Pigeon Roost, 1/10 mile from the railroad. The **motion passed** by a unanimous vote. ****See Exhibit G.2****

3. A'Fair

Supervisor Tommy Lewis made a motion and Supervisor John Caldwell seconded the motion to use the Courthouse lawns for the A'Fair the third Saturday in May and to open the Courthouse for the public to use the restrooms and if unsafe due to construction, to open the Administration Building to use the restrooms. The **motion passed** by a unanimous vote.

4. Fire Departments

Supervisor Jessie Medlin requested that architect Marvin Johnson be hired to draw up plans to build a fire department in the Centerhill area of District 1. Supervisor John Caldwell said that the plans to add an ambulance bay are also needed for the Eudora Fire Department. Supervisor Medlin said that he knows individuals that are willing to donate funds for a fire department and also that some of the District 1 Park funds can be used. Supervisor Medlin said he checked with Board Attorney Bill Austin and it is legal for individuals to donate funds.

Supervisor John Caldwell said his only hesitation on this issue is that during the next budget year, fire chiefs will most likely ask for funds for fire protection.

2/16/00

E. C. T.

Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to authorize County Administrator David Armstrong to negotiate with Architect Marvin Johnson regarding plans to build a fire department in District 1 and to build an ambulance bay at the Eudora Fire Department. The **motion passed** by a unanimous vote.

5. Request to Abandon Property

Pastor Oscar Geeslin and Charles Monsure of Meadowbrook Baptist Church addressed the Board of Supervisors regarding .16 acre of land being used as the church parking lot. Mr. Monsure said that the land was deeded to the church. Mr. Monsure said the road is not where it is supposed to be due to confusion over the property lines. Mr. Monsure said that the church was built according to the road and later they found out the road was not on the property line.

Board Attorney Bill Austin said that the original plat had straight lines, however, when the road was built, it was not built on the lines. Mr. Austin said the Board could proceed with abandonment procedures on the land in question.

Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to begin the abandonment procedure for the .16 acre of road located at 3115 Old Pigeon Roost Road and to advertise for a public hearing to be held March 8, 2000. The **motion passed** by a unanimous vote.

6. State Aid Projects

At the recommendation of County Engineer Daniel Murphey, Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion to cancel the Holly Springs Road and

ITEM G.6, CONTINUED,

Ingrams Mill projects and reprogram them as SAP17(4)M. The **motion passed** by a unanimous vote.

At the recommendation of County Engineer Daniel Murphey, Supervisor Eugene Thach made a motion and Supervisor John Caldwell seconded the motion to program the widening and overlay of Fogg Road from Highway 304 to Dean Road with the exception of 250 feet of MDOT work and Getwell Road from Goodman Road North to the Tennessee State line as SAP17(5)M. The **motion passed** by a unanimous vote.

At the recommendation of County Engineer Daniel Murphey, Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to cancel State Aid Projects SAP17(6)S, STP1920(5)B, and STP0975(3)B. The **motion passed** by a unanimous vote.

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to recess until February 28, 2000 at 9:00 a.m. The **motion passed** by a vote as follows:

- Supervisor Jessie Medlin-----ABSENT
- Supervisor Eugene Thach-----YES
- Supervisor Gerald Clifton-----YES
- Supervisor John Caldwell-----YES
- Supervisor Tommy Lewis-----YES

THIS the 16th day of February, 2000, these minutes have been read and approved by the DeSoto County Board of Supervisors.

2/16/00

E. C. T.

EUGENE C. THACH, President
DeSoto County Board of Supervisors

E. C. T.

2/16/00