

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

JOHN M. M. CALDWELL, SR., PRESIDENT, PRESIDING

Wednesday, February 5, 1997

A. CALL TO ORDER

The February 5, 1997, meeting of the DeSoto County Board of Supervisors was called to order by John M. M. Caldwell, Sr., Board President.

Deputy Ronnie Clayton, of the DeSoto County Sheriff's office 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:

Jessie Medlin-----District 1
Eugene C. Thach-----District 2
James D. Pearson-----District 3
John Caldwell-----District 4
Tommy Lewis-----District 5
W. E. "Sluggo" Davis-----Chancery Clerk
James Albert Riley-----Sheriff
Clovis Reed-----County Administrator
William H. Austin, Jr.-----Board Attorney

B. INVOCATION

The invocation was presented by Supervisor John M. M. Caldwell, Sr.

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. North Delta Planning and Development - Bids Under Advisement for Nesbit Water CDBG

Chris Wilson, of North Delta Planning and Development, was present to hear the Board of Supervisors' approval of the engineering work award in connection to the bid opening for the Nesbit Water CDBG Project. Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to accept the recommendation of Fred Roberts of the Nesbit Water Association, to hire Ed Davis Assoc. to do the engineering work

Item D.1, Continued,

on the Nesbit Water Association CDBG project. **See Exhibit D.1.** The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----	Absent
Supervisor Eugene Thach-----	Yes
Supervisor James D. Pearson-----	Absent
Supervisor John Caldwell-----	Yes
Supervisor Tommy Lewis-----	Yes

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to approve the hiring of Austin Law Firm to handle the legal work on the CDBG project. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----	Absent
Supervisor Eugene Thach-----	Yes
Supervisor James D. Pearson-----	Yes
Supervisor John Caldwell-----	Yes
Supervisor Tommy Lewis-----	Yes

2. Report Form Committee to Review Phillips Road

This item was held over until February 18, 1997.

3. Approval of Interlocal Agreement With Olive Branch for Work on Stateline Road

This item was held over until February 18, 1997.

E. SHERIFF JAMES RILEY

1. Curfew Ordinance

Sheriff James A. Riley presented for approval by the Board of Supervisors a proposed DeSoto County Curfew Ordinance. Sheriff Riley explained that a wide range of input throughout the County was gathered regarding implementing a curfew. Sheriff Riley reported gathering opinions and ideas regarding the proposed curfew from teachers, preachers, legal experts, and various citizens before bringing this matter before the Board of Supervisors. Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to take the matter under advisement until February 18, 1997. The **motion passed** by a unanimous vote. **See Exhibit E.1.**

2. Transfer vehicles to the Lewisburg and ACI Volunteer Fire Departments

County Administrator Clovis Reed presented letters from the DeSoto County Sheriff's Department requesting to transfer two vehicles at no charge to the Lewisburg and ACI Volunteer Fire Departments. Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve transfers from the Sheriff's Department of one 1994 Cheverolet Caprice,

Item E.2, Continued,

VIN #1G1BL52P4RR123339 to the Lewisburg Volunteer Fire Department; and one 1994 Cheverolet Caprice VIN #1G1BL52P8RR123800 to the ACI Volunteer Fire Department. These vehicles will be used in fire fighting efforts in these volunteer fire departments, subject to amending their firefighting agreement with the county.

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

3. Dispatchers

Sheriff James A. Riley appeared before the Board of Supervisors to request that the Sheriff's office dispatchers be appointed as Justice Clerks. Sheriff Riley explained that this would alleviate overtime pay currently being paid to deputies for going to Justice Court after their shift to get their tickets sworn in with the court. Supervisor James Pearson made the motion and Supervisor Eugene Thach seconded the motion to appoint Sheriff's office Dispatchers as Justice Clerks provided the Board Attorney, William Austin researches the legalities of this change and recommends the modification. The **motion passed** by a unanimous vote. See **Exhibit E.3.**

F. DESOTO COUNCIL

1. Request to Amend Budget

The County Administrator, Clovis Reed, responded to the Board's request to review the budget in connection with the request for funds by the DeSoto Council on February 3, 1997. Mr. Reed said that because the major tax settlement is not due until February 20, 1997, he cannot recommend granting the request based on revenues at this time. However, Mr. Reed recommended amending the budget to lower funds from attorney fees by \$25,000.00, which is operating under budget and leaving substantially more in the account than was used last year, and increasing DeSoto Council by \$25,000.00.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to approve the budget amendment as recommended by the County Administrator contingent on the State providing matching funds. The budget amendment is as follows:

<u>Objective</u>	<u>Account #</u>	<u>Lower</u>	<u>Raise</u>
Lower Attorney Fees	001-130-550	\$25,000.00	
Raise DeSoto Council	001-652-760		\$25,000.00

The **motion passed** by a unanimous vote. See **Exhibit F.1.**

2. Tax Increment Financing for Infrastructure Improvements

This item was held over until February 18, 1997.

G. OTHER ITEMS OF BUSINESS

1. Mailbox Vandalism

Supervisor Tommy Lewis notified the Board that he has received several complaints that mailboxes in the county are being vandalized. Sheriff Riley

Item G, Continued,

responded that he is aware of the problem and has implemented patrols and other measures to handle this and other related problems.

2. Nesbit Fire Department

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to declare the property on which the Nesbit Volunteer Fire Department is located as surplus property. The motion acknowledges that the loan

from the County to the Nesbit Volunteer Fire Department has been satisfied and that the property will continue to be used to promote and foster the development and improvement of Nesbit, Mississippi as well as the civic, social, educational, cultural, moral, economic and/or industrial welfare thereof as per Mississippi Code

Section 19-7-3. The property shall continue to be used for firefighting, voting, and other such uses to benefit the community. Further, the motion includes deeding the property back to the Nesbit Volunteer Fire Department subject to the above requirements. The **motion passed** by a unanimous vote. **See Exhibit G.2.**

3. North Mississippi Home Builders' Association

The County Administrator, Clovis Reed notified the Board of Supervisors that they have been invited to attend a dinner sponsored by the North Mississippi Home Builders' Association on February 20, 1997 at 6:00 p.m. A RSVP request is noted on the invitation.

4. Response From the Mississippi Department of Archives and History

County Administrator Clovis Reed presented a letter to Ed Spencer, Director of Operations and Maintenance, from the Mississippi Department of Archives and History in regard to Mr. Spencer's request to make modifications in the Courthouse in order to accomodate the new smoking policy in the County. The letter was accompanied by a permit authorizing the requested modifications to be made and stipulating that care be given not to damage the terrazzo floor and base molding. **See Exhibit G.4.**

5. Pending Legislature to establish a Public Defenders Office

The Board Attorney, William Austin, notified the Board of Supervisors that he has been made aware that there is legislation pending to establish a Public Defenders Office that would closely parallel the District Attorney's office. Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to send a resolution in support of the bill. The **motion passed** by a unanimous vote. **See Exhibit G.5.**

6. Four Year Road Plan

The Four Year Road Plan was discussed, but with certain issues still pending, this item was held over until February 18, 1997.

H. EXECUTIVE SESSION

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

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to recess until Tuesday, February 18, 1997, at 9:00. The **motion passed** by a unanimous vote.

THIS the 5th day of February, 1997, these minutes have been read and approved by the DeSoto County Board of Supervisors.

JOHN M. M. CALDWELL, President
DeSoto County Board of Supervisors