

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

JOHN M. M. CALDWELL, PRESIDENT, PRESIDING

March 24, 1997

A. CALL TO ORDER

The March 24, 1997, meeting of the DeSoto County Board of Supervisors was called to order by John M. M. Caldwell, Sr., Board President.

Chief 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
- Ronnie Clayton-----Sheriff's Department
- Clovis Reed-----County Administrator
- William H. Austin, Jr.-----Board Attorney

B. INVOCATION

The invocation was presented by Supervisor John Caldwell.

C. DANIEL MURPHY - RE: SOIL CONSERVATION EMERGENCY WATERSHED PROGRAM

The County Engineer, Daniel Murphy appeared before the Board of Supervisors to notify the Board that a portion of Stateline Road had to be closed last week due to a washed out culvert between Highway 301 and Highway 61. The County Engineer has researched agencies that might assist with the expense of fixing this road and has found an opportunity to submit an application with the Soil Conservation Emergency Watershed Program with DeSoto County being responsible for \$12,500.00, which represents 25% of the cost to fix the road and the Soil Conservation Emergency Watershed Program being responsible for 75% of the cost. However, the County Engineer said that today, March 24, is the last day to complete the application for the agreement.

Supervisor Eugene Thach asked how long the repairs will take. Mr. Murphy responded that the Soil Conservation Emergency Watershed Program has declared the repair an emergency and they are prepared to begin work this week.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve the application for emergency work for the washed out culvert on Stateline Road between Highway 301 and Highway 61. The **motion passed** by a vote as follows:

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

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion the for DeSoto County to pay 25% of the cost to repair the road and the Soil Conservation Emergency Watershed Program to pay 75% of the cost to fix the washed out culvert on Stateline Road. The motion passed with a vote as follows:

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

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion for DeSoto County to pay for the appraisals and right of ways associated with repairing the washed out culvert on Stateline Road. The **motion passed** by a vote as follows:

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

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion for DeSoto County to maintain the drainage structure at the site of the washed out culvert on Stateline Road. The **motion passed** by a vote as follows:

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

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to appoint Daniel Murphy as the liaison officer for the project on Stateline Road concerning the repair of the washed out culvert. The **motion passed** by a vote as follows:

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

See Exhibit C.

D. OLD BUSINESS

1. Appointments

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to appoint Herbert D. Hunt of 6005 Rolling Hills, Olive Branch, Mississippi 38654 (601-895-2717) and Betty Drumm of 4459 Hillsdale,

Olive Branch, Mississippi 38654 (601-895-6380) to the Summershill Fire Protection District for a term of four years and two years respectfully. The **motion passed** by a unanimous vote. **See Exhibit D.1.**

2. Report From Committee to Review Phillips Road

This item was held over.

3. Request For Additional Funds For Lewisburg Ambulance Fire Building

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion approve the budget amendment as request to move \$8,500.00 as follows, subject to approval by the Board Attorney, William Austin. The **motion passed** by a unanimous vote.

From	Fund 110-241-935
To	Fund 001-701-901

4. Litter Ordinance

This item was held over.

**E. MITZI WOODS WITH MID-STATE OPPORTUNITIES,
RE: ELDERLY TRANSPORTATION**

Mitzi Woods, of the Mid-State Opportunities and Sarah Watkins, a bus driver for Mid-State Opportunities, appeared before the Board of Supervisors to bring the Board up to date on the program. Ms. Woods said Mid-State Opportunities has already spent 60% of their allocation for the year. Ms. Woods explained that the service has five buses--two are 1985, one is 1991, and two are 1988 buses. Because of the age of these buses, the service has had to spend an excessive amount of their budget on repairs for the buses. Applications for the new buses came out in January, and even though Mid-State has began the application process, the buses may not be available until as late as September. Mid-State Opportunities is currently trying to cut back on maintenance without cutting services offered by the program. According to Ms. Woods, another budget concern is that substitute driver pay was not budgeted, but is necessary from time to time. Ms. Woods said they have requested \$10,000.00 from United Way and should find out soon how much help they will get from United Way.

Ms. Woods asked that the Board of Supervisors to consider their situation next year. Supervisor Jessie Medlin asked how much the Board allocated for the new bus for this year. County Administrator Clovis Reed answered the Board had allocated an additional \$12,000.00 for the new bus in the 1996-97 budget. Supervisor Jessie Medlin clarified that the money will not be available when the new buses become available. Mitzi Woods answered that without using the money, services would have had to be cut. Supervisor Eugene Thach clarified that \$68,000.00 was allocated for Mid-State Opportunities rather than \$56,000.00.

Supervisor James Pearson asked how records of donations of meal recipients are kept. Ms. Woods and Ms. Watkins explained that according to the new procedures implemented when North Delta began preparing the meals, Mid-State Opportunities is required to turn over these donations (mostly cash) to North Delta's office. Supervisor Pearson asked how they know the donations reach North Delta. Mitzi Woods answered that they have no way of knowing. Supervisor Pearson said the system is lacking audit points. Supervisor Jessie Medlin said he has attended the meal and he observed that most people contribute.

Supervisor John Caldwell asked if Mid-State has been approved for the buses.

Mitzi Woods answered that the applications have been reviewed, as she has received phone calls regarding the application, but the process is not yet complete. Ms. Woods said that North Delta is being paid for the meal and the delivery and Mid-State is not reimbursed any money from North Delta for the bus service. The Board of Supervisors agreed that the whole system should be review and reorganized. Supervisor Caldwell told Mitzi Woods that the Board appreciated he notifying them early of their situation.

F. TRACY FOOTE AND CLARA RILEY - RE: DOG BITE

The County Dog Catcher, Clara Riley, Teresa Cummings and Otis Cummings appeared before the Board of Supervisors to discuss a dog bite. The Dog Catcher, Clara Riley explained that the county has control of a dog that needs to be destroyed, as the dog has recently been involved in a third dog bite situation. The dog is being held at a veterinarian's office and at present, there is a stop execution on the dog. Ms. Riley verified that the dog has violated the county ordinance and presented pictures of the dog bites.

Teresa Cummings explained that the first dog bite took place when the dog bit a child who entered their home uninvited and attacked their child by taking the nintendo control away from him. According to Ms. Cummings, after that incident, they got the dog a pen and the pen was approved by Clara Riley. Teresa Cummings pointed out that the ordinance specifies and "unprovoked attack" and "not on the premises" as being a cause of an animal being destroyed and neither the previous incident or this incident would qualify as unprovoked. Ms. Cummings explained that this incident occurred on Sunday, February 23. Ms. Cummings further explained that she and Otis Cummings share joint custody of their children and she frequently comes to his home to help care for their children, but she does not live at his residence. On this date the victim was observed by the Cummings' child as reaching through the fence of the dog, which is secure, according to Teresa Cummings, and striking the dog when the dog bit the child. Following the incident, Teresa Cummings was arrested. Ms. Cummings said that prior to this incident, she has not been in trouble for three years.

Otis Cummings explained the make up of the pen. Mr. Cummings said he lives in Lakeview Trailer Park. Otis Cummings said he has done everything asked of him to abide by the restrictions set by Clara Riley. Mr. Cummings said that there is a "Beware of dog" sign posted on the fence. Clara Riley said the sign said "Forget the dog, Beware of owner."

Supervisor John Caldwell asked about the third bite. The Cummings' said they had no knowledge of the third bite. Clara Riley said there was no paperwork on the incident, but at the time of that attack, the dog was at large. Ms. Riley said there is a case pending on the last incident in Justice Court that will be heard on Friday.

Supervisor John Caldwell asked where the paperwork for the stay is. Clara Riley said she has not seen the paperwork. Ms. Riley said that the Cummings' attorney, Jack Jones, called the veterinarian and told him not to kill the dog.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to enforce the county ordinance and put the dog to sleep unless there is an injunction to stop the execution. The **motion passed** by a unanimous vote.

Later in the meeting, the Honorable Jack Jones appeared before the Board of Supervisors to let them know that this is a highly contested case in Justice Court and asked about the ten day appeal process. Mr. Jones explained that the facts of the case are in dispute. The Board of Supervisors said they stand beside their former decision to destroy the dog. Mr. Jones verified that if the appeal is filed today, it will supersede the Board's decision.

G. JERRY CLAY - REQUEST FOR DIRT AND SAND FOR THE HORN LAKE AND SOUTHAVEN SOCCER FIELDS

Jerry Clay, 1st Vice President of the DeSoto County Soccer Association and two DeSoto County soccer players appeared before the Board of Supervisors to request help for sand and dirt to be delivered to soccer fields in Horn Lake and Southaven. Mr. Clay explained that many of the soccer fields hold water and they are requesting the sand and dirt for use by volunteers to fix fields. Supervisor Jessie Medlin asked how much he needs. Mr. Clay said the dirt will be used to fill spots on the field, but they are not asking for vast amounts.

Supervisor Tommy Lewis asked who owns the fields. Jerry Clay said the cities own the fields. Supervisor Eugene Thach said he believes the cities should make the request to the Board of Supervisors. Jerry Clay said he talked to Mr. Sweeting last week and was told any help the county could provide would be appreciated. Supervisor John Caldwell said he agreed that it would be better for the land owners to make the request.

Supervisor Jessie Medlin made the motion and Supervisor James Pearson seconded the motion to instruct the Road Manager to haul dirt and sand for soccer and baseball fields throughout the county where needed, subject to a written request from the owner of the land, with costs associated being paid from the appropriate park district's budget. The **motion passed** by a unanimous vote. **See Exhibit G.**

H. NEW BUSINESS

1. Request For Schoolbus Turnarounds

The DeSoto County Board of Supervisors received a letters dated March 7, and, March 18, 1997, from the DeSoto County Superintendent of Education requesting the county to maintain the properties listed in his letter which are used as school bus turnarounds. A copy of this request is attached and made a part of these minutes by attachment of Exhibit H.1. **SEE EXHIBIT H.1.**

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 Eugene Thach made the motion to build, maintain, and improve the properties listed in the Superintendent's letters dated March 7, and March 18, 1997, defined as Jerry Hill, 1353 Hwy 305 South, Olive Branch, MS 38654, and, Pam Bundy, 6060 McInvale Road, Hernando, MS 38632, and to direct the County Road Manager to carry out this order of this Board forthwith.

Supervisor Tommy Lewis seconded the motion. **See Exhibit H.1.** The **motion passed** by a vote as follows:

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

2. Appointment of Assistant Receiving Clerk

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to appoint Chris Carden as Assistant Receiving Clerk. The **motion passed** by a vote as follows:

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

3. Approval to Advertise For Bids on Ambulance

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to advertise for bids on an ambulance to replace the one burned in the fire at Hernando City Hall. The **motion passed** by a vote as follows:

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

4. Making Approval of State Tax Commission For Ad Valorem Tax Exemptions a Part of the Minutes

- a. National Filter Media Corporation**
- b. Ashland Oil**

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to make the approval of the State Tax Commission for Ad Valorem Tax Exemptions for National Filter Media Corporation and Ashland Oil a part of the minutes. **See Exhibit H.4.** The **motion passed** by a vote as follows:

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

5. Making Executed Contract With Williams and Pitts For Audit Services a Part of the Minutes

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to make the fully executed contract with Williams and Pitts for audit services a part of the minutes. **See Exhibit H.5.** The **motion passed** by a vote as follows:

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

6. Resolution of Appreciation for Ruben Wright

Supervisor Eugene Thach reported to the Board that Ruben Wright, a former employee of the County died over the weekend. Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to send a resolution of appreciation for the work done by Ruben Wright for DeSoto County. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----Yes

Supervisor Eugene Thach-----Yes
Supervisor James Pearson-----Absent
Supervisor John Caldwell-----Yes
Supervisor Tommy Lewis-----Yes

7. Making the List of Sheriff's Department Unmarked Vehicles a Part of the Minutes

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to make the list of the Sheriff's Department's unmarked vehicles a part of the minutes. **See Exhibit H.7.** The **motion passed** by a vote as follows:

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

8. Request to Destroy Surrendered Motor Vehicle License Plates

Tax Collector Joey Treadway sent a letter to the Board of Supervisors requesting approval to destroy the motor vehicle license plates surrendered during the period from October 1, 1996, through January 31, 1997. Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve the Tax Collector, Joey Treadway, to destroy the license plates surrendered during the period from October 1, 1996, through January 31, 1997. **See Exhibit H.8.** The **motion passed** by a vote as follows:

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

9. Authorization to Readvertise For a GPM Mini-Pumper

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to authorize to advertise for bids for a GPM Mini Pumper on March 25, 1997, as the previous bid process failed. The **motion passed** by a vote as follows:

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

10. Bids Under Advisement

a. Tandem Axle Truck

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve the low bid from General Truck Sales for purchase of a tandem axle tractor truck for \$60,396.00. The **motion passed** by a unanimous vote. **See Exhibit H.10.a.**

b. Diesel Engine

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to accept the low bid from Mid America International for the purchase of a remanufactured diesel engine for \$6,133.65. The **motion passed** by a unanimous vote. See **Exhibit H.10.b**.

c. Dump Trailer

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to accept the low bid from Palmer Machine for the purchase of one tandem axle dump trailer for \$17,774.94. The **motion passed** by a unanimous vote. See **Exhibit H.10.c**.

11. Order Approving Securities of the County Depository

Comptroller Dale Thompson appeared before the Board of Supervisors to get a copy of the securities of the Bank of Mississippi approved by the Board as the County will change to the Bank of Mississippi for the County depository as of April 1, 1997. Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve the copy of securities of the Bank of Mississippi. The **motion passed** by a unanimous vote.

12. Authorization to Write Off Outstanding Warrants For the General County Fund and Payroll Clearing Account

At the Comptroller, Dale Thompson's request, Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to authorize the Comptroller to write off the outstanding warrants for the General County Fund and the Payroll Clearing Account that have been there for two years or more. The **motion passed** by a unanimous vote. See **Exhibit H.12**.

13. Authorization to Transfer Metro Seized Funds to Forfeitures

At the Comptroller's recommendation, Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to authorize the transfer of Metro Seized Funds to Forfeitures as follows:

From	623-900-950	\$1,396.00
To	105-000-384	\$1,396.00

The **motion passed** by a unanimous vote. See **Exhibit H.13**.

14. Approval of Investment of Surplus Funds

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to accept the high bids from Trustmark National Bank and Peoples Bank and Trust for the investment of Surplus Funds as indicated on **Exhibit H.14**. The **motion passed** by a unanimous vote.

15. Approval of Budget Amendments

Per the Comptroller, Dale Thompson, Frank Treadway, DeSoto County Coordinator, Fire Chiefs Association as requested budget amendments as follows:

For training,	Lower	101-252-600	\$95.00
	Raise	101-252-571	\$95.00

And, to replace a broken windshield,

Lower	101-252-476	\$200.00
Raise	101-252-681	\$200.00

The Comptroller, Dale Thompson also reported receiving requests from Kathy White of the Welfare office in DHS to

Lower	001-454-654	\$500.00
Raise	001-450-654	\$500.00

The Comptroller also reported getting a request from Margaret Stevens in Personnel to move \$559.00 from training to office supplies to purchase training tapes.

Lower	001-123-587	\$559.00
Raise	001-123-603	\$559.00

Supervisor Tommy Lewis made the motion the Supervisor Jessie Medlin seconded the motion to approve the budget amendments as presented by the Comptroller. The **motion passed** by a unanimous vote.

16. Approval to Issue Check For EMD Registration (\$90.00)

The Comptroller, Dale Thompson said she had received a request from Bobby Storey, Eudora EMS Director, for approval to issue a check for EMD recertification for dispatchers. Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve the request as presented by the Comptroller. The **motion passed** by a unanimous vote.

17. Movie Request to Use Lake Cormorant Parking Lot

Supervisor James Pearson made the motion and Supervisor Tommy Lewis seconded the motion to approve the use of the parking lot of the Lake Cormorant Park from Saturday, April 26, 1997, at 9:00 p.m. until Monday, April 28, 1997, at 8:00 p.m. The **motion passed** by a unanimous vote. **See Exhibit H.17.**

I. ED SPENCER - BUILDING AND MAINTENANCE UPDATE, JUSTICE COURT RENOVATION

Ed Spencer, Director of Operations and Maintenance, presented a change order from Wells Construction for work on the Justice Court Renovation project in the amount of an additional \$2,293.00. Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve the contract change of \$2,293.00 as recommended by Ed Spencer. The **motion passed** by a unanimous vote. **See Exhibit I.**

J. GENE THACH - UPDATE ON I-69 COALITION MEETING IN WASHINGTON, D.C.

Supervisor Eugene Thach reported to the Board of Supervisors about the I-69 meeting in Washington D.C. Supervisor Thach said plans are to go from Mississippi to Arkansas near Rosedale, Mississippi. Where the interstate will enter Mississippi is still undecided. Plans are for the road to come through DeSoto County. Supervisor Thach notified the Board of Supervisors that DeSoto County will be asked to pay their portion of \$903,000,000.00 for a study of the interstate system. While in Washington, Supervisor Thach said he was able to visit our Congressmen and Senators as well as Harold Ford, Jr., who also support this project. Supervisor Thach said he appreciated the opportunity to go to this meeting.

K. EXECUTIVE SESSION

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

L. OTHER BUSINESS

1. Ed Spencer

Ed Spencer, Director of Operations and Maintenance, updated the Board of Supervisors on several items involving the County. They were:

a. Maxwell Building Update

Ed Spencer notified the Board of Supervisors that the heating unit has been ordered for the Maxwell Building.

b. Smoking Area

Mr. Spencer notified the Board of Supervisors that the smoking room is almost complete.

c. Housekeeping and Grass Cutting

Mr. Spencer notified the Board of Supervisors that unless a trustee is available, they will have to hire someone in housekeeping and someone to cut grass.

d. Soil Condition at District 1 Old Maintenance Barn Site

Mr. Spencer notified the Board of Supervisors that he has been checking the soil underneath the gas tanks at the District 1 old Maintenance barn location in Olive Branch. He is obtaining and following guidelines to make the land test within a range specified as normal.

e. County Clean-up Date With BFI

Ed Spencer said he is in the process of picking a clean-up day with BFI. Possible dates for the clean-up are April 26 and 29, May 3, and/or April 19. Supervisor Tommy Lewis asked if we will be able to dispose of old paint. Ed Spencer said he will look into that, but is not sure we will have time to include the paint disposal on this clean-up date.

2. Supervisor John Caldwell

a. Surplus Sale

Supervisor John Caldwell asked about the trailer once used as an office and instructed Ed Spencer to include the trailer in the surplus sale.

3. Supervisor Eugene Thach

a. Travel Expenses

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve \$137.00 in travel expenses incurred by Supervisor Eugene Thach. The **motion passed** by a unanimous vote.

4. County Administrator, Clovis Reed

a. Surplus Items From the Sheriff's Department

The County Administrator Clovis Reed presented a list of items from the Sheriff's Department that they are requesting be declared as surplus and put in the surplus sale. Supervisor Tommy Lewis said someone should see if some of the communication equipment could be used by others in the County. This item was held over to research that point.

b. Advertise for vacancy in Fire for a Dispatcher

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to advertise to fill the vacancy of dispatcher in the Fire Department. The **motion passed** by a unanimous vote.

5. Rex Haynes, Convention Visitors Bureau

Rex Haynes of the DeSoto County Convention and Visitors Bureau Commission appeared before the Board of Supervisors to request the enter into three contracts as follows:

1. Denley and Grubbs - Consultants for the bond issue for the Convention and Visitors Bureau Commission. At Supervisor Eugene Thach's request, Rex Haynes explained the fee for this service would be 1/4 of 1% plus out of pocket expenses.
2. Crosswait Terney - Bond Counsel. Supervisor John Caldwell asked about the terms of the contract. Rex Haynes responded the fee is 1/2 of 1%.
3. Joshua, Bailey, Henley & McNail - Architect firm

Rex Haynes explained the Board Attorney had review the contracts prior to this, request but he will carry out any directions of the Board. Supervisor John Caldwell said he would like to get a cap on the expenses. Supervisor Eugene Thach said they should give us an estimate of expenses prior to the job.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to take the item under advisement. The **motion passed** by a unanimous vote.

6. Supervisor Jessie Medlin

a. Subdivision Inspector

Supervisor Jessie Medlin suggested the Board of Supervisors hire an inspector for subdivisions. Supervisor Medlin said some of the problems facing the County now are evidence that this would be money well spent. The Road Manager Kenny Gunn suggested the plans be approved by the County Engineer, and then turned over to the Road Department as maintenance on the roads will be done through the Road Department.

Supervisor Jessie Medlin made the motion and Supervisor James Pearson seconded the motion to advertise for a full time position of Subdivision Inspector to inspect roads and drainage in subdivisions. The **motion passed** by a unanimous vote.

7. Supervisor Tommy Lewis

a. Curfew Ordinance

Supervisor said he has had calls asking the County to exclude home school children from the curfew ordinance. Supervisor John Caldwell said he went to the Home School Meeting and found the parents did not like the curfew hours and they had a copy of a homeowners association letter issued against home schoolers. Supervisor Caldwell explained that deputies will use common sense to enforce the ordinance.

b. District 5 Park Fund Requests

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to donate \$5,000.00 to buy aluminum bleachers for the arena, and to donate \$2,800.00 to the Hernando Civic Center for the above mentioned projects, to be paid from the District 5 Park Fund. The **motion passed** by a unanimous vote.

c. Storm Drainage Issue

Supervisor Tommy Lewis asked if the County accepts drainage conditions when a subdivision is approved, as he has received a specific request for the County to fix a drainage problem. Supervisor John Caldwell asked the Board Attorney to clarify the County's responsibility on this issue. Discussion was carried out on this drainage issue. It was discussed that this issue will likely result in many other requests for such work. The Road Manager, Kenny Gunn said there is a system in Bridgetown that will likely collapse in the near future. The overall County drainage issue and future needs were discussed. Supervisor Tommy Lewis commented that in his opinion, covered drainage is the worst alternative for drainage. Supervisor James Pearson said there is such a problem in Lake Forest that has existed for three years.

The Board of Supervisors asked Kenny Gunn to let them know the problem areas in the county.

Supervisor Tommy Lewis made the motion and Supervisor James Pearson seconded the motion to allow the Board Attorney, William Austin to research the issue and report back to the Board of Supervisors.

8. Sluggo Davis, Chancery Clerk

a. Homestead Adjustments

Chancery Clerk, Sluggo Davis presented several adjustments for homesteads to the Board for approval. Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve the homestead changes as requested. The **motion passed** by a unanimous vote.

9. Kenny Gunn, Road Manager

a. Getwell and Byhalia Road Intersection

The Road Manager, Kenny Gunn notified the Board of Supervisors that the intersection at Getwell Road and Byhalia Road became a four way stop this morning.

b. CDL License for Central Maintenance Workers

The Road Manager reported to the Board of Supervisors that the Audit Department will not allow the County to pay for workers to get their CDL License.

c. Authorization to Hire Temporary Part-time Mowers for the Summer

The Road Manager, Kenny Gunn asked for authorization to advertise for four part-time/temporary positions for mower operators for the summer. Supervisor Jessie Medlin asked if the mowers could be obtained from within the current employee pool if all employees were not working on other jobs. Mr. Gunn said he does not anticipate having extra employees during the summer. Supervisor Jessie Medlin made the motion and Supervisor James Pearson seconded the motion to advertise for four part-time positions on a temporary basis for Central Maintenance. The **motion passed** by a unanimous vote.

d. Bean Patch Creek Bridge

Road Manager Kenny Gunn reported to the Board of Supervisors that they areworking on Bean Patch Creek Bridge on Pleasant Hill Road. According to Mr. Gunn, Central Maintenance tried to fix the bridge last Friday, but the Sheriff's Department instructed them to remove their barricades before the concrete was completely set. Therefore, the concrete fell out of the patched area.

e. Approving List For Surplus Sale

Road Manager Kenny Gunn requested approval of a list of surplus equipment to allow him to send the list to the auction firm, as is a requirement to enter into a contract with the auction firm, so to expedite advertisement of the surplus sale. Mr. Gunn also requested approval from the Board of Supervisors to include a truck that is still in good condition, but is not built for county road work.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to declare the items on the list presented by the Road Manager as surplus with the exception of the low band radios. **See Exhibit L. 9.e.** The **motion passed** by a vote as follows:

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

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to adjourn until Monday, April 7, 1997, at 9:00. The **motion passed** by a unanimous vote.

THIS the March 24, 1997, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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