

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

**JOHN M. M. CALDWELL, PRESIDENT, PRESIDING**

**April 7, 1997**

**A. CALL TO ORDER**

The April 7, 1997, meeting of the DeSoto County Board of Supervisors was called to order by John M. M. Caldwell, Sr., Board President.

James A. Riley, the DeSoto County Sheriff 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 Eugene Thach.

**C. APPROVAL OF MARCH MINUTES**

The official minutes of the Board of Supervisors were read for the month of March, 1997. Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to accept the minutes of the Board of Supervisors for March, 1997, as presented this date pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated. The **motion passed** by a vote as follows:

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

**D. OLD BUSINESS**

**1. Appointments**

In accordance with section 19-5-307 of the Mississippi Code Annotated, Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to appoint Mike Mullins to the Park Commission to represent District 2 for a term of one year. The **motion passed** by a vote as follows:

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

**See Exhibit D.1.**

**2. Report From Committee to Review Phillips Road**

This item was held over.

**3. Litter Ordinance**

This item was held over.

**4. Convention and Visitors Bureau Contracts**

County Administrator Clovis Reed presented Exhibit D.4. to the Board of Supervisors in connection with the Convention and Visitors Bureau Contracts that outlines the estimated fees for:

<b>a. Architect - Johnson, Bailey, Henderson &amp; McNeel</b>	\$1,674,000.00
<b>b. Bond Counsel - Crosthwait Terney</b>	138,850.00
<b>c. Financial Advisor - Holly, Grubbs, Mitcham &amp; Phillips</b>	67,500.00
<b>Other Expenses</b>	36,000.00
<b>TOTAL ESTIMATED FEES</b>	<b>\$1,835,350.00</b>

Supervisor Eugene Thach explained that a cap was needed to better estimate the cost of the project. Supervisor James Pearson asked how these costs were to be paid. Clovis Reed, the County Administrator said the committee is considering interim financing. Rex Haynes, of the DeSoto County Convention and Visitors Bureau Commission, notified the Board of Supervisors that the commission is in the process of interviewing for a project manager. Mr. Haynes thanked the Board for their support.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve the architect firm of Johnson, Bailey, Henderson, and McNeel; to approve Crosthwait Terney as the bond counsel; and to approve Holley, Grubbs, Mitcham & Phillips as financial advisor for the DeSoto County Convention and Visitors Bureau and to allow fees to be paid these firms up to the estimated amounts. The **motion passed** by a unanimous vote. **See Exhibit D.4.**

**E. CARL PAYNE - REQUEST FOR PAY**

Election Commissioner Carl Payne appeared before the Board of Supervisors and explained that the Attorney General has required approval of the Board of Supervisors for Election Commissioners to work in the absence of a quorum. Mr. Payne explained that it is a more efficient use of time for the Election Commissioners to work independently on their voter rolls as their time permits, as most have other jobs, and to assemble together in a quorum to vote on issues related to their duties as Election Commissioners. Mr. Payne further passed on a request from the Election Commissioners to receive per diem for statutory duties performed when a quorum is not present.

The Board of Supervisors discussed how this new approach will likely change the amount of money the County will pay to Election Commissioners overall. Supervisor Jessie Medlin clarified that the county will have to pay every time the Commissioners work. County Administrator Clovis Reed said that in keeping with past expenditures in this area, the Board of Supervisors budgeted \$10,000.00 for this item, and with the new changes, the actual cost to the County could be as high as \$22,750.00. Mr. Reed said that if the Board of Supervisors chose to implement the change, a budget amendment could be necessary.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to approve individual per diem pay up to 65 days per year for Election Commissioners in accordance with state statute. The **motion passed** by a unanimous vote. **See Exhibit E.**

#### **F. TOM WILLIAMS - DRAINAGE**

Tom Williams, representing homeowners of Kentwood subdivision, appeared before the Board of Supervisors to recommend the County hire an inspector to inspect drainage issues for the County. Mr. Williams explained some of the problems homeowners in the Kentwood subdivision are experiencing. Mr. Williams said the homeowners cannot get in touch with the developer, Lanier Hurdle, to discuss these issues. Mr. Williams explained that Mr. Hurdle's bond process is complete.

Supervisor John Caldwell said he is familiar with the problems and agrees that there is a problem.

Supervisor Eugene Thach said the County is still bound by state law, which states the County has no authority to go on private property to fix these problems. Tom Williams said these problems will eventually affect the streets. Supervisor Thach said that there will have to be financial planning for the enormous costs associated with these repairs. Supervisor Thach said that drainage problems exist throughout the county. Mr. Williams said that because of the costs of fixing the problem "right," it is not feasible to expect the individual landowners to fix their problems with more than a quick fix, or the most inexpensive option to accommodate their own needs, which in many instances could adversely affect his neighbor or the streets.

The Board Attorney, William Austin, presented copies of statutes and previous Attorney General opinions regarding drainage issues. Mr. Austin explained these at length and stated that his interpretation is that the Board of Supervisors has no authority in the issue of drainage, rather, the authority lies with the drainage districts. Mr. Austin said that for the County to get involved, the problem must affect the streets or roads, and right of ways must be obtained to do such work, or in the least, permission must be obtained.

#### **Item F., Continued,**

Supervisor John Caldwell asked if the Board of Supervisors can do a stop work order on the current phase of Kentwood until the problem is fixed. Supervisor Tommy Lewis

suggested the Board of Supervisors ask Lanier Hurdle to fix the problem. Supervisor Lewis asked how old the subdivision is? Tom Williams said the subdivision is three to four years old.

Supervisor James Pearson said he believes the County should take responsibility for drainage problems throughout the County.

Supervisor Eugene Thach said that drainage taxes are collected throughout areas of Mississippi. Mr. Thach said he sympathizes with the problems, but the County has no authority and is not set up to handle the drainage issue.

Supervisor John Caldwell said he is committed to work to fix the drainage problem in the County. The Board agreed to contact Lanier Hurdle to ask him to fix the drainage problems. Supervisor Tommy Lewis told Tom Williams that if Mr. Williams would agree to help get easements or permission from the landowners for the drainage repair work, it would likely expedite the process. Tom Williams said he will get the necessary paperwork to Supervisor John Caldwell tonight. **See Exhibit F.**

#### **G. ADMINISTRATIVE BUILDING COMMITTEE**

Harvey Ferguson of the Administrative Building Committee appeared before the Board of Supervisors representing the Administrative Building Committee. Mr. Ferguson explained that after the Committee researched issues relating to the proposed Administrative Building, they unanimously recommend the County move forward through the design stage of the project, commission Allen and Hoshall as the project architect, and get going with the project. Mr. Ferguson further explained that surveying is complete and schematics are available. Mr. Ferguson said that the Committee feels very comfortable with their recommendation.

Supervisor Eugene Thach confirmed the plans are the same as originally presented. Supervisor Thach said that the school department has offered their current building for the county's use as they are moving into a new building. Supervisor Thach said this could relieve some of the traffic problems. Harvey Ferguson said that offer had come up after the committee's last meeting. Mr. Ferguson said that the committee had considered that as an option early in their study, but the Board of Education building is 11,000 square feet and the proposed administration building is 50,000 square feet, so the building size would not nearly be adequate to replace the new building. However, some of the functions could operate adequately away from the courthouse. Some of the County offices, by law, are required to be located within a certain distance from the courthouse, and some should be located near the courthouse due to their nature. David Nicholson, of Allen and Hoshall, said the Board of Education building could be a good use for some of the County offices, and, if so, the size of the Administration Building could be reduced. Supervisor Tommy Lewis said he feels the Board of Education property is a prime location for commercial use, and could be wisely used as a tax producing property.

David Nicholson said he appreciates the Board of Supervisors keeping the Administrative Building Committee together, as their input on the project has been invaluable.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve the recommendation of the Committee to approve hiring Allen and Hoshall as architects and move forward with the project through the design stage of the project. The **motion passed** by a unanimous vote. **See Exhibit G.**

#### **H. SISTER MARY ANN GUTHERIE - DEHON VILLAGE DRAINAGE UPDATE**

Sister Mary Ann Guthrie appeared before the Board of Supervisors to update the Board on problems with the Home Village and plans they have to resolve the problems.

Sister Mary Ann said that they noticed the heavy rains over the weekend did not cause as much damage as earlier rains have since the adjacent property has been cultivated. Sister Mary Ann said they have studied the total drainage problem, and recognize that something has to be done to resolve the problem. With the help of the County Administrator Clovis Reed, Sister Mary Ann said the County has been offered a grant of \$56,890.00 to improve the drainage problem after Phase III of the project is complete. The grant money must be used by May 14, 1997, so plans are in place to finish Phase III of the project by the end of April. Because of this grant, Dehon Village/Sacred Heart Southern Missions will assume the responsibility to pay for the drainage corrections. Sister Mary Ann further explained that this work will require a railroad easement, which they have negotiated from \$7,500 to \$3,500.

Supervisor James Pearson made the motion and Supervisor Eugene Thach seconded the motion to approve transferring the additional grant money from the Department of Economic and Community Development to Sacred Heart Southern Missions to pay for the infrastructure and grading, with Sacred Heart Southern Missions assuming the cost of the drainage system and ensure the drainage work is completed. The **motion passed** by a unanimous vote. **See Exhibit H.**

Supervisor James Pearson made the motion and Supervisor Eugene Thach seconded the motion to approve the agreement with the railroad and begin work on the drainage project. The motion passed by a unanimous vote. **See Exhibit H.**

**I. DALE THOMPSON - MARCH COUNTY BILLS AND TRANSFER OF METRO FUNDS**

The Comptroller, Dale Thompson, appeared before the Board of Supervisors regarding the monthly County bills. Ms. Thompson presented items to the Board of Supervisors as follows:

**1. Quarterly Allocations - Sheriff's Dept., Tax Collector, Tax Assessor**

Comptroller Dale Thompson pointed out to the Board of Supervisors that at the current rate of prisoner medical expenses, the budget amount will be depleted soon. Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve quarterly allocations for the Sheriff's Department, Tax Assessor, and Tax Collector as recommended by the Comptroller. The **motion passed** by a vote as follows:

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

**2. March County Bills**

Comptroller Dale Thompson presented the claims docket showing each departments' standing as of March 31, 1997.

The County Administrator, Clovis Reed, said the names of the DeSoto Sunrise residents should be omitted from the report format.

**Item I.2., Continued,**

W. E. "Sluggo" Davis, the Chancery Clerk said that at a recent meeting in Jackson, it was discussed that no travel expenses for Court Administrators could be approved for travel from one county to another in which he has offices. Mr. Davis

will look into the issue further and report back to the Board of Supervisors on Wednesday, April 9, 1997.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve the claims docket as presented with these dis-allowances:

- (1) Family & Childrens Services, Callie Cathy travel, (as Callie Cathy is a State employee) Page 89;
- (2) Court Administrator travel (held until Wednesday) Page 98;
- (3) Mary Bolen travel

The **motion passed** by a unanimous vote.

**3. Budget Control Problems**

The Comptroller explained that some bills are not being paid as timely as they should, and that budgets are not reflective of outstanding requisitions and unpaid bills. The Comptroller said that although the budget is running smoothly now, there is a real chance for budget overruns in the future. The County Administrator said he will check with the programmer to see that funds are encumbered when purchase orders are entered.

**4. Transfer of Metro Funds and Investment of Surplus Funds**

The Comptroller recommended to the Board of Supervisors a budget transfer as follows:

From - Metro Narcotics Forfeitures	105-227-950	\$5,000.00
To - Metro Narcotics Grant	115-000-384	\$5,000.00

**See Exhibit I.4.**

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve Trustmark National Bank as the high bidder for the investment of surplus funds and to approve the budget transfer as requested for Metro Narcotics. **SEE EXHIBIT I.4.** 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

**J. NEW BUSINESS**

**1. Authorizing Travel for all Officials and Employees**

In accordance with Section 25-3-41 Mississippi Code of 1972, as amended, any official or employee of DeSoto County, Mississippi, is hereby authorized to

travel during the period of April 8, 1997, to May 5, 1997, as necessary and incur travel expenses in the performance of their official duties for DeSoto County. That all such travel is hereby authorized contingent on funds being available in the departmental budget of the individual traveling.

Supervisor Eugene Thach made the motion to authorize travel for all officials and employees of DeSoto County for the period of April 8, 1997, to May 5, 1997. Supervisor Tommy Lewis seconded the motion. The **motion passed** by a unanimous vote.

**2. Justice Court Report**

The DeSoto County Justice Court Clerk, Linda Aldridge, did meet with the Board of Supervisors and presented the Justice Court Report for the month of March, 1997, pursuant to Section 9-11-19 of the Mississippi Code of 1972, Annotated.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to accept the Justice Court Report for the month of March, 1997. The vote was as follows:

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

The **motion passed**. **SEE EXHIBIT J.2.**

**3. Monthly Road Report and Work Schedule**

Road Manager Kenny Gunn met with the Board of Supervisors to present the Road Department Monthly Road Report for the Month of March, 1997, and Work Schedule for the month of April, 1997, pursuant to Section 65-17-7 of the Mississippi Code of 1972, annotated.

Several areas were discussed that need road repair.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to accept the Road Report for March, 1997, and Work Schedule for April, 1997. The **motion passed** by a vote as follows:

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

**SEE EXHIBIT J.3.**

**Item J., Continued,**

**4. Approval of Contract With Auctioneer**

At the Road Manager's recommendation, Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to sign the contract with Sprint Auction Company for the County surplus sale auction, stipulating that the

bonding be set at \$100,000.00. The **motion passed** by a vote as follows:

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

**See Exhibit J.4.**

## **5. Inventory Disposition**

The Board of Supervisors were given a list of equipment owned by the county that is either unrepairable or not cost effective to repair.

Supervisor Tommy Lewis made the motion to accept receipts from the Inventory Clerk pursuant to Section 31-7-107 of the Mississippi Code and did approve the disposition on the report as noted on Exhibit J.5 with the exception of radios listed on Page 13 of Exhibit J.5. Supervisor John Caldwell seconded the motion. The **motion passed** by a unanimous vote. **SEE EXHIBIT J.5.**

## **6. Bailiff Pay**

Pursuant to Section 25-7-27, Section 1, paragraph (e) which allows for Constables working as Bailiffs to be paid as provided under Section 25-3-69, Mississippi Code of 1973, Annotated, Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to pay Tommy Carr the amount of \$200.00 for the month of March, 1997; to pay Lester Holmes the amount of \$40.00 for the month of March, 1997; to pay Jerry Easley the amount of \$120.00 for the month of March, 1997, for their service as bailiff for DeSoto County Justice Court. The **motion passed** by a unanimous vote. **SEE EXHIBIT J.6.**

## **7. School Bus Turnarounds**

The DeSoto County Board of Supervisors received two letters dated March 24, 1997, and March 31, 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 J.7. **SEE EXHIBIT J.7.**

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 Jessie Medlin made the motion to build, maintain, and improve the properties listed in the Superintendent's letter dated March 24, 1997, and March 31, 1997, and to direct the County Road Manager to carry out this order of this Board forthwith. Supervisor Tommy Lewis seconded the motion. The **motion passed** by a unanimous vote.

**Item J., Continued,**

## **8. Resolution Declaring April as Clean-up Month**

Supervisor John Caldwell notified that Board of Supervisors that clean-up days have been scheduled for the County the last weekend of April and the first weekend of May, 1997. Bill Bayne of The Commercial Appeal asked about the Hazardous Waste clean up day. The Board of Supervisors said that had not been scheduled yet.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to declare April, 1 1997, as clean up month and draft a resolution to that effect. The **motion passed** by a vote as follows:

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

**9. Request for Constables to Attend Annual Convention June 4th, Tunica, \$75 Registration Fee (Want to Stay Overnight)**

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the constables to attend the annual convention in Tunica and pay registration and travel excluding overnight accommodations. The **motion died** with a vote as follows:

Supervisor Jessie Medlin-----Yes  
Supervisor Eugene Thach-----No  
Supervisor James D. Pearson-----No  
Supervisor John Caldwell-----Yes  
Supervisor Tommy Lewis-----No

Supervisor Jessie Medlin made the motion to approve the constables to attend the Annual Convention as requested. Supervisor Medlin later withdrew the motion.

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to hold the item over until Wednesday to find out more details about the request. The **motion passed** by a unanimous vote. **See Exhibit J.9.**

**10. Chancery Court Allowances**

On this date, the County Administrator, Clovis Reed, presented on behalf of the Chancery Court Clerk, W. E. Davis, an order of Allowances to the Board of Supervisors for the March, 1997, term in the amount of \$2,066.66. Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve these payments, pursuant to Section 25-7-9 of the Mississippi Code of 1972, Annotated. The **motion passed** by a unanimous vote. **See Exhibit J.10.**

**Item J., Continued,**

**11. Circuit Court Allowances**

On this date, County Administrator Clovis Reed, presented on behalf of the Circuit Court Clerk Jeanette Martin, an Order of Allowances to the Board of Supervisors for the Circuit Court for the January, 1997, term in the amount of \$8,088.50; County Court for the month of February, 1997, term in the amount of \$2,979.00. Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach

seconded the motion to approve these payments, pursuant to Sections 25-7-13, and Section 25-7-13(5) of the Mississippi Code of 1972, Annotated. The **motion passed** by a unanimous vote. **See Exhibit J.11.**

#### **12. Receipt of Certificate of Coverage for Rubbish Site**

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve acknowledging the receipt of coverage for the rubbish site issued by the Mississippi Environmental Quality Permit Board and adding same to the minutes. The **motion passed** by a unanimous vote. **See Exhibit J.12.**

#### **13. Acceptance of Sheriff's Department Employment Report**

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to accept the Sheriff's Department Employment Report for the period ending March, 24, 1997 as presented. The **motion passed** by a unanimous vote. **See Exhibit J.13.**

#### **14. Emergency Purchase**

County Administrator Clovis Reed, notified the Board of Supervisors that on Saturday morning, March 29, 1997, the radio at the EMS/Fire Dispatcher Control stopped working. North Mississippi 2-Way Communications was called in to fix the radio.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to approve the emergency purchase/repair of the power supply for the Fire/EMS Dispatcher Control. The **motion passed** by a unanimous vote. **See Exhibit J.14.**

#### **15. Housing and Human Development Corporation**

Supervisor Eugene Thach made the motion and Supervisor James Pearson seconded the motion to approve the Board President to send a letter to the Housing & Human Development Corporation requesting grant money to build homes for low income citizens of DeSoto County in the west end of Hernando. The motion passed by a unanimous vote. **See Exhibit J.15.**

### **K. ED SPENCER**

#### **1. Building and Grounds Update**

##### **a. Clean Up Date**

Ed Spencer, Director of Operations and Maintenance, notified the Board of Supervisors that clean up days have been set for the County for April 26 and May 3, 1997, at various drop off sites throughout the County.

##### **b. Hazardous Waste Site**

Ed Spencer, Director of Operations, told the Board of Supervisors that there are three options for a chemical sale--Fall, 1997, with DEQ paying 75% of the cost and the County paying 25% of the cost; hire an independent contractor, but costs are substantial; or, support legislation that is underway for school labs to dispose of hazardous wastes. According to Mr. Spencer, Lee County is having a hazardous dump day on April 26, and Cleveland is having one this week.

**c. Courthouse Handrails**

Director of Operations and Maintenance got two quotes for handrails for the back steps behind the courthouse as directed by the Board of Supervisors. However, Mr. Spencer recommends accepting an offer from Greg Windley, who has offered to donate, build, and install the rails. Supervisor James Pearson made the motion and Supervisor Tommy Lewis seconded the motion to accept the donation as offered by Greg Windley. The **motion passed** by a unanimous vote.

**d. Termite Problem at the Horn Lake Library**

Ed Spencer, Director of Operations and Maintenance, notified the Board of Supervisors that termites have been detected in an area of the Horn Lake library. According to TDL, the building could be spot sprayed in the area the termites were found. TDL has quoted \$267 to the spot treatment, and \$1,410.00 for a full termite treatment of the building. Ed Spencer recommends the spot treatment. The Board of Supervisors agreed that the decision for this item lies with the Director of Operations and Maintenance.

**e. Leak in Courthouse Roof**

Ed Spencer, Director of Operations and Maintenance, said there is a leak in Judge George Ready's office. The Board of Supervisors verified that 10% of the contract price was retained. Ed Spencer said it had been.

**f. Vacuum Cleaner**

Ed Spencer, Director of Operations and Maintenance received a quote for a commercial vacuum cleaner of \$1,260.00. The Board said the Director of Operations and Maintenance will make that decision.

**Item K., Continued,**

**g. Certification of Coverage at Rubbish Pit**

Ed Spencer, Director of Operations and Maintenance, notified the Board of Supervisors that the County has received certifications of Coverage at the rubbish pit. Supervisor Tommy Lewis asked how much time is left on the rubbish pit. Mr. Spencer said that he estimates 4 ½ years to be left, but BFI estimates 5 years to be left.

**h. Old District 1 Maintenance Barn**

Ed Spencer reported that he has received a letter dealing with the soil samples at the old District 1 Maintenance Barn explaining how to bring the diesel level back to a safe level and he is in the process of handling that situation now.

**i. Clean up of Dump Site**

Ed Spencer, Director of Operations and Maintenance, said there is a dump that backs up to a piece of property in District 1, where people dump. Mr. Spencer notified the dump's landowner, Andrew Hamilton, who agreed to clean up to property, and asked that the county haul dirt to the site and put a no dumping sign on the area. The Board agreed that is a good solution to the problem.

**j. Lawn Mower and Housekeeping**

Ed Spencer told the Board of Supervisors that he has spoken to the Sheriff's office and the Sheriff will promise to keep one trustee in housekeeping and two cutting grass.

**2. Request For Payment #2 From Wells Construction For Justice Court Renovations**

Ed Spencer, Director of Operations and Maintenance, presented a request from Wells Construction for payment #2 for their work on the Justice Court Renovation in the amount of \$148,250.70. Mr. Spencer said Wells Construction estimates the job to be 66% complete, but he estimates the job to be 60% complete. Regardless of the discrepancy, Mr. Spencer recommends paying the request as work on the job is progressing.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to pay the draw request to Wells Construction for work at the Justice Court Renovation in the amount of \$148,250.70 as requested. The motion passed by a unanimous vote. **See Exhibit K.2.**

**L. EXECUTIVE SESSION**

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

**M. OTHER ISSUES**

**1. Supervisor Eugene Thach**

**a. Vicious Dog Attack**

Supervisor Eugene Thach asked about the vicious dog attack involving the parties of Cummings/Foote. The Board Attorney said as far as he know the dog **Item M.1.a., Continued,**

was still alive, pending the signed copy of the minutes of the Board of Supervisors. It was decided that since the March Board of Supervisors minutes were approved in this meeting, a signed copy could be forwarded to the appropriate people soon.

**2. Supervisor Jessie Medlin**

**a. Right of Way, Stateline Road**

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve payment of the signed right of way agreement for

Melton for the Property on Stateline Road, with the County paying half and the City of Olive branch paying half.

**b. Road Clean Up**

Supervisor Jessie Medlin notified the Board of Supervisors that he asked Sheriff James Albert Riley if trustees are available to pick up the roads. Sheriff Riley responded to Supervisor Medlin that he will look into trustee availability.

**3. Supervisor Tommy Lewis**

**a. Petition for County to Maintain Road**

Supervisor Tommy Lewis notified the Board of Supervisors that he has received a petition for the County to maintain a road on the north side of Vaiden, west of Craft Road. The Board President appointed Supervisor Jessie Medlin and Supervisor Eugene Thach as the committee to inspect the road. **See Exhibit M.3.**

**4. W. E. "Sluggo" Davis, Chancery Clerk**

**a. Homestead changes**

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to approve the homestead changes as presented by

W. E. "Sluggo" Davis, the Chancery Clerk. The motion passed by a unanimous vote. **See Exhibit M.4.**

**5. Kenny Gunn, Road Manager**

**a. Fuel/Lube Truck**

The Road Manager, Kenny Gunn said he recommends the County obtaining a fuel/lube truck. Mr. Gunn estimates the cost of the truck to be \$65,000 to \$70,000. Supervisor John Caldwell made the motion and

Supervisor James Pearson seconded the motion to go out for bids for a fuel/lube truck as recommended by the Road Manager, and to get prices for both a purchase and a lease purchase of same. The motion passed by a unanimous vote.

**Item M.5., Continued,**

**b. Tire Truck**

Supervisor James Pearson suggested the Road Manager consider purchasing a tire truck. The Road Manager said he is currently gathering data on the County's tire situation, including current expenses and upkeep.

**c. Time Clock**

At the Road Managers recommendation, Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to enter into a contract with Simplex to maintain the time clocks in the satellite barns in

Central Maintenance, as they already have the maintenance contract for the clocks in the main Central Maintenance Building. 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

**d. Stateline Road Between Pleasant Hill and Davidson Road**

The Road Manager, Kenny Gunn, said there is enough timber on Stateline Road between Pleasant Hill and Davidson Road to justify selling the timber. Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to advertise/post the timber for contract in three places.

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

**e. Sale of Garbage Truck**

The County Administrator has a letter from Ed Gale, Mayor of the City of Hernando, offering \$25,000.00 for the garbage truck from Central Maintenance. The Road Manager recommends selling the truck to Hernando.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to accept the offer of \$25,000.00 from the City of Hernando for the garbage truck. The motion passed by a unanimous vote. See Exhibit M.5.e.

**Item M.5., Continued,**

**f. Request to Attend Computer Workshop**

The Road Manager, Kenny Gunn said the new computers are installed in Central Maintenance, and requested two of his employees be allowed to participate in a training workshop at the Radisson Hotel at a cost of \$129.00 each. Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to allow two Central Maintenance employees to participate in the computer workshop at the Radisson as requested. The motion passed by a unanimous vote.

**g. Paving Equipment**

The Road Manager, Kenny Gunn, asked the Board of Supervisors their opinion regarding the County purchasing paving equipment. Supervisor Eugene Thach asked if any of the equipment could be bought at a surplus sale, or used. The Board Attorney, Bill Austin said there are procedures to follow, but that is an acceptable way to acquire equipment.

**h. Getwell From College Road to Goodman Road**

The Road Manager, Kenny Gunn, notified the Board of Supervisors that Getwell Road is in bad condition between College Road and Goodman Road.

**i. Central Maintenance Job Descriptions**

The Road Manager, Kenny Gunn, said he has been working on a uniform job description/performance schedule for Central Maintenance. Mr. Gunn presented the job descriptions for the Board's review.

**6. Clovis Reed, County Administrator**

The County Administrator, Clovis Reed said he wanted to commend each department for consciously working to stay at or below their budget for the year FY96-97. Mr. Reed said that there is some concern over the General County revenues, but overall revenues look good. Mr. Reed said the only area of concern was the prisoners medical expenses and that he had assigned Kim Chamberlin to work with the Sheriff to review hiring a nurse.

Supervisor Eugene Thach made the motion and Supervisor James Pearson seconded the motion to recess until Wednesday, April 9, 1997, at 9:00. The **motion passed** by a unanimous vote.

THIS the 7th day of April, 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