

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

JOHN M. M. CALDWELL, PRESIDENT, PRESIDING

April 21, 1997

A. CALL TO ORDER

The April 21, 1997, meeting of the DeSoto County Board of Supervisors was called to order by John M. M. Caldwell, Sr., Board President.

Deputy Charlie Brown, 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
Phil Cotham-----Deputy
Clovis Reed-----County Administrator
William H. Austin, Jr.-----Board Attorney

B. INVOCATION

The invocation was presented by Supervisor John Caldwell.

C. OLD BUSINESS

1. 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.1.

2. Appointments

This item was held over. **See Exhibit C.2.**

3. Report From Committee to Review Phillips Road

This item was held over.

Item C., Continued,

4. Report From Committee to Review Mahan Road

This item was held over.

5. Report From Committee to Review Road Located West of Kraft

This item was held over.

6. Road Inspection Report

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to approve the Road Inspection Report as recommended by the Road Manager. The **motion passed** by a unanimous vote.

D. DESOTO COUNCIL - REQUEST FOR AD VALOREM TAX EXEMPTIONS

Jim Flanagan of the DeSoto Economic Council appeared before the Board of Supervisors to present requests for ad valorem tax exemptions. Supervisor John Caldwell said he disagreed with "blanket exemptions" and feels ad valorem exemptions should be pro-rated using such considerations as the number of employees to determine the amount of the exemption. Jim Flanagan said he is researching that issue now and plans to come back before the Board of Supervisors with a recommendation in the near future. Supervisor Eugene Thach said he agrees that ad valorem exemptions should be investigated to assure DeSoto County is handling these exemptions in the best way. Supervisor John Caldwell verified that all companies requesting new exemptions are paying road and bridge taxes. Jim Flanagan said they are, and that about 70% of new jobs in the County are from companies with tax exemptions.

Supervisor Tommy Lewis asked if it is possible to collect road and bridge taxes from companies seeking extensions on their ad valorem tax exemptions. Jim Flanagan asked if the Board of Supervisors had an established policy on this point. This was discussed. Supervisor John Caldwell suggested the Board of Supervisors finish this last request with the same policy used with other requests for tax exemption extensions. Requests for exemptions were as follows:

1. Intermountain Color - Olive Branch, requested a 10 year ad valorem exemption, totaling \$1,035,395.00. Mr. Flanagan explained that Intermountain Color is a new printing company, employing near 20 employees, and they have plans to double that number in the future. Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve an ad valorem exemption for Intermountain Color as requested. The **motion passed** by a unanimous vote.
2. Milwaukee Electric Tool - Requested a 10 year ad valorem exemption on expansion, totaling \$3,707,389.23. Steve Nelson of Milwaukee Electric Tool, said their recent expansion created 47 new jobs, making their total employees 189; additional land was purchased in anticipation of future expansions; and their average salary is \$10.75 per hour. Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve the ad valorem exemption as requested for Milwaukee Electric Tool. The **motion passed** by a unanimous vote.

Item D., Continued,

3. American National Can - Requested a 10 year ad valorem exemption in the amount of \$1,985,241.76. According to Jim Flanagan, American National Can has one of the highest hourly wages in the County. Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve the ad valorem exemption for American National Can as requested. The **motion passed** by a unanimous vote.

4. Ag-Chem - Southaven, Requesting a 5 year extension on their ad valorem exemption in the amount of \$297,244.00. Since their original exemption was granted, Ag-Chem has created eight new jobs increasing their total to 33. Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve the ad valorem tax extension as requested for Ag-Chem with the same stipulations outlined in other extension requests. The **motion passed** by a unanimous vote.

5. Priority Transportation - Olive Branch, Requesting a 5 year extension on ad valorem exemption, totaling \$800,000.00. Priority Transportation has created 128 new jobs since their exemption was granted. Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve the ad valorem tax extension as requested by Priority Transportation. The **motion passed** by a unanimous vote.

6. RCL Components - Hernando, Requested a 10 year ad valorem tax exemption totaling \$740,173.00. RCL Components has created 28 new jobs. Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve the ad valorem tax exemption for RCL Components as requested. The **motion passed** by a unanimous vote.

7. Supreme Distribution - Horn Lake, Requesting a Freeport tax exemption, which is a tax exemption for goods manufactured outside the state. Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the freeport tax exemption as requested. The **motion passed** by a unanimous vote.

8. Viking Industrial Products - Hernando, Requesting a Freeport tax exemption. Jim Flanagan explained that Viking Industrial Products distributes small electrical motors. Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve the Freeport tax exemption as requested by Viking Industrial Products. The **motion passed** by a unanimous vote.

9. Fraenkel Company - Requesting 5 years extension on existing exemption in the amount of \$3,136,635.00. Jim Flanagan commented favorably on the company. Fraenkel has created 36 new jobs. Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the extension on the ad valorem tax exemption as requested by Fraenkel Company. The **motion passed** by a unanimous vote.

See Exhibit D.

E. KATHY CHATHAM - ROADSIDE CLEANUP

Kathy Chatham of DeSoto County appeared before the Board of Supervisors and commented that the Courthouse grounds are beautiful and well kept. Ms. Chatham said it is obvious that the County takes great pride in the care of the Courthouse. However, Ms. Chatham told the Board of Supervisors that the County road mowers are a

Item E., Continued,

cause of concern for her. Ms. Chatham said she has talked with Supervisor Caldwell

and the Road Manager, Kenny Gunn about her concerns. Ms. Chatham presented pictures showing damage caused by the road mowers, including tall tree trunks and even a metal road sign bent by the mower. Supervisor Eugene Thach pointed out that often such damage is caused by the utility companies. Kathy Chatham said she had witnessed much of this damage and she knew it to be the result of work done by the County road crew. This situation was discussed and Kathy Chatham requested that the County discontinue use of the mowers or to stop using the mowers until clean up of the areas already worked is complete, or at the least to use the mowers for the jobs they are intended to be used.

F. MARTHA GATLIN - INTRODUCTION OF NEW HORTICULTURIST

Martha Gatlin, the DeSoto County Home Economist, appeared before the Board of Supervisors to introduce the new County Horticulturist, Joy Anderson to the Board of Supervisors. Martha Gatlin explained that Ms. Anderson's duties will include such services as organizing mass media, organizing classes for horticulture needs in DeSoto County, assist County government with ideas, and more. The Board of Supervisors welcomed Joy Anderson to her new position as DeSoto County Horticulturist.

G. DALE THOMPSON

1. Approval to Pay Invoices

The Comptroller, Dale Thompson presented a printout showing past due invoices that need to be paid. Comptroller Thompson said that if these invoices are not paid today, late charges will have to be paid. The Board of Supervisors asked what has caused this problem. Ms. Thompson said several different things contributed to the problems. The Comptroller requested to add the invoice from McCory for the warning lights at Getwell and Byhalia roads in the amount of \$3,822.00. The County Administrator, Clovis Reed told the Board of Supervisors that he has been working in the departments to fix this situation and will continue to do so.

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to approve the items listed on the printout presented by the Comptroller, as well as the invoice from McCory for the warning lights at Getwell and Byhalia Roads to be paid in the amount of \$39,598.43. The **motion passed** by a unanimous vote. **See Exhibit G.1.**

2. Budget Amendments

The Comptroller, Dale Thompson requested from the Board of Supervisors the following budget amendments:

To correct the previous budget amendment to Lewisburg EMS:

Lower	001-701-901	Buildings/Lewisburg EMS	\$8,500.00
Increase	001-701-749	Allocation to Lewisburg EMS	\$8,500.00

Item G.2, Continued,

For Walls Community Library:

Lower	001-901-999	Working cash balance	\$233,000.00
Increase	001-701-914	Walls Community Library	\$233,000.00

For Justice Court Renovation:

Lower	001-701-912	Other Construction	\$ 75,000.00
Lower	001-882-801	Interest/Proposed Admin. Bldg	\$158,352.00
Increase	001-701-911	Building/Justice Court	\$233,352.00

For Planning Commission:

Lower	001-901-999	Working Case Balance	\$13,720.00
Increase	001-107-930	Automobile Purchase	\$13,720.00

Supervisor Tommy Lewis asked if the old Justice Court building is being marketed. Clovis Reed said yes, the Board Attorney, William Austin is working on the title work now. Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve the budget amendments as presented by the Comptroller. The **motion passed** by a unanimous vote. **See Exhibit G.2.**

3. Investment of Surplus Funds

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve the highest bid, which was from Trustmark for the investment of surplus funds. The **motion passed** by a unanimous vote. **See Exhibit G.3.**

4. Other Issues by the Comptroller

a. Request to Hire Part-time Help for Summer

The Comptroller, Dale Thompson, requested permission from the Board of Supervisors to hire part-time help in Accounting for the summer. Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to authorize the Comptroller to hire part-time summer help as requested. The **motion passed** by a unanimous vote.

H. NEW BUSINESS

1. Circuit Court Clerk Allowances

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the Circuit Clerk Allowances as presented in Exhibit H.1. The **motion passed** by a unanimous vote. **See Exhibit H.1.**

2. Chancery Court Clerk Allowances

This item was handled in a previous board meeting.

Item H., Continued,

3. Request to Maintain RR Crossing and Stop Signs at Railroad

The County Administrator, Clovis Reed, presented a request from the law

office of Upshaw, Williams, Biggers, Beckham, & Riddick, which was taken under advisement in 1995, for the county to maintain the signs at the railroad crossings after they are provided and installed by the Mississippi Department of Transportation. The Board Attorney, William Austin, said he advises that this may also make the County a partner in the liability for accidents. The issue was discussed. Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to authorize the County Administrator to send a letter in response to this request stating that the DeSoto County Board of Supervisors are not willing to accept the responsibility/liability for maintaining these signs at this time, but the County will be glad to assist MDOT if needed. The **motion passed** by a unanimous vote. **See Exhibit H.3.**

4. Approval of Change in Assessments

The Comptroller, Clovis Reed presented a notice to increase the assessment of real/personal property for National Filter Media as noted on Exhibit H.4. Supervisor Eugene Thach made the motion and Supervisor James Pearson seconded the motion the approve the change in assessment. The **motion passed** by a unanimous vote. **See Exhibit H.4.**

5. Approval to Declare Surplus and Sale Mobile Disaster Hospital

County Administrator Clovis Reed presented to the Board of Supervisors a letter from T. H. Walker indicating an offer from Cal Hubbard to purchase the County disaster hospital. Supervisor Jessie Medlin made the motion and Supervisor James Pearson seconded the motion to declare the mobile hospital as surplus and sell it in the Central Maintenance surplus sale. The **motion passed** by a unanimous vote. **See Exhibit H.5.**

6. Recommendations for the LEPC Committee

As requested by letter from T. H. Walker, Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to forward the list of appointees as recommended by T. H. Walker, to LEPC. The **motion passed** by a unanimous vote. **See Exhibit H.6.**

7. Request From Horn Lake for Financial Assistance on Purchase of Bleachers and Player Benches

As requested by Diane T. Stewart, City Clerk, at Horn Lake, Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve reimbursing the City of Horn Lake up to \$5,500.00 for the cost of bleachers and player benches in the city park at Horn Lake, in accordance with the Interlocal Agreement between Horn Lake and the Board of Supervisors, to be paid from the District 4 Park Fund. The **motion passed** by a unanimous vote. **See Exhibit H.7.**

Item H., Continued,

8. School Board Property Located in Eudora

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to accept the donation of property in Eudora from the DeSoto

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

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to survey the land offered in this donation. The **motion passed** by a unanimous vote.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to authorize the Daniel Murphy, the County Engineer to survey the land offered in this donation and to authorize the Board Attorney, William Austin to do the title work on the land. The **motion passed** by a unanimous vote. The Board of Supervisors asked the Board Attorney to look into the donation to protect the County's interest in the receipt of this donation. **See Exhibit H.8.**

9. Approval of Schoolbus Turnarounds

The DeSoto County Board of Supervisors received letters dated April 4, 1997, and April 9, 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.9. **SEE EXHIBIT H.9.**

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 James Pearson made the motion to build, maintain, and improve the properties listed in the Superintendent's letters dated April 4, 1997 and April 9, 1997, and to direct the County Road Manager to carry out these orders of this Board forthwith. Supervisor Jessie Medlin seconded the motion. The **motion passed** by a unanimous vote. **See Exhibit H.9.**

The school system also requested dirt to be hauled to the schools for playgrounds and the football field. Supervisor Tommy Lewis said he feels the County should help the schools with small jobs, but not with large jobs. Supervisor John Caldwell recommended the Board of Supervisors approve hauling, but not the dirt itself. The Road Manager, Kenny Gunn said the County needs a new source for dirt.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to authorize the Road Manager to haul dirt at the County's convenience, but the County will not pay for the dirt. 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

Item H., Continued,

10. Approval of Contract With North Delta Planning for Nesbit Water Association Grant Project

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to approve the administration of the project from the grant

money. 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 H.10.

11. Authorization to County Administrator to Open Bids

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to authorize the County Administrator to open bids on April 23, 1997, for uniforms for Central Maintenance, on April 25 for the helicopter/transponder, and on May 1, 1997 for the telephone system in the Department of Human Services. 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

12. Request to Donate to the Eighteenth Annual Mississippi State Lectureship Program Held in DeSoto County

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to hold this item over to allow the Board Attorney, William Austin to review the request. 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 H.12.

13. Approval of Contract for Small Procurement Card

County Administrator Clovis Reed explained the program design of the small procurement card. The County Administrator has spent time analyzing the procurement process and recommended the implementation of this program to the Board of Supervisors. These features include a minimum of purchase dollars per day, only having a few people who are authorized to use the cards, a minimal implementation cost of \$200.00, credit limits for each card, and limited number of

Item H.13, Continued,

uses per day. Supervisor Eugene Thach said he would like to see the limit lowered. Supervisor Eugene Thach made the motion and Supervisor James Pearson seconded the motion to approve implementing the small procurement card into DeSoto County purchasing as recommended by the County Administrator, but changing the daily procurement limits to half of Mr. Reed's recommendation. The **motion passed** by a vote as follows:

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

See Exhibit H.13.

14. Approval of Service Contracts

At the Department Head's recommendations, Supervisor John Caldwell made the motion and Supervisor James Pearson seconded the motion to approve the service contracts already in place. The **motion passed** by a unanimous vote. **See Exhibit H.14.**

15. Advertisement in DeSoto Times for Special Upcoming Events Issues

The County Administrator, Clovis Reed, presented an opportunity from the DeSoto Times to advertise for the upcoming Salute to Industry, DeSoto County Baseball All-Stars, and Salute to Education. Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to deny the request for this advertisement. The **motion passed** by a unanimous vote. **See Exhibit H.15.**

16. BFI Update

County Administrator Clovis Reed read a letter from BFI concerning service changes discussed with the committee of Supervisors, indicating their plans for change. Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to approve the list of rubbish items BFI will pick up, which include, "small items of furniture such as wooden or aluminum lawn chairs, a coffee table, wooden kitchen table or one overstuffed chair. This would include any single item of furniture that can be handled by one person and a rear load type truck" after BFI has notified residents of the change. The **motion passed** by a vote as follows:

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

See Exhibit H.16.

I. OTHER ISSUES

1. Supervisor Eugene Thach

Supervisor Eugene Thach asked when Daniel Murphy, the County Engineer, will come back to the Board of Supervisors with estimates on Church Road. The County Administrator Clovis Reed said he will follow up with the County Engineer and report back to the Board of Supervisors.

2. Board Attorney, William Austin

The Board Attorney, William Austin notified the Board of Supervisors that he has been served with a waiver of process on a lawsuit on behalf of the County. Supervisor James Pearson made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Board President, John Caldwell, Sr. to sign the waiver of process. The **motion passed** by a unanimous vote.

3. Clovis Reed, County Administrator

The County Administrator, Clovis Reed, requested authorization to hire a temporary employee to help in his office for 12 weeks while Kim Chamberlin is on maternity leave. Supervisor Tommy Lewis made the motion and Supervisor James Pearson seconded the motion to authorize the County Administrator to hire a temporary during the 12 weeks Kim Chambersin is on maternity leave. The **motion passed** by a unanimous vote.

4. Kenny Gunn

a. Dirt Source

The Road Manager, Kenny Gunn notified the Board of Supervisors that the County needs a source to obtain dirt. Suprvisor Eugene Thach made the motion and Supervisor James Pearson seconded the motion to authorize the Road Manager to look for a source to obtain dirt. Later, the motion was withdrawn. It was decided the Road Manager has such authority already.

b. Request to Advertise for Air Compressor and Jack Hammer

The Road Manager, Kenny Gunn reported to the Board of Supervisors that he rented a saw to see how effectively it works. It did not work well. Therefore, at the Road Managers request, Supervisor James Pearson made the motion and Supervisor Eugene Thach seconded the motion to authorize the Road Manager to advertise for a new or used air compressor and jack hammer. The **motion passed** by a unanimous vote. **See Exhibit I.4.b.**

c. Notice to Bring Items to Sale

The Road Manager asked the County Administrator to notify all department heads to get their equipment for the Central Maintenance sale to Central Maintenance as soon as possible.

Item I, Continued,

d. Starlanding Road

Supervisor John Caldwell notified the Road Manager that the area under construction on Starlanding Road needs traffic control in the area.

e. Stateline Road

The Road Manager notified the Board of Supervisors that Stateline Road is

open where the hole was patched.

f. Byhalia/Getwell Intersection

The Road Manager notified the Board of Supervisors that there has not been an accident at the intersection of Byhalia/Getwell since the traffic light was installed.

5. W. E. "Sluggo" Davis, Chancery Court Clerk

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell 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 I.5.**

J. EXECUTIVE SESSION

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

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to adjourn until Monday, May 5, 1997, at 9:00. The **motion passed** by a unanimous vote.

THIS the April 21, 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