

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

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

September 29, 1997

A. CALL TO ORDER

The September 29, 1997, meeting of the DeSoto County Board of Supervisors was called to order by John M. M. Caldwell, Sr., Board President.

W. E. "Sluggo" Davis, the DeSoto County Chancery Clerk 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, Absent
John Caldwell-----District 4
Tommy Lewis-----District 5
W. E. ASluggo@ Davis-----Chancery Clerk
James Albert Riley-----Sheriff, Absent
Clovis Reed-----County Administrator
William H. Austin, Jr.-----Board Attorney

B. INVOCATION

The invocation was presented by Supervisor Eugene Thach.

C. JIM FLANAGAN - DESOTO ECONOMIC COUNCIL

1. Tax Exempt Presentation

Jim Flanagan of the DeSoto Economic Council was present and did bring the following items before the Board of Supervisors for consideration:

a. Snap-on Tools

Jim Strating, Manager of Snap-on Tools Company located at 8330 Hacks Road, Olive Branch, MS 38654, came before the Board of Supervisors to request a Freeport tax exemption. Mr. Strating told the Board of Supervisors that Snap-on Tools is the number one producer of quality hand tools in the United States. Their Olive Branch operation employs 220 individuals, 80% of whom are Mississippi residents and 50% who are DeSoto County residents. Plans are to expand or find a bigger facility in the next year. The average pay per employee

Item C.1.a, Continued,

is \$9.50 per hour. Mr. Strating said that previously Snap-on Tools had a satellite in Memphis, TN, but the company closed that facility and combined the operation in the Olive Branch facility. Mr. Strating said that Snap-on Tools has long range plans to be in DeSoto County. He explained that the Olive Branch facility began in 1984 with 34 employees and they now employ 220. They are asking for a Freeport tax exemption as 98% of their business does not have a destination point in Mississippi. They are members of DeSoto Council.

Supervisor Jessie Medlin asked Mr. Strating if there was room for expanding at the present site. Jim Strating responded that expansion room was limited but they do not plan to move from DeSoto County.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve the Freeport tax exemption for Snap-on Tools located at 8330 Hacks Road, Olive Branch, MS, and authorized the president to sign documents related to the tax exemption. 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.1.a.

b. Brentwood Originals

Jim Flanagan of DeSoto Economic Council and Jack Domer of Brentwood Originals, came before the Board of Supervisors to request an Ad Valorem Exemption on real and personal property for Brentwood Originals. Mr. Domer told the Board of Supervisors that Brentwood Originals is a manufacturer of decorative pillows and throws. They have experienced (2) expansions since opening and employ 200 employees and are presently to increase that number to 250-260 employees. Mr. Flanagan forwarded to the Board the Tax Advisory Committee recommendation for a 10 year exemption on real property and a 5 year exemption on personal property for Brentwood Originals.

Supervisor Eugene Thach asked the average hourly wage for employees at Brentwood Originals. Jack Domer said the average wage is \$7.50. Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve Brentwood Originals for a 10 year Ad Valorem Exemption on real property and a 5 year Ad Valorem Exemption

Item C.1.b, Continued,

on personal property in accordance with the recommendation of the Tax Advisory Committee. 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.1.b.

c. Southern Metal & Plastic Products

Jim Flanagan of the DeSoto Economic Council and Michael X. Hartnett, President of Southern Metal & Plastic Products, came before the Board to request an Ad Valorem for Southern Metal & Plastic Products. Michael Hartnett explained to the Board that Southern Metal & Plastic Products moved to DeSoto County in 1988 and has since expanded 3 times. They employ 155 people. Of this number 55% are Mississippi residents and further explained that many of their vendors and contractors are from Mississippi. Their average hourly wage is \$8.50 - \$9.00 per hour. Mr. Hartnett said his company is working with Northwest Community College to establish a training program in the industrial park. He explained that the operation is very happy in DeSoto County and they have recently bought another piece of property adjacent to the property they now own in anticipation of future expansions.

Jim Flanagan forwarded the Tax Advisory Committee recommendation for a 10 year exemption on both real and personal property for southern Metal & Plastic Products.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the Ad Valorem Tax Exemption for Southern Metal & Plastic Products to include a 10 year exemption on real and personal property. 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

See Exhibit C.1.c.

2. Proposed Tax Advisory Committee Guidelines

Jim Flanagan of the DeSoto Economic Council presented a proposed list of new guidelines for tax exemptions. Mr. Flanagan pointed out major points of the new guidelines

Item C.2., Continued,

proposed for tax exemptions . Included in these items, Mr. Flanagan said that the new Personal Property Exemption Policy would include flexibility to provide either a 5 or 10 year exemption for tax exemptions. He further presented a proposed resolution of the Board of Supervisors and indicated that this resolution was almost the same as the resolution used by Hinds County, Mississippi. He pointed out that the first page of the resolution requests information about the company. Section 3 of the resolution divides real and personal property exemptions. Section 4 of the resolution requires preference to DeSoto County residents. Section 5 of the resolution sets requirements for wages. Section 6 of the resolution set out the Tax Assessor's requirements in detail and also stipulates that taxes will be kept current.

Mr. Flanagan said that Hinds County indicated that the adoption of this new resolution has not hindered companies from choosing to locate in their county.

Supervisor John Caldwell requested the anticipated time frame for implementing the new procedure. Jim Flanagan said he is meeting with the city soon and with their approval the new approval the new procedure could be adopted at that time. Supervisor Caldwell commended the Tax Advisory Committee for their efforts to get these guidelines to this point.

Supervisor Jessie Medlin asked if the Tax Advisory Committee had approved the new guidelines and resolution. Jim Flanagan said yes. Jim Flanagan said the first step would be to send the new resolution to companies with existing exemptions. Mr. Flanagan said that from this point forward the resolution would be attached to the companies application for exemption.

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to approve the adoption of the guidelines and resolutions presented for tax exemptions as presented by Jim Flanagan of the DeSoto Economic Council. The **motion passed** 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.2.

D. DAVID NICHOLSON, ALLEN & HOSHALL - Administrative Building

David Nicholson, President of Allen & Hoshall Architects, came before the Board of Supervisors to update the Board on the design progress on **Item D., Continued,**

the Administrative Building. Among the progress described by Mr. Nicholson, was a redesign of the exterior of the building. The Board of Supervisors indicated they were pleased with the new design of the

exterior of the Building. Mr. Nicholson explained the estimated total cost of the of the Administrative Building and Courthouse Renovation is \$10,500,000.00. Of that amount \$7,000,000.00 will be used to construct the Administrative Building, and \$3,500,000.00 for the renovation of the existing Courthouse. Mr. Nicholson said that his firm is comfortable with the \$7,000,000.00 estimate for the Administrative Building if the project bids early in 1998 as estimated. He said the \$3,500,000.00 estimate will have an inflation factor as this amount likely will not bid for over 2 years. Mr. Nicholson estimates a \$25.00/sqft savings if the non-committed space is not finished during construction of the building. Mr. Nicholson said based on the small savings, his firm will likely recommend finishing the unfinished space upon construction.

Supervisor Eugene Thach asked if Allen & Hoshall implemented the suggestions of the Board of Supervisors from his last presentation. Mr. Nicholson said they did. Supervisor Thach asked about plans for the existing McIngvale Building. Mr. Nicholson said there is a demolition cost factor in the plans.

Supervisor Tommy Lewis asked if the Board of Supervisors had made a decision on the location of different departments in the Administrative Building. David Nicholson said that his firm is not quite ready to ask the Board for those recommendations. Mr. Nicholson said they are confident they have planned for offices that need to be located close to one another.

Supervisor Tommy Lewis asked for clarification of when the job is estimated to go to bid. Dave Nicholson said the project should go to bid by the end of the year or the first of 1998. Construction could begin in the Spring.

The Board of Supervisors discussed the possibility of moving the existing McIngvale House. Supervisor Jessie Medlin asked to where the house would be moved. County Administrator, Clovis Reed, said that the City of Hernando has expressed an interest to work with the county to move the building. David Nicholson said that no study has been done to compare the cost of demolishing the building versus the cost of moving the building. Mr. Nicholson clarified that his firm is comfortable with the \$7,000,000 cost of the building.

Demery Grubbs of Holley, Grubbs, Mitcham & Phillips appeared before the Board of Supervisors to report on financing options for the Administration Building. Mr. Grubbs told the Board of Supervisors that DeSoto County's capacity to issue General Obligation Bonds is \$60,000,000.00 and said this is a far greater capacity than with most counties.

Mr. Grubbs explained Series A and Series B Bonds, under that scenario, the County would complete an Intent Resolution. The second step would be to issue the Series A Bond in the amount of \$7,000,000.00. The third step would be 2 years latter to issued Series B Bonds at \$3,500,000.00. Mr. Grubbs said because DeSoto County has funds on hand to pay for the \$7,000,000.00 this Bond could be issued at no increase to millage. Mr. Grubbs said that with current growth the County could issue Series A Bonds today.

Supervisor Tommy Lewis asked if the Series B Bonds in 2 years would be issued at a rate of interest available at that time. Demery Grubbs said yes and cautioned that to issued both series at the same time could cause tax problems if the project is not ready for the

Item D., Continued

Series B Bonds in 3 years. Mr. Grubbs said that the market is good now. Don Clark of Crosthwait, Terney aw offices, presented the Board with a resolution for publication

concerning the intention of the Board of Supervisors to issue General Obligation Bonds for the Administration Building. Mr. Clark acknowledged that the amounts are not filled in on this document, but if the Board took the recommendation of the Architect the amount would be \$7,000,000.00. This Resolution of Intent would be published 3 times in the local paper. The issue would be subject to protest and if a protest is received the issue would have to be passed by 60% of the voters of DeSoto County. Mr. Clark said the Board of Supervisors will need to decide whether this notice will include the Series A amount of \$7,000,000.00 with the process being repeated to publish again in 2 years or if the notice will include the entire amount of \$10,500,000.00 with 1 publication serving the entire project. Mr. Clark cautioned that if the Notice of Intent were split and there was a protest on the second notice the project could be delayed. Mr. Clark further explained that if the Board adopts the Resolution at \$10,500,000.00 the bonds could still be issued with Series A at \$7,000,000.00 and Series B at \$3,500,000.00 when that project is ready to be complete. The Board of Supervisors discussed this option. Demery Grubbs explained that the Intent Resolution does not bind the Board to anything.

Supervisor Tommy Lewis asked if the Board approves this now will the 6 month rule be effected. The Board Attorney, William Austin, and Attorney Don Clark, both agreed that the 6 month rule involves equipment only.

Don Clark said that if the Board is comfortable with the \$10,500,000.00 estimate it would be better to publish that amount in the notice and therefore satisfy all legal requirements.

Demery Grubbs recommended to the Board of Supervisors making the Notice of Intent for \$11,000,000.00 in case there were overruns on the project. Supervisor John Caldwell asked if these funds are tied to these 2 buildings only. Don Clark said no, that the funds could be used on any other building as well, if the money is not used on this project.

Demery Grubbs said if there is money leftover from the \$7,000,000 the Board could begin the courthouse renovation with the balance of that money. David Nicholson said they are comfortable with the \$7,000,000.00 estimate.

Supervisor Eugene Thach said he hesitates to add anything to the \$10,500,000.00 because that is the amount that has been told to the public and if \$11,000,000.00 is included in the bond it is likely the county will spend \$11,000,000.00 on the project. Don Clark said the protest date depends on the publication date of the Notice of Intent.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve the Notice of Intent Resolution at \$10,500,000.00 as the intended bond amount for construction of the County Administration Building and Courthouse renovation. 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 D

E. JUDGE JOHN MCCORMACK - Justice Court Reform

Justice Court Judge John McCormack appeared before the Board of Supervisors to request a legal opinion and direction for a civil matter

that has come up in his court. This matter concerns a mobile home that has been abandoned in a mobile home park in DeSoto County. Judge McCormack asked the Board of Supervisors to direct Board Attorney, William Austin, to give a ruling of proper procedure to handle this matter.

Supervisor John Caldwell asked if Justice Court Judges had authority to hire an attorney when they need one. Judge McCormack responded that the Board of Supervisors is liable for the administration in Justice Court, therefore, hiring the attorney would be the Board's responsibility. Supervisor John Caldwell said that he sees the Board's responsibility for this issue as indirect responsibility at best.

Supervisor Jessie Medlin asked how the County Attorney has anything to do with a matter in Justice Court. Judge McCormack said the County Attorney has no responsibility in Justice Court other than prosecution. Judge McCormack said that he wants to make sure he is following proper procedure to seize a big ticket item.

The Board of Supervisors asked Board Attorney, William Austin, his opinion on the responsibility of the Board of Supervisors to handle this Justice Court matter. Mr. Austin responded that Justice Court Judges have immunity and said the appeal process takes care of matters such as this. The Board of Supervisors discussed the Board's responsibility to get involved in this matter. The Board of Supervisors agreed that it would be bad judgement to hire an attorney to handle this matter in Justice Court, when in effect, it has caused no problem yet. The Board thanked Judge McCormack for his work and said they were sorry they could not help him in this matter.

F. DALE THOMPSON, ACCOUNTING

The Comptroller, Dale Thompson, presented the following items to the Board of Supervisors for consideration:

1. Distribution of Balance of Fire Funds

In accordance with Section 19-5-95 of the Mississippi Code, Annotated of 1972, which outlines aid to fire departments, Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve the tax collections rebate available to the DeSoto County Volunteer Fire Departments in the amount of \$93,123.58 as specified on Exhibit F.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

See Exhibit F.1.

Item F., Continued

2. Transfer of FY97 Budgeted Funds from General County to Circuit Court Administrator

At the recommendation of the Comptroller, Dale Thompson, Medlin seconded the motion to approve the budget transfer as follows:

From	Circuit Court Administrators	102-000-384	\$28,868.00
To	DeSoto County's Allocation FY97001-900-950	\$28,868.00	

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 F.2.

3. Budget Transfer Per FY97 Budget - 1 Mill to Trust Fund

At the recommendation of the Comptroller, Dale Thompson, Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve the budget transfer as follows:

Transfer of Funds from	002-900-950	\$438,326.08
1mill Trust Fund for FY97		
 General County Transfer from		
1 mill Trust Fund for FY97	001-000-384	\$438,326.08

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 F.3.

4. Investment of Surplus Funds

At the recommendation of the Comptroller, Dale Thompson, Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve the award of the investment of surplus funds to Trustmark National Bank as their bid of rate of interest was the highest presented on Exhibit F.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

See Exhibit F.4.

Item F., Continued

5. a. Other Issues Funds Collected for the Civic Center

The Comptroller, Dale Thompson, told the Board of Supervisors that if she has

information on when funds for the Civic Center are scheduled to be needed, she could invest any funds over the needed amount at a higher rate of interest. The Board of Supervisors requested the County Administrator work with the Convention & Visitors Bureau Committee to establish a schedule for funds that are to be needed for the Civic Center.

b. Authorization to Advertise for a Position in Accounting

At the request of the Comptroller, Dale Thompson, Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the advertising for the position approved previously by the Board of Supervisors in the DeSoto County Accounting Department. The **motion passed** by vote as follows:

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

G. BOBBY STOREY

1. EMS Service - Request to Advertise for Oxygen Purchase and Bottle Rental

Bobby Storey, DeSoto County EMS Director, appeared before the Board of Supervisors and explained that if he were allowed to advertise for oxygen tank rental to go on contract the county would be able to get these materials at approximately one-half of the current amount that has been paid for these products.

At the request of Bobby Storey, Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to authorize advertisement for a contract for oxygen purchase and bottle rental for DeSoto County EMS. 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. Request to Advertise for Two EMT's for Eudora (app in budg)

At the request of Bobby Storey, DeSoto County EMS Director, Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to authorize advertisement for 2 EMT Paramedics at a starting salary of \$24,000 per year and with further authorization to bring these position up to the budgeted salary of \$26,000 per year as their performance warranted these increases. The **motion passed** by a vote as follows:

Item G. 2., Continued

Supervisor Jessie Medlin....Yes
Supervisor Eugene Thach....Yes
Supervisor James Pearson....Absent
Supervisor John Caldwell.....Yes

Supervisor Tommy Lewis.....Yes

H. OLD BUSINESS

1. Appointments - License Commission, District 1, Ed Paseur

In accordance with Section 19-5-307 of the Mississippi Code Annotated, Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to appoint Ed Paseur to the License Committee to represent District 1 for a term of one year. 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.1.

2. Walls Community Library

a. Authorization for Board President to execute documents in connection with project.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to authorize the board president, Supervisor John Caldwell to execute documents in connection with the Walls Community Library project. 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

b. Appoint J. Bearden as superintendent for the project

In accordance with Section 19-13-15 of the Mississippi Code Annotated, Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to appoint Jim Bearden as superintendent of the Walls Community Library building project for the purpose of assisting in recommending partial payments to the contractor on the job. 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.2., Continued

c. Appoint committee to inspect the project

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to appoint Supervisor Eugene Thach and Supervisor John Caldwell as the committee to inspect the Wall Community Library project. 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.1.

3. Civil Defense - Request to fill position of Deputy Director

The County Administrator, Clovis Reed, presented a letter or request from T.H. Walker from DeSoto County Emergency Management Agency, requesting to fill a part-time position of Deputy Director in Civil Defense. The Board of Supervisors discussed the portion of the letter questioning set hours for this position. The Board agreed that since this is a part-time position hours are at the discretion of the Supervisor.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell to authorize advertisement to fill the part-time position of Deputy Director in Civil Defense. 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.3.

I. NEW BUSINESS

1. Authorization to Advertise for Part-time Position in Justice Court

The County Administrator, Clovis Reed, presented a letter from Linda Aldridge, Court Clerk of DeSoto County Justice Court, requesting permission to advertise for a part-time position in Justice Court with the position totaling 19 hours per week at \$6.00 per hour.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to authorize advertisement for a part-time position in Justice Court at 19 hours per week with a salary of \$6.00 per hour. 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 I.1.

Item I., Continued

2. Arkabutla Physically Challenged Hunting - Request for Funds

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

3. Board of Education

a. Schoolbus Turnarounds

The DeSoto County Board of Supervisors received a letter dated September 10, 1997 and September 16, 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 I.3a. **SEE EXHIBIT I.3.a.**

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 September 10, 1997 and September 16, 1997, known as 580 Getwell Road, Hernando, MS and 9282 Wilson Mill, Lake Cormorant, MS 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 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 I.3.a.

b. Request for County to Haul and Spread Pea Gravel to Elementary School Playgrounds

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to accept the letter requesting pea gravel as required by the previous board action. 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 I.3.b.

c. Request to Deliver and Place Rip-rap at Southaven High School

This item was held over. **See Exhibit I.3.c.**

Item I.3., Continued

d. Request to Install and Cover Drainage Culverts in Front of Horn Lake High School Along Nail Road

This item was held over. **See Exhibit I.3.d.**

e. Appoint Committee to Establish Guidelines for Work with the Board of Education

After the Board of Supervisors discussed the numerous requests for work

by the Board of Education, Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to appoint a committee consisting of Supervisor Tommy Lewis and Supervisor Gene Thach to work with the Board of Education to establish guidelines for help to the Board of Education. 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 list of Sheriff's Department Unmarked Vehicles a Part of the Minutes

The County Administrator, Clovis Reed, presented a list of unmarked vehicles from Sheriff James A. Riley and requested that Sheriff Riley be authorized to allow these vehicles to remain unmarked. Pursuant to the authority outlined in Section 19-25-15 of the Mississippi Code of 1972, as amended, which authorizes the Board of Supervisors to authorize the DeSoto County Sheriff's Department to use a number of unmarked cars. Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to authorize the DeSoto County Sheriff James A. Riley to allow the vehicles listed on Exhibit I.4 attached, to remain unmarked for the reasons as shown: and, furthermore asked that a certified copy of this order, along with the attachments, be forwarded to the State of Mississippi Department of Audit. The **motion passed** by a unanimous vote.

See Exhibit I.4.

5. Remove Kim Chamberlin as custodian of the petty cash fund in the County Administrator's office and name Vanessa Lynchard as custodian of same

At the recommendation of the County Administrator, Clovis Reed, Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to approve removing Kim Chamberlin as custodian of the petty cash fund in the County Administrator's office and name Vanessa Lynchard as custodian of same. 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 I., Continued,

6. Approval to Enter Into Contract With Ikon for copier for Tax Assessor

The Board of Supervisor received a request to approve a contract for the Tax Assessors office for a copy machine for that department. The contract is with Ikon. The County Administrator, Clovis Reed pointed out the benefits of establishing a copy machine contract for all county copy macHinds, and the cost savings associated with doing so. The County Administrator said this would require some research before implementing. Until this possibility can

be researched, the Board of Supervisors agreed that all copy machine contracts should be negotiated on the State Contract or for pricing to meet or exceed State contract pricing.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve accepting the contract with Ikon for the copy machine in the Tax Assessors office. 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 I.6.

7. Sewer Implementation Study

County Administrator, Clovis Reed, presented a letter from Ellers, Oakley, Chester & Rike, Inc., Consulting Engineers, in a response to a request to provide an assessment for a sewer implementation plan for DeSoto County. The letter outlined the setting of priorities for developing a sewer system and making recommendations for the sequence of the implementation.

Supervisor Jessie Medlin requested the study include the Coldwater River Basin.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to authorize to advertise for proposals to implement the sewer study for DeSoto County and using the guidelines set forth in the letter from Ellers, Oakley, Chester & Rike, Inc., for the specifications for the proposals.

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 I.7.

Item I., Continued,

8. Personnel Manual - Alida Jane Heidelberg

County Administrator, Clovis Reed, distributed the proposed Personnel Manuals prepared by Alida Jane Heidelberg, once associated with Twiford, Webster & Gresham, Attorneys at Law, Clarksdale, MS. Mr. Reed presented a letter of proposal dated September 26, 1997, from Alida Jane Heidelberg who has since removed her association with the aforementioned law office. In the letter of proposal, Ms. Heidelberg made an offer of \$4,500 to finish preparing and implement the manual and explain her proposed price for any changes that the Board of Supervisors may wish to make. The Board of Supervisors discussed the Personnel Manual and said a special meeting would need to be set for departments

in DeSoto County to discuss this item before it is given to County employees. The Board of Supervisors instructed the County Administrator to find out the final bill for the previous work done on the Personnel Manual, and also asked Mr. Reed to find out if the proposed price from Ms. Heidelberg includes 1 copy of the condensed manual or copies for each DeSoto County employee.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion take the business associated with the Personnel Manual under advisement. 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 I.8.

9. Request to Exclude Administration Building site from Historic District

County administrator, Clovis Reed, presented a letter from A.W. Bouchilon, Chairman of the Hernando Preservation Committee, requesting consideration for the commissions efforts to preserve Hernando's Historic District. The letter included requests for the Administration Building as well as requesting an opportunity for the "McIngvale House" to be moved rather than demolished.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to exclude the Administration's Building site from the proposed listings to be added to the National Register of Historic 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

J. EXECUTIVE SESSION

See Executive Session portion of Agenda on separate document.

K. OTHER ISSUES

1. Kenny Gunn

a. Request to Attend Conference

The Road Manager, Kenny Gunn, requested approval to attend a "Vegetative Control" seminar in Tupelo, MS, on October 2nd to address the issue of options for road side maintenance.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to approve the Road Manager to attend the seminar in Tupelo, MS, on October 2nd concerning "Vegetative Control". The **motion passed** by a vote as follows:

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

b. Request from the City of Olive Branch to DBST Road into Park.

The Road Manager, Kenny Gunn, passed on a request from the City of Olive Branch for the County to DBST the road going into the city park. The City of Olive Branch has bought the material necessary for the job. The Board of Supervisors asked Mr. Gunn if he had the equipment necessary to do this job. Kenny Gunn responded that the large roller that was purchased on the emergency rental had to be returned when the job was complete. The Board of Supervisors discussed their previous authorization to advertise for a roller. Therefore, the County would have to do this job with the smaller roller. The Board of Supervisors discussed this request and agreed that the County has roads that need to be improved and maintained.

Supervisor Eugene Thach said the County should establish a policy with the cities to aid in their road maintenance. Supervisor John Caldwell asked how much this job will cost the County. Kenny Gunn responded that he did not have an estimate on that cost at this time. Supervisor Caldwell said perhaps this should be paid from the Park Fund in the District in which the work is located. Supervisor Jessie Medlin said he would not have a problem with that if he knew how much the cost would be.

County Administrator, Clovis Reed, said the issue relating to emergency rental of equipment should be added to the Legislative Wish List, because the law now stipulates that rental equipment has to go out to bid, which is not a good option in the case of a breakdown.

Supervisor John Caldwell asked the Road Manager to work with the County Administrator and the Board Attorney to get a roller advertised for bids as soon as possible.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to authorize the Road Manager to DBST the road going into the park in the City of Olive Branch after the Road Manager has completed work on all County roads. The **motion passed** as follows:

Item K.1.b., Continued,

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

2. Request to Advertise for Equipment.

The Road Manager, Kenny Gunn, requested to advertise for 5 dump trucks, 1 lube truck and 1 boom truck and to request the bids to be quoted individually and all in the same bid. The Road Manager pointed out that combining the bids for these trucks could make the total cost much lower.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to authorize the Road Manager to advertise for bids for 5 dump trucks, 1 lube truck and 1 boom truck with the bids being presented on an either or all basis. The **motion passed** by a vote as follows:

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

3. Walls Satellite Shop

The Road Manager, Kenny Gunn, reported to the Board of Supervisors that the Central Maintenance Walls Satellite barn burned Friday night. Mr. Gunn said from all indications this was an electrical fire. Mr. Gunn said that the old land tax records were not destroyed completely. Supervisor John Caldwell instructed the

Road Manager to work with the Tax Collector to see that the records are preserved in accordance to his instruction. The Road Manager also notified the Board that the park mowing equipment was stored in this burned satellite barn. This equipment will have to be replaced.

The Road Manager told the Board of Supervisors that a temporary building on the site would cost \$820 plus \$326 per month in rental. Supervisor Tommy Lewis asked why a temporary building is necessary at the location. Kenny Gunn responded that a building is necessary to keep the office open. Supervisor John Caldwell said he feels the Road Manager should put his efforts in other areas of the County that need attention rather than into rebuilding this building.

Supervisor Eugene Thach said the department could work from a temporary building for now.

4. Getwell Road, Paving

Supervisor Eugene Thach asked the Road Manager when Getwell Road is scheduled to be paved. The Road Manager responded that Daniel Murphy, the County Engineer, is working on that project.

Item K. Continued,

6. W. E. "Sluggo" Davis, Homestead Exemptions

The Chancery Clerk, W.E. (Sluggo) Davis, presented Homestead Exemptions for approval by the Board of Supervisors. At the recommendation of the Chancery Clerk, Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve the Homestead Exemptions as presented by the Chancery 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

7. Supervisor Eugene Thach, Request to travel to I-69 Meeting

Supervisor Eugene Thach requested approval from the Board of Supervisors to attend a meeting concerning I-69 in Stoneville, MS on October 3, 1997.

Supervisor Jessie made the motion and Supervisor Tommy Lewis seconded the motion to approve Supervisor Thach to travel to the I-69 meeting in Stoneville, MS on October 3, 1997. 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. Adopting Final Budget Amendment for Fiscal Year

That on the 3rd day of September 1996, this Board of Supervisors did adopt a County Budget prepared under the provisions of Section 19-11-11, Mississippi code of 1972, for the Fiscal Year beginning October 1, 1996, and ending September 30, 1997. That this date, Ms. Dale Thompson, Comptroller, requested that the Board of Supervisors approve and adopt the budget as finally determined, and enter the same at length and in detail in its official minutes, and in accordance, a motion was made by Supervisor Jessie Medlin and seconded by Supervisor John Caldwell. 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 John Caldwell seconded the motion to adjourn until Monday, October 6, 1997, at 9:00. The **motion passed** by a unanimous vote.

THIS the 29th day of September, 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