

DRAFT

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

JOHN M. M. CALDWELL, PRESIDENT, PRESIDING

October 13, 1997

A. CALL TO ORDER

The October 13, 1997, meeting of the DeSoto County Board of Supervisors was called to order by John M. M. Caldwell, Sr., Board President.

Charlie Brown of the DeSoto County Sheriff's Department 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, Absent
W. E. ASluggo@ Davis-----Chancery Clerk
Charlie Brown-----Sheriff's Department
Clovis Reed-----County Administrator
William H. Austin, Jr.-----Board Attorney

B. INVOCATION

The invocation was presented by Supervisor John Caldwell.

C. STAN HARPER - Petition for Speed Breaker

Stan Harper appeared before the Board of Supervisors to request a speed breaker be put on Davis Lane. Supervisor Eugene Thach asked if speed breakers were legal. Supervisor John Caldwell responded that they were not legal until 1996. Supervisor Thach said that when he was an Alderman in the City of Southaven there was an incident involving the death of a man riding a motorcycle who was killed when he hit a speed breaker and the city was held liable for his death due to the speed breaker.

Stan Harper explained the traffic speed problems on Davis Lane and said that small children play in this area.

Supervisor John Caldwell suggested taking the matter under advisement as this will likely establish a policy for speed breakers in DeSoto County. Supervisor Caldwell said the Road Manager will need to make a recommendation as to the safety of speed breakers in the County.

Supervisor Jessie Medlin said the County has taken some speed breakers up because of the liability associated with them. Supervisor Medlin asked if the rumble strips would help the situation on Davis Lane.

Supervisor John Caldwell said this policy change would not happen overnight and

Item C., Continued,

perhaps the rumble strips being added to the property will alleviate some of the danger on Davis Lane. Supervisor Caldwell thanked Mr. Harper for coming before the Board to share his concern with this traffic problem.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to take the matter of speed breakers in DeSoto County under advisement and refer this matter to the Road Manager for a recommendation. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin	Yes
Supervisor Gene Thach	Yes
Supervisor Pearson	Yes
Supervisor John Caldwell	Yes
Supervisor Tommy Lewis	Absent

D. OLD BUSINESS

1. Appointment - Regional Library Board (5 years), Lucie Bridgeforth

The County Administrator, Clovis Reed, told the Board of Supervisors that Jim Anderson of the First Regional Library had recommended the appointment of Lucie Bridgeforth to the Regional Library Board for a term of 5 years. At this recommendation, Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to appoint Lucie Bridgeforth to the Regional Library Board for a term of 5 years. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin	Yes
Supervisor Gene Thach	Yes
Supervisor Pearson	Yes
Supervisor John Caldwell	Yes
Supervisor Tommy Lewis	Absent

2. Accepting State Tax Commission's Approval for Ad Valorem Exemptions for:

- American Fabricating, Inc.
- American National Can Company
- Intermountain Color, Inc.
- Milwaukee Electric Tool Corporation

Supervisor James Pearson made the motion and Supervisor Jessie Medlin seconded the motion to accept the State Tax Commission's approval for ad valorem exemptions for American Fabricating, Inc, American National Can Company, Intermountain Color, Inc., and Milwaukee Electric Tool Corporation into the minutes and approve the final orders associated with these exemptions. The **motions passed** by a vote as follows:

Supervisor Jessie Medlin	Yes
Supervisor Gene Thach	Yes
Supervisor Pearson	Yes
Supervisor John Caldwell	Yes
Supervisor Tommy Lewis	Absent

E. NEW BUSINESS

1. Authorizing DeSoto County Literacy Council's Budget Allocation (\$4,000)

County Administrator, Clovis Reed, forwarded a request from Al Simmons of the DeSoto Literacy Council requesting their budget allocation of \$4,000.00. At the recommendation of the County Administrator, Supervisor Eugene Thach made the motion and Supervisor James Pearson seconded the motion to approve the disbursement of the budget allocation of \$4,000.00 to the DeSoto Literacy Council. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin	Yes
Supervisor Gene Thach	Yes
Supervisor Pearson	Yes
Supervisor John Caldwell	Yes
Supervisor Tommy Lewis	Absent

See Exhibit E.

2. Hacks Cross Road - Approval to Execute Grant Application to CDBG

County Administrator Clovis Reed notified the Board of Supervisors that the committee involved with the Hacks Cross Road improvements has met and recommends to the Board of Supervisors to execute the CDBG grant application in connection with this project. Glen Brown, the grant administrator, explained that the execution of this document does not obligate the County until the first dollar is drawn from the account.

The County Engineer, Daniel Murphy, appeared before the Board of Supervisors to present preliminary cost estimates for the Hacks Cross Road Improvements project. Mr. Murphy explained that the road will have to be constructed as per state aid specs in accordance with the Grant requirement.

Mr. Murphy said Hacks Cross Road will be improved from the Tennessee State Line to Highway 302 Bypass with 5 lanes and curb and gutter on the west side of the highway. It will be necessary to piece curb and gutter on the east side of the highway to connect undeveloped sites that are not curb and guttered at this time. The cost estimate for this portion of the highway is \$1,345,000.00

The improvements from Highway 302 Bypass to Old Highway 78 will consist of 3 lanes at this time for a cost estimate of \$585,000.00.

Mr. Murphy said the cost estimates includes construction money, a 5% contingency, an engineering estimate at the State Aid rate of 11% for a total of \$1,930,000.00 Supervisor Jessie Medlin pointed out that the original estimate for the road was \$1.7 million and that original estimate was submitted several years ago.

Glen Brown told the Board of Supervisors that industries in the area have agreed to produce additional jobs over the next 3 years in anticipation of the improvements to Hacks Cross Road. Mr. Brown said this will benefit all of the County, not just the City of Olive Branch, through these total of 54 jobs that will be added with the completion of this project.

Item E.2., Continued,

Supervisor Jessie Medlin said that Vickie Dupree, a Metro Industrial Park representative, had informed the Hacks Cross Road Committee that the traffic in the area of Metro Park is tremendous and produced statistical data to support these road improvements.

Supervisor Eugene Thach asked the County Engineer if the project had been cut back in the interest of money. Daniel Murphy responded that the project was cut back to save money and those cuts had been made south of the Bypass where the road will be constructed with 3 lanes. Mr. Murphy said it is likely developers will construct an additional lane on each of the existing roadway when the property is developed on each side of the road.

Supervisor Jessie Medlin notified the Board of Supervisors that it is likely railroad intersections will have to be modified with this project. Supervisor Medlin said that Joe Frank Lauderdale, the City Engineer of Olive Branch, had said the railroad may pay for materials associated with these modifications and the committee has discussed other possibilities to help with these modifications at these railroad crossings.

Supervisor Eugene Thach reminded the Board that the industry will eventually pay for these road improvements, since the Board has exempted road and bridge taxes from Ad Valorem Exemptions.

Supervisor John Caldwell asked how the Grant is written to define the County's responsibility. Glen Brown responded that after the Grant portion the County and the City of Olive Branch will each be responsible for 1/2 of the balance of the costs. Supervisor Caldwell speculated that if the price escalates the city may have to pay more money. The County Administrator, Clovis Reed, pointed out there are conflicting Board Orders associated with the County's portion of these improvements.

Supervisor Jessie Medlin made the motion and Supervisor James Pearson seconded the motion to approve executing the agreement for the CDBG Grant Contract with the County paying 50% of the Grant up to \$715,000.00. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin	Yes
Supervisor Gene Thach	Yes
Supervisor Pearson	Yes
Supervisor John Caldwell	Yes
Supervisor Tommy Lewis	Absent

3. Approval to Execute Contract with Strategic Intervention Network for Youth Services (Approved in Budget)

The County Administrator, Clovis Reed, passed on a request from Chester Beasley in Youth Services to execute a contract with Strategic Intervention Network for the tracking of delinquent youth. Mr. Reed reminded the Board of Supervisors that this contract was approved in the budget process. Supervisor James Pearson made the motion and Supervisor Jessie Medlin seconded the motion to approve executing the contract with Strategic Intervention Network as recommended. The **motion passed** by a vote as follows:

Item E.3., Continued,

Supervisor Jessie Medlin	Yes
Supervisor Gene Thach	Yes
Supervisor Pearson	Yes
Supervisor John Caldwell	Yes
Supervisor Tommy Lewis	Absent

See Exhibit E.3..

4. Approval to Pay DeSoto County's Portion of Bill for Circuit Court Reporter's Maintenance Agreement

The County Administrator, Clovis Reed, presented 2 invoices in connection with maintenance agreements for Circuit Court Reporter Ginger Canoy's equipment. Mr. Reed explained that this bill was to pay DeSoto County's portion of these agreements only.

Supervisor James Pearson made the motion and Supervisor Jessie Medlin seconded the motion to approve the payment of the Circuit Court Reporter's maintenance agreement with Stenograph in the amounts of \$111.15 for Contract #P78176 and \$194.49 for Contract #21254. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin	Yes
Supervisor Gene Thach	Yes
Supervisor Pearson	Yes
Supervisor John Caldwell	Yes
Supervisor Tommy Lewis	Absent

5. I-69 Meeting Update

This item was held over.

6. Civic Center Market Feasibility Study

Supervisor John Caldwell notified the Board of Supervisors that the County has received a report from Hunter's Interests regarding the Market Feasibility Study for the Civic Center. Supervisor Jessie Medlin made the motion and Supervisor James Pearson seconded the motion to accept the report and to pay the bill to Hunter's Interests associated with this information in the amount of \$34,512.43. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin	Yes
Supervisor Gene Thach	Yes
Supervisor Pearson	Yes
Supervisor John Caldwell	Yes
Supervisor Tommy Lewis	Absent

See Exhibit E.6.

Item E., Continued,

7. Approval to Execute Grant Documents for Metro Narcotics Grant

At the recommendation of the County Administrator, Clovis Reed, Supervisor James Pearson made the motion and Supervisor Jessie Medlin seconded the motion to approve the execution of the documents in connection with the Grant Project #7NM1171. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin	Yes
Supervisor Gene Thach	Yes
Supervisor Pearson	Yes
Supervisor John Caldwell	Yes
Supervisor Tommy Lewis	Absent

See Exhibit E.7.

F. OTHER ISSUES

1. Kenny Gunn

a. Request to Order Trucks

The Road Manager, Kenny Gunn, appeared before the Board of Supervisors to request to order three 3/4 ton trucks at \$18,000.00 each; and one 3/4 ton truck with 4 wheel drive at \$21,000.00. The Road Manager said he had given these prices to purchasing to verify the prices on state contracts.

Supervisor Eugene Thach asked what the options are on the truck. Kenny Gunn read the technical options and said that air conditioner and AM/FM radio come standard on the vehicle. Mr. Gunn also explained to the Board of Supervisors that the one 4 wheel drive is necessary for work from the Eudora Satellite shop as that area has many places that call for a 4 wheel drive. The Board of Supervisors discussed whether a 4 wheel drive was needed in Eudora and the majority agreed that there were areas in the Eudora area of the County that warranted a 4 wheel drive.

The Road Manager also requested approval to order a Ford Explorer for the Subdivision Inspector with 4 wheel drive. Mr. Gunn explained that the Subdivision Inspector will most often be going into undeveloped subdivisions where roads were not always complete, therefore, a 4 wheel drive is justified for his vehicle. Mr. Gunn said the cost estimate for the Ford Explorer is \$23,398.00.

Mr. Gunn said that on all of these vehicles an extended warranty was included in the cost estimate as the vehicles will be driven long past the normal warranty.

Supervisor Eugene Thach made the motion and Supervisor James Pearson seconded the motion to approve the Road Manager to order on state contract or at state contract prices three 3/4 ton pickups; one 3/4 ton pick up with 4 wheel drive and 1 Ford Explorer with 4 wheel drive as presented with all having an extended warranty for a total cost of \$98,398.00. The **motion passed** by a vote as follows:

Item F.1.a., Continued,

Supervisor Jessie Medlin	No
Supervisor Gene Thach	Yes
Supervisor Pearson	Yes
Supervisor John Caldwell	Yes
Supervisor Tommy Lewis	Absent

Supervisor Jessie Medlin said the reason for his vote was justification for the 4 wheel drive at the Eudora site.

b. Request for Estimate for Overlay

The Road Manager, Kenny Gunn, requested an estimate from the Board of Supervisors of the County's overlay needs for the coming year. Mr. Gunn said he is trying to establish his budget for hot-mix overlay. Supervisor Eugene Thach asked the status of the overlay on Getwell Road and Church Road. Supervisor Thach asked if those are going to be done. The Road Manager responded that he thinks they will be handled under the existing contract. The Board of Supervisors discussed the County's needs to overlay to give the Road Manager an idea of this budget item. It was discussed that \$1.5 million should be adequate to handle these needs. No motions were made on this portion of the meeting.

2. Authorization to Open Bids, October 20, 1997 - Nesbit Water Assoc.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to authorize the County Administrator to open bids for the Nesbit Water Association Project on October 20, 1997. The **motion passed** by a unanimous vote.

G. MEETING WITH JANE HEIDELBERG - PERSONNEL MANUAL

The Board of Supervisors met with Jane Heidelberg, the Attorney who prepared the Personnel Manual, to discuss the implementation of the Manual and the details concerning the policies therein. Several policies and items were discussed including hiring procedures, wording improvements on certain parts of the Manual, and a request by the Board of Supervisors to list additional information in certain areas of the Manual. No motions were made nor votes taken regarding the Personnel Manual. Ms. Heidelberg agreed to meet with the Board of Supervisors again to discuss this item further.

Supervisor James Pearson made the motion and Supervisor Eugene Thach seconded the motion to recess until Monday, October 27, 1997, at 9:00. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin	Yes
Supervisor Gene Thach	Yes
Supervisor Pearson	Yes
Supervisor John Caldwell	Yes
Supervisor Tommy Lewis	Absent

THIS the 13th day of October, 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