

DRAFT

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

TOMMY LEWIS, PRESIDENT, PRESIDING

February 4, 1998

A. CALL TO ORDER

The February 4, 1998, meeting of the DeSoto County Board of Supervisors was called to order by Tommy Lewis, Board President.

Deputy Charlie Brown, of the DeSoto County Sheriff=s office was present and did open the DeSoto Co

- Jessie Medlin-----District 1
- Eugene C. Thach-----District 2
- James D. Pearson-----District 3
- John Caldwell-----District 4
- Tommy Lewis-----District 5
- W. E. ASluggo@ 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 John Caldwell.

C. PLANNING COMMISSION

1. Chambliss (Meadow Oaks) PUD to PUD - Located on the northwest corner of Nail and Horn Lake Roads, Section 32, Township 1, Range 8

Sam Russell of the DeSoto County Planning Commission passed out to the Board of Supervisors a map of the area showing Meadow Oaks Subdivision as approved in 1990 along with a staff report and minutes concerning the issue. Mr. Russell reviewed the project as approved in 1990 and the changes recently submitted to the DeSoto County Planning Commission for approval and said the approval was recommended by the Planning Commission by a 7 to 3 vote.

Supervisor Eugene Thach asked if the area marked for a retirement community is still being planned to serve that purpose. Sam Russell said there is no commitment from a church now, but it is still in the plans as a retirement community. Mr. Russell said there is wording to say it will not be apartments but a retirement community. Supervisor John Caldwell said that any 10 dwelling units under one roof constitutes an apartment.

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Engineer, Ben Smith, addressed the Board of Supervisors on this issue. Mr. Smith said he was asked to review the plans by Chambliss Builders to provide revisions to

Item C.1., Continued,

improve the preliminary plan. He did so and the new plan drops 22 lots from the subdivision in order to decrease density. This new plan was presented to the Horn Lake Planning Commission at which time they gave the revised plan a unanimous approval. The Horn Lake Mayor and the Board of Alderman also unanimously approved the subdivision. When presented to the DeSoto County Planning Commission there were some objections and some supporters. Mr. Smith said this new subdivision was developed to match Shadow Oaks on the north side but was improved to require double garages for single family dwellings. Supervisor John Caldwell asked which are 6000 square feet lots and which are 8000 square feet lots. Sam Russell acknowledged that it is hard to locate the single family lots on the map. Mr. Russell pointed out the different lots to Supervisor Caldwell.

Supervisor Eugene Thach asked the Board Attorney if the development could be built with prior approval. The Board Attorney responded that the regulation states once a preliminary approval has been obtained they can go ahead with the development. Therefore, it is assumed it will be approved, however, it is necessary for them to come back before the Board of Supervisors for final approval.

Supervisor John Caldwell asked if the Board of Supervisors is bound to approve the final plans based on the preliminary approval. The Board Attorney responded, if the plans come back for final approval with significant changes the Board of Supervisors can review the issue. However, if the plans come back with little or no revisions, it is assumed approval will be granted for the subdivision. The Board Attorney said that he would have to check for a final opinion on this item.

Supervisor Caldwell said that between the preliminary and final approval for this subdivision, more than 2 years have passed. Therefore, can we revoke the preliminary approval. The Board Attorney said he did not think so and said he would have to look that particular point up to determine an opinion on the matter.

Sam Russell said that the DeSoto Planning Commission interprets the regulations to say the Planning Commission may take action to revoke the subdivision if final plans have not been obtained in more than 2 years, but that no action had been taken.

Supervisor James Pearson said the preliminary plans stated that houses would go up in size from 1300, 1400 to 1500 feet on the western side of the subdivision, but the final plans do not show that.

Supervisor John Caldwell asked the minimum of square feet for houses on the 8000 square feet lots. Ben Smith responded 1200 feet with garages. Mr. Smith said that this plan is a better plan than Shadow Oaks and that was recently approved by the Board of Supervisors. Mr. Smith said that these plans were developed to compete with Shadow Oaks. A double garage would add eight to ten thousand dollars to the value of these homes. Supervisor Jessie Medlin asked how many lots were in the subdivision. Sam Russell said 80 or more. Ben Smith corrected Mr. Russell and said that there were more than 150 lots.

Supervisor John Caldwell said he would have liked to have seen this subdivision match up with other subdivisions in the area, not just the subdivision to the north of the property.

Supervisor Eugene Thach verified the 1995 plans were approved with a graduated increase in size. Supervisor James Pearson and Sam Russell pointed out the page in the previous approval which stated plans to graduate the house sizes.

Item C.1., Continued,

Supervisor Tommy Lewis asked what the typical lot sizes for the subdivision were. Ben Smith responded over 9,000 sq ft; 70 by 130 is the smallest lot.

Supervisor James Pearson said he is concerned about the area. Most developments in the area are patio homes. Supervisor Pearson said this could deter future development of larger homes in this area.

Supervisor Eugene Thach asked if Mr. Smith considered going up to 1500 sq ft on the houses. Ben Smith responded that things have changed since this subdivision was approved in 1990. Supervisor Thach responded that Southaven is third in houses being built and the average home in Southaven is \$106,000. Ben Smith said that the minimum price home in this subdivision is \$85,000.

Supervisor Tommy Lewis asked to hear from the opposition.

Several people were present to oppose this development including Claudia and Bruce Niebank and Don Cox. Mr. Cox said that he felt the Planning Commission approved the lots because they felt obligated to do so due to the prior approval. Mr. Cox said that Jerry Mills, who is representing opposers of the Horn Lake Annexation, said that he did not feel the county was obligated to approve the final plans if the regulations state the final plans are to be made within 2 years.

Bruce Niebank mentioned that some lots are 6,000 sq ft. Mr. Smith responded was talking about the R-8 lots when he made his previous comment about the 9,000 sq ft lots. Mr. Russell further stated that about half the subdivision has about 6,000 sq ft lots.

Bruce Niebank presented items for the Board of Supervisors to consider when determining whether to approve this subdivision. Mr. Niebank presented a poster indicating other developments in the area, many which were larger. He pointed out larger developments on all sides of this subdivision. Mr. Niebank said that Mr. Smith was probably correct when he stated that this improves the original plan but only slightly. Mr. Niebank explained that the PUD principal was to incorporate several opportunities in a small area. This development does not provide much common area.

Claudia Niebank pointed out the benefits and concerns of the open space. She aid the Board of Supervisors sets a pattern for the entire county with approval of this subdivision. Therefore, this decision is vitally important. Ms. Niebank said that developments in Southaven are larger than this development and recommends splitting these patio home approval across the county.

Hazel Lott appeared before the Board of Supervisors and said that John Wright says we do not need anymore low income houses in this area of the county. Ms. Lott said the average children is 3. something and said that if you put 3.something

children in each of these homes you would have a tremendous problem. Ms. Lott said that they are tired of being the dumping area of the county. She said that she is aware that not everyone in the county can afford a 2,000 sq ft home. Ms. Lott said that in her opinion the land on this side of the county is much prettier, yet all that is built is low income housing. Ms. Lott told the Board of Supervisors that they are the only body that can help their effort to maintain their quality of living.

Max Richardson said that if we keep building we will end up going from city limit to city limit without any countryside in the middle. We will no longer have an environment to enjoy. Mr. Richardson said that in his opinion there should be some land that was left undeveloped.

Item C.1., Continued,

Ben Smith reminded the Board of Supervisors that they are not asking for a zoning change, they are simply asking for a revision to the preliminary plans for this subdivision. Therefore, there is no need to present a change in the area to get approval for the revisions. Mr. Smith says the street change was mandated by the development of Shadow Oaks. Mr. Smith reminded the Board of Supervisors that there are several PUD developments in the county that are not low income. Mr. Smith said that these final plans meet the 2010 requirements the Board of Supervisors has adopted. Mr. Smith named several developments on the west side of the county with upper income housing. However, this property is not the place for such a development. Mr. Smith said there are good things happening on the west side of the county. He reminded the Board of Supervisors that the new plans have 22 less lots. He said they are building a lake, which is an expensive addition. Mr. Smith asked the Board of Supervisors to please review the plans in comparison to the preliminary approved plans.

Don Chambliss said that the small houses in the subdivisions are lead ins which are necessary to sell the development.

Supervisor John Caldwell asked how many lots there are in the subdivision. Ben Smith said there are 280 lots, 130 are R-8 lots and 150 are R-6 lots. Don Cox said we don't understand how this was approved in 1990. Mr. Cox said that the Board of Supervisors should draw the line at this development in order to improve DeSoto County. Mr. Chambliss said that he feels this would still be a good subdivision with 180 lots. Mr. Cox said that nobody in DeSoto County has lost money on housing due to depreciation.

Supervisor John Caldwell said that he does not appreciate anyone coming to the Board of Supervisors saying they have to approve a development that come through. Supervisor Caldwell said that by right he can vote yes or no on any development. Supervisor said that 4 of the other supervisors who approved this subdivision are gone. Supervisor said that he was amazed that this subdivision would be compared to other PUD's in the county. Supervisor Caldwell said that DeSoto Village is often blasted, but they have large lots and most of the homes have carports. Supervisor Caldwell said that the Board of Supervisors needs to send a message loud and clear to developers that bear wasting their time bring such a development for approval.

Supervisor John Caldwell made a motion and Supervisor Jake Pearson seconded the motion to deny this PUD and send the original plan back to the Planning Commission to review the previously submitted PUD and recommend that they revoke it.

Ben Smith asked the reason for this motion since there has been no change in the neighborhood. Supervisor John Caldwell responded that this was not a rezoning so you do not have to state a reason, but the reason was mainly because of the density of the subdivision.

Supervisor Eugene Thach said that the zoning is supposed to be a reflection of the housing that will be in the area. Supervisor Thach said that PUD's are good, but there need to be requirements for the PUD's. He said there is a movement for smaller houses, but there needs to be a mix. Supervisor Thach said that in some areas developers are putting in many smaller homes.

Don Chambliss pointed out that many of the people opposing this issue live 6 to 7 miles from the development.

Item C.1., Continued,

Don Cox said they are not picking on Mr. Chambliss. This is a beautiful area of the county. Don Chambliss said you are denying the man that makes \$30,000 the right for a house.

Supervisor Tommy Lewis said that what he is hearing addresses the comprehensive plan--does it need to be reviewed?.

Ben Smith said that they are not pushing for a decision today.

Supervisor Eugene Thach said you may want to sit down with the developer and

Supervisor John Caldwell said that the if the preliminary approval is final, why would the plan have to be brought back to the Supervisors for a vote in order to obtain final approval.

Supervisor Tommy Lewis said that if the Board of Supervisors is not going to

Supervisor James Pearson said the houses in this development are the same size or smaller and he does not see where that improves this plan. Ben Smith responded that the 1200 sq ft homes have double garages. This alone improves the house size to 1600 sq ft under roof. Mr. Smith said there was more money to be made with the previous plan.

Supervisor Eugene Thach asked for Supervisor Pearson's opinion. Supervisor Pearson responded that this is setting a trend to what is going to happen on the south side of this development, because they are presenting this based on what has happened on the north side of the development. Supervisor Pearson said that the Board of Supervisors is setting a trend on this development.

Ben Smith said that he thinks they can go on with the original plan if the Board of Supervisors does not approve this one. Supervisor James Pearson said he does not mind sending this item back to the Planning Commission. Supervisor John Caldwell said that he would agree except this new plan is asking for major revisions to the original plans. Bruce Niebank said that 1/3 to 2 acre lots would be agreeable with him.

Supervisor John Caldwell said that the Board of Supervisors has to take a stand and do what is right in this situation. You can tell by looking at the plan that it is

not a good plan. Supervisor Caldwell said that this plan is not compatible to other developments in the area. Supervisor Caldwell withdrew his motion and Supervisor James Pearson withdrew his second. Supervisor James Pearson made a motion and Supervisor Jessie Medlin seconded to allow Mr. Smith to rework the plan and re-present the plan to the Board of Supervisors after reworking the plan with the Planning Commission staff and requested they bring the plan back to the Board of Supervisors on March 11th. The **motion passed** by a unanimous vote.

Supervisor Eugene Thach asked the developers to work with the homeowners and Supervisor James Pearson who represents this area of the county. Supervisor Thach speculated that otherwise, the same situation will occur at the request for approval on March 11th.

Item C., Continued,

2. Burke Hendrix (John Deere) A to C-4 - Located on the south side of Highway 304, west of Hernando, Section 14, Township 3, Range 8

Sam Russell of the DeSoto County Planning Commission, presented a proposal to move the John Deere dealership from in town to the west edge of town near the cotton gin on Highway 304. They are asking for a zoning change from A to C4. Mr. Russell said that no opposition appeared before the Planning Commission. The City of Hernando gave approval for the development. The item was approved by the Planning Commission by a unanimous vote. Mr. Russell said that this will be a traditional John Deere Dealership. Gerald Davis represented the applicant.

Supervisor Tommy Lewis asked for opposition at the Board meeting. There was

Supervisor Tommy Lewis made the motion to uphold the Planning Commissions recommendation to approve the zoning change from A to C4 to allow the John Deere Dealership to move to the location on the south side of Highway 304 west of Hernando. Supervisor Jessie Medlin seconded the motion. The **motion passed** by a unanimous vote.

Major Subdivisions

1. Morning View AB@ - (A-R) Preliminary and Final 5 lots - Located on the South side of Byhalia Road, East of Getwell Road, Section 3, Township 3, Range 7

Mr. Russell stated that this was a continuation of an existing subdivision and met all requirements. Supervisor Tommy Lewis made the motion and Supervisor Tommy Lewis seconded the motion to approve Morning View "B" as recommended by Mr. Russell. The motion passed by a unanimous vote.

Minor Subdivisions

District 1

1. Sam Parks - 2 lots (6.1 & 4.0 acres) - Located on the west side of Old Pigeon

16, Roost Road, north of Hwy 78, beside Shamrock S/D, Section AA@, Section
 Township 2, Range 5

District 2 (none)

District 3

1. **Effort Alexander 3 lots (2 of 1.5 acres each & 1 of 15+)**
 Located on the south side of Cedar Lake Drive, south of Stateline Road,
 beside Hillview S/D, section "D" Section 19, Township 1, Range 8

District 4

1. **Cleo Tipton 2 lots (1.44 ac. & 8.08 ac)**
 Located on the northwest corner of Star Landing & Robertson Roads
 Section 15, Township 2, Range 8

Item C., Continued,

District 5

1. **Carver Revision 3 lots on an easement**
 Located on the southeast end of Stable Road, east of McInvale Road
 Section 4, Township 4, Range 7
2. **Joe Reed 1 lot of 5.5 acres**
 Located on the southwest end of Wanda Faye Road, north of Pine Tree
 Road, Country Home Estates S/D
 Section 3, Township 3, Range 8
3. **EBI, Inc. 2 lots (1.5 acres & 2.1 acres)**
 Located on the north side of Lester Road, west of Getwell
 Section 21, Township 2, Range 7

Sam Russell presented the requests for approval for minor subdivisions as noted above. Mr. Russell said that all requests for approval for minor subdivisions received approval by the Planning Commission. Sam Russell said that Sam Parks was being sought for approval based on approval of the variances by the Board of Adjustments.

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the request for minor subdivision with Sam Parks subdivision being approved based on the approval of the variances. The **motion passed** by a unanimous vote.

OTHER ITEMS

1. **Adopt June 19, 1997 Flood Insurance Rate Maps**

Sam Russell of the DeSoto County Planning Commission notified the Board of Supervisors that it is time to adopt the maps adopted June 19, 1997, Flood Insurance Rate Maps. Mr. Russell said that these maps are adopted locally as a

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formal step toward their implementation. Supervisor Tommy Lewis said that he would like to review the maps before approval was granted. This item was held over until February 17th, 1997.

2. Bond Reductions - Liberty Estates/Shadow Oaks

Sam Russell of the DeSoto County Planning Commission said that the Road Manager, Kenny Gunn, recommends reducing the bonds for Liberty Estates from \$21,900 to \$4,000 as a maintenance bond for this road. In addition, Mr. Gunn recommends reducing the road bond from Shadow Oaks from \$50,000 to \$36,000. Supervisor James Pearson made the motion and Supervisor Jessie Medlin seconded the motion to reduce the bonds as recommended by the Road Manager. The **motion passed** by a unanimous vote.

3. Fee Re-Imbursement for Variance on Cellular Tower

Sam Russell of the DeSoto County Planning Commission said that an individual paid \$300 for a conditional use and \$300 for a variance. The Board Attorney, William Austin, recommends the variance being done as part of the conditional use. Therefore, Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to refund \$300 for the variance. The **motion passed** by a unanimous vote.

Item C., Continued,

Additional Issues

1. Ginwood Cove

Sam Russell of the DeSoto County Planning Commission said that he was notified by Kenny Gunn, the Road Manager, that there is a hole in the road on Ginwood Cove. Mr. Russell said that he had tried to contact the developer, Paul Burlison, earlier today but he is out of town. Mr. Burlinson's wife has promised to call him back before the end of the day. Mr. Gunn recommends calling the bond to fix the road.

Supervisor Tommy Lewis asked what is the purpose of the bond. Sam Russell replied the bond is for the maintenance of the road. Supervisor Lewis said that he understands this is an emergency. Supervisor Pearson said that because Mr. Burlison is out of town and cannot respond to the emergency, he would like the county to fix the hole and bill Paul Burlison for the cost associated with the repairs. If Mr. Burlison does not pay the bill the county can call the bond at that time. The Board of Supervisors asked the Board Attorney, Bill Austin, if it is legal to bill Paul Burlison for the road repairs. Supervisor Tommy Lewis said that if this is an emergency, why should the repairs wait for Mr. Burlison's pending response. The Board Attorney said that when the subdivision was approved and the plat filed the road become a public road. The Road Manager has put the county on notice that there is a defect in the road. If the defect is cured immediately, it could reduce the liability of the county for any potential accident that could occur as a result of the road being unattended. The county could then bill Paul Burlison for the repairs. If he does not pay the bill then the bond could be called.

Supervisor James Pearson made the motion and Supervisor Tommy Lewis seconded the motion to contact Paul Burlison regarding the defect in the road and if the repairs cannot begin this afternoon the county Road Manager is authorized

to take care of the problem in the road with the cost of any repairs being billed back to Paul Burlison. The **motion passed** by unanimous vote.

4. Planning Commissioner Training

Sam Russell of the DeSoto County Planning Commission notified the Board of Supervisors that there will be a Planning Commissioner Training Session on Saturday, February 21st from 8:30 til 4:30. Mr. Russell said that all county and city officials and all Planning Commissioners and staff are invited to attend this session.

E. NEW BUSINESS

1. Tax Exemption

a. PSI South

Jim Flanagan of the DeSoto Council and a representative from PSI South, corporation located in Olive Branch. Mr. Flanagan said that PSI South moved to Olive Branch in 1994. They are the manufacturer of lighting bases of all kinds. The company representative said that PSI South

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Item E.1.a., Continued,

Supervisor Jessie Medlin asked the average pay at PSI South. The company representative responded that the average pay in the plant is \$9 to \$9.50 per hour plus benefits. Supervisor Eugene Thach asked if they have problems getting help. The company representative said yes, that this is one of their biggest problems. Supervisor John Caldwell noted that a computer with printer is listed on the list of exemptions and said although there is no need to change the exemption for such a small amount, there is need to review future exemptions to make sure the guidelines of the Tax Advisory Committee are met on all approvals.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the ten year tax exemption for personal property taxes for PSI South, Inc., in the amount of \$831,584.84. The **motion passed** by a unanimous vote.

b. Metal Buildings

Jim Flanagan of the DeSoto Council and Wayne Litzinger appeared before the Board of Supervisors requesting a five (5) year exemption for ad-valorem taxes. Mr. Litzinger explained that Metal Buildings has added improvements since 1996. They have continued to increase the number of their employees. They are looking for employees now. They have plans to add a slitter within the next 2 years. The company had 6 plants when Mr. Litzinger started working for them and they now have 21 plants. Supervisor Tommy Lewis asked what is their average payroll on the floor. Mr. Litzinger responded \$8.83 per hour. Supervisor Eugene Thach asked if that is salary and benefits. Mr. Litzinger responded the benefits package is in addition to the average salary.

Supervisor John Caldwell made the motion and Supervisor James Pearson seconded the motion to approve the 5 year exemption for Metal Building Components, Inc., as approved by the Tax Advisory Committee. The **motion passed** by a unanimous vote.

c. Creative Data

Jim Flanagan of the DeSoto Council, appeared before the Board of Supervisors with representatives of Creative Data in Southaven. Mr. Flanagan said Creative Data is a manufacturer of bar code labels. The manufacturing is done here in DeSoto County and the bar codes are distributed nation wide.

Supervisor Eugene Thach asked if the average wage is \$12.40 per hour. The company representative responded yes. Mr. Flanagan said Creative Data is requesting a ten (10) year exemption on real and personal property.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve the ten year exemption for Creative Data as recommended by the Tax Advisory Committee. The **motion passed** by unanimous vote.

d. American National Can Co.

Jim Flanagan and a representative from American National Can Co. appeared before the Board of Supervisors regarding their recent expansion and request for exemption of real property. After reviewing their application, Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the

Item E.1.d., Continued,

motion to approve the tax exemption for real property in the amount of
See Exhibit E.1.d.

2. Approval of TDL Invoice - Walls Library

Supervisor John Caldwell made the motion and Supervisor James Pearson seconded the motion to approve the invoice from TDL in connection with the construction of the Walls Library. The **motion passed** by a unanimous vote.

**3. Authorization for County Administrator to Open Bids 2/20/98
- AS/400 Computer Upgrade**

Supervisor John Caldwell made the motion and Supervisor James Pearson seconded the motion to approve the County Administrator to open bids on February 20th, 1998, for the AS400 Computer Upgrade.

4. Appointment of Craig Treadway as Part-time Public Defender

Supervisor James Pearson made the motion and Supervisor Jessie Medlin seconded the motion to approve the appointment of Craig Treadway as part-time Public Defender. The **motion passed** by a unanimous vote.

5. Dale Thompson

a. Budget amendment -Civic Center

That on the 2nd day of September, 1997, 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, 1997, and ending September 30, 1998. That this date, Ms. Dale Thompson, Comptroller, requests that the following transfers be made pursuant to the authority vested in this Board under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as budgeted:

From: 2% Tourism Tax Fund	103 120 951
To: Civic Center Project Fund	380 000 384

for the balance as of 1/31/98 for \$153,409.33 and then to transfer the remaining funds as the following investments mature:

Principle	Interest	Maturity Date
\$200,000	\$1,016.22	2/9/98
\$240,000	\$2,618.04	2/25/98

and to deposit the income from the State into the Civic Center Debt Service Fund as of 1/20/98. The **motion passed** by a unanimous vote.

Item E.5., Continued,

b. Approval of Reimbursements - Administration Building

The Comptroller, Dale Thompson, recommended the Board of Supervisors approve reimbursement of invoices paid to Allen & Hoshall totaling \$111,729.00 for the Administrative Building architect fees. The Comptroller said this reimbursement is for the 1995 fees. County Administrator, Clovis Reed, told the Board of Supervisors that the money was borrowed from the county fund and now that the bond money is available it can be repaid back into General County.

Supervisor Tommy Lewis made the motion and Supervisor James Pearson seconded the motion to approve the reimbursement of the bill paid to Allen & Hoshall from 1995 forward in connection with the architect fee for the Administration Building. The **motion passed** by a unanimous vote.

6. Authorization to Sign Environmental Grant

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin

F. EXECUTIVE SESSION

The Executive Session portion of the minutes are listed under the portion of the minutes called Executive Session.

G. OTHER ISSUES

1. Purchase of land for Civic Center

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The Board Attorney, William Austin, and the comptroller Dale Thompson, requested authorization to write a check for the purchase of the land for the Civic Center in the amount of \$486,309.05 to be paid out of the construction fund. Dale Thompson asked if she will need Board approval for each of the expenses for this project. Supervisor Tommy Lewis said yes she will. The Board of Supervisors agreed. Clovis Reed, the County Administrator, said that this is like any other construction project as far as bills that are to be paid. Supervisor Tommy Lewis asked if the Comptroller has the money for this expenditure. Comptroller, Dale Thompson, said yes.

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the Comptroller to write a check to William Austin's escrow account for the acquisition of property for the Civic Center. The motion passed by a unanimous vote.

2. A-Fair

Supervisor Tommy Lewis notified the Board of Supervisors that the committee has requested the use of the Courthouse for the A-Fair. Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to approve using the Courthouse under the same conditions as were approved last year for the Hernando A-Fair. The **motion passed** by a unanimous vote.

Item G., Continued,

3. EMS Training Honors

Bobby Storey, DeSoto County Fire & EMS Director notified the Board of Supervisors that a group of people were recently given Dean's List honors for a Paramedic program in which they all participated. Mr. Storey explained that this is quite an honor as this course is known to be one of the most difficult. Names of the Dean's List recipients are:

James Sanderson - Lewisburg Ambulance Service
Paul LaBlanc - Lewisburg Ambulance Service
Laurie Woods - Horn Lake Ambulance Service
Renae Tabor - Southaven Ambulance Service

The Board of Supervisors commended the efforts of these individuals for their hard work and dedication to DeSoto County.

4. Board of Education Building

County Administrator Clovis Reed said he had recently met with representatives of DHS to view the offices in the recently acquired Board of Education building. Mr. Reed said because of the way the offices are designed, it will be difficult to determine the best office layout for the offices moving into this building. Therefore, Mr. Reed recommended hiring an architect to determine the best office design. Mr. Reed said that Marvin Johnson, who was in the county on another project, said he would perform this service on an hourly basis, and this could be an effective way to referee who goes where in the new building.

Supervisor John Caldwell said he recommends getting proposals on a hourly basis, or that the County Administrator make that decision. Mr. Reed requested a professional be hired for this service. Supervisor Caldwell acknowledged that the various offices may have different opinions of the best office design.

Supervisor Tommy Lewis said that Marvin Johnson has done other small jobs for the County at no charge.

Supervisor Eugene Thach said he does not have a problem hiring someone but said the Board should give other architects a chance as well. The Board of Supervisors discussed current and future needs for this building and the best use of the taxpayers money to handle this problem.

Clovis Reed reminded the Board of Supervisors that one of the major benefits of the Administration Building was to eliminate the need for the various buildings in the County, and ultimately return those properties to the tax rolls.

Supervisor John Caldwell said the Board may be making this more difficult than it really is.

Supervisor Thach suggested hiring a professional to look at the building.

Supervisor Tommy Lewis said if the tenants will be left in the building long term, he would support hiring someone to look at the building, but if they are only going to be there a short while, the Board should not hire them. Supervisor Lewis said there should be some thought put into who will be in the building and where they should be.

Item G., Continued,

Supervisor Eugene Thach suggested talking to Dave Nicholson about the building.

Later in the meeting, Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to hire Allen and Hoshall to review the school building for a space analysis. The motion did not pass by a vote as follows:

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

Later in the meeting Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve Allen & Hoshall to do a space analysis on the Board of Education Building with future needs in mind, within two weeks, at a cost of \$2,500.00 to be paid from Fund 001-701-564. The motion passed by a vote as follows:

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

5. GIS Demonstration

Vick Young of Fisher and Arnold gave a demonstration of the benefits of GIS by presenting a demonstration of the Olive Branch GIS system recently purchased. After the presentation, Supervisor Jessie Medlin suggested talking to the cities to do a needs assessment coordinating the efforts of all parties. Sam Russell of the DeSoto County Planning Commission, said the steps are the same, so there may not be a cost savings associated with that. The Board of Supervisors asked Clovis Reed to ask the cities if they are interested in this program.

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to negotiate with Fisher and Arnold to do a needs assessment for a GIS system. The motion passed by a vote as follows:

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

6. Appointment of Fire Coordinator

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to hire Bobby Storey as Fire Coordinator for DeSoto County. The motion passed by a vote as follows:

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

See Exhibit F.6.

Item F., Continued,

7. Sewer Proposals

Supervisor Tommy Lewis notified the Board of Supervisors that the Committee to Study the Sewer Proposals have narrowed the list of bidders down to four. Supervisor Lewis said they had originally agreed to narrow the list to three, but when attempting to compile the list, the ranking of the committee was as follows:

- 1. Waggoner Engineering
- 2. Fisher and Arnold
- 3. Neel Schaffer
- 3. Elliot and Garver.

Supervisor Lewis said that because the committee could not clearly select only three candidates to meet with the full Board of Supervisors, they recommended the Board interview the top four candidates. The Board of Supervisors asked the County Administrator to arrange a meeting on February 12, 1998, to hold these

8. Park Study Committee

Supervisor Tommy Lewis said the Park Study committee had condensed the

park study proposals to three candidates as follows:

1. Neel Schaffer
2. Fisher and Arnold
3. Allen and Hoshall

The Board of Supervisors asked the County Administrator to arrange a meeting on February 12, 1998, to hold these interviews with interviews lasting 45 minutes.

9. Civic Center Report

Rex Haynes, of the Convention and Visitors Bureau, appeared before the Board of Supervisors to report they are almost finished with the property acquisition and dirt work is ready to begin. Mr. Haynes said that Horn Lake Water has applied for funds to put water in the area.

Jon Reeves said the committee has checked with the Attorney General to select a Construction Manager for the project. Upon AG approval, they have met with several people who are interested in the job, and have narrowed the list to three. Those three are coming back to the committee tomorrow. Mr. Reeves said the Committee is attempting to thoroughly research the fees and have asked which are reimbursable costs as well as the fee. They have asked for a cap. Mr. Reeves said the committee hopes to select a committee from the interviews, but they do not feel pressured to select any of the three if interviews do not go well.

Mr. Reeves said the committee feels comfortable with their choice of the Construction Manager method to build the Civic Center. Mr. Reeves explained the CM will act as the owner. Mr. Reeves said the committee has taken every step to see the project is completed within budget.

Supervisor Tommy Lewis asked if the Construction Manager will act as a sub-contractor. Jon Reeves responded the CM can only act within state law. The Committee has found that certain parts of the job will be more cost

Item F.9., Continued,

effective to bid out rather than including in the bidding. The CM will verify the

Supervisor John Caldwell asked if architect fees have increased? Rex Haynes to 10,000 seats and they have added ice.

Supervisor John Caldwell asked if the Committee wanted Clovis Reed to be Mr. Reed and the Board Attorney have helped, and the Committee would like

Supervisor John Caldwell asked for an update on the arena manager. Rex Haynes said that the intent is to bring someone on board during the construction process Nicholson said that he would ask for a person to come on board to handle more

Rex Haynes said that January 2000 would be a reasonable date to complete the project.

Supervisor Eugene Thach said the Board of Supervisor have discussed the road to the facility, and asked if the Committee has talked to Southaven. Rex Haynes said that up until now, they have not had much to negotiate with. Now that the dirt work has started, we can go on with that part of the project.

Supervisor John Caldwell asked the status of the theater. Rex Haynes responded that the theater is still in the planning stages, but it will probably have 1,200 seats.

Supervisor Eugene Thach asked about the operation of the facility, and if there would be any money for this. Mr. Haynes said it is too early to tell.

Supervisor Eugene Thach asked about attendance at the CVB. Mr. Haynes said it varies. Supervisor John Caldwell asked if there is anything the Board of Supervisors can do to help this process. Rex Haynes and Jon Reeves said not at this point.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to recess until Thursday, February 12, 1998, at 8:30. 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

THIS the 4th day of February, 1998, these minutes have been read and approved by the DeSoto County Board of Supervisors.

TOMMY LEWIS, President
DeSoto County Board of Supervisors

T.L. 2/4/98