

DRAFT

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

TOMMY LEWIS, PRESIDENT, PRESIDING

February 23, 1998

A. CALL TO ORDER

The meeting of the DeSoto County Board of Supervisors was called to order by John M. M. Caldwell, S
James A. Riley, the DeSoto County Sheriff, was present and did open the DeSoto County Board of Super

- 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 Eugene Thach.

C. OLD BUSINESS

1. Adoption of Flood Insurance Maps

Merritt Powell of the DeSoto County Planning Commission, notified the Board of Supervisors that as of June 1997, FEMA came out with a new set of flood maps. Mr. Powell told the Board of Supervisors that these new maps are not complete for the county. Mr. Powell invited the Board of Supervisors to review the maps and said that Dickens Place Subdivision was created around the new maps. Mr. Powell said that Map 150 was changed and noted other maps that received changes thru these new flood maps. Mr. Powell recommended the Board of Supervisor accept the new flood maps.

Supervisor John Caldwell said that when the county gets involved in the GIS GIS we need to see where we can do some refinements on the flood maps and send those refinements to FEMA.

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Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to accept the new FEMA Flood Maps from June 1997 for use in the county. The **motion passed** by a unanimous vote.

2. Jim Bearden - Report of Cost to Contract Cleaning of County Buildings

Jim Bearden, Director of Operations & Maintenance, said he has met with three contractors regarding the cleaning of county buildings. Mr. Bearden presented an analysis of the bids from these companies. Supervisor Jessie Medlin noted that the bid from Clean Sweep quoted for 5 days a week cleaning and/or an optional once a week cleaning and asked how that compared with other bids. Jim Bearden responded that if the bids do not specify otherwise, the quote is for an everyday cleaning.

Supervisor Eugene Thach asked how this compares to the use of county employees cleaning the building. County Administrator, Clovis Reed, responded that the county now has the cost of their employees. One employee is \$14,000+ and one is \$18,000+ with the addition of benefits.

Supervisor Eugene Thach asked if the county is getting to use county prisoners for the cleaning of the buildings. Jim Bearden responded that inmates are available some of the time, but not everyday. Mr. Bearden said that he has been told by Charlie Brown of the DeSoto County Sheriff's Department that he would continue to send prisoners whenever possible. Supervisor Jessie Medlin reminded the Board of Supervisors of the need to consider the cost of supplies. Jim Bearden responded that it is cheaper for the county to purchase supplies, therefore, these bidders were not asked to include the cost of supplies in their bids. County Administrator, Clovis Reed, asked how long these people will work. Jim Bearden responded that all bidders will work until the buildings are cleaned.

Supervisor Eugene Thach clarified who will furnish supplies. Jim Bearden

Supervisor John Caldwell made the motion and Supervisor Eugene Thach

3. Radar

a. Report From County Administrator Regarding Radar

The County Administrator, Clovis Reed, notified the Board of Supervisors that Representative Valeria Robertson has said the county cannot bring up the issue of the use of Radar in the county this year.

b. Board Attorney - Report of Use of Radar on County Roads

The Board Attorney, William Austin, reminded the Board of Supervisors that he was asked to look into the issue of whether cities can run Radar on county roads with special emphasis on border roads, where municipalities exist on both sides of the road, but the counties are responsible for the maintenance of the road. Mr. Austin said that if the road is no longer in the city, running Radar is a criminal act. Since the cities have no legal authority to run Radar on county roads an interlocal agreement to do so would not be possible.

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4. Bids Under Advisement - AS400 System Upgrade

Director of Data Processing, Marsha Baughn, appeared before the Board of Supervisors and said that three (3) bids were received for the bid in connection with the AS-400 upgrade, Bid File #98-152-001. Ms. Baughn gave the Board of Supervisors the details of the bids. Ms. Baughn notified the Board that Data Systems did not bid on all items in the specs, therefore, their bid was not considered. Ms. Baughn recommended the bid from Dynamics. Supervisor Eugene Thach asked what plans there were for the current system. Marsha Baughn said the current system would be traded in.

On this date, Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to accept the low bid from Dynamics for the AS-400 upgrade in connection with Bid File #98-152-001 in the amount of \$353,377.00. The president of the board is authorized to execute a contract with Dynamics for said project and authorize the Board President to execute any preliminary bid documents. Specifications for said project will be maintained by the Chancery Clerk for the Statutory period of time. Furthermore, payment for said project shall be made from the appropriate fund. The **motion passed** by a unanimous vote.

5. Bids Under Advisement - Annual Bids

The Road Manager, Kenny Gunn and Vanessa Lynchard, the Director of

a. Sand and Gravel

Supervisor John Caldwell asked the Road Manager for the gravel standards that the Board previously requested the Road Manager and the County Engineer to establish. Kenny Gunn, the Road Manager, responded that the quality of gravel needed depends on the use intended. Kenny Gunn said that the county currently uses state specs for gravel. Supervisor Caldwell asked the road manager how it was determined which type of gravel to choose from. Mr. Gunn responded that to create specs would eliminate some gravel pits who will meet specs and some who will not. The Road Manager also said that within the same pit some loads could meet specs and some would not. Vanessa Lynchard recommended that all bidders be considered for sand and gravel provided they provide copies of their gravel pit permits to DeSoto County Purchasing before they can be considered to receive the county business. Depending on the jobsite, all bidders could be the low bidder when \$.22 per mile is added for the cost to haul the gravel. Vanessa explained that according to the Road Manager, this has been the practice in years past.

Supervisor Eugene Thach commented that when we leave that decision up to the Road Manager we need to set out what his decision will be based on. The Board of Supervisors discussed issues of sand and gravel pits.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to leave the bids for sand and gravel under advisement. The **motion passed** by a unanimous vote. **See Exhibit C.5.a.**

Item C.5., Continued,

b. Polyethylene Culverts

At the recommendation of Vanessa Lynchard, Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to accept the bid from Advance Drainage System for the polyethylene culverts, as they were the only bidder to respond to these bids. The **motion passed** by a unanimous vote. **See Exhibit C.5.b.**

c. Steel Culverts

At the recommendation of Vanessa Lynchard, Director of Administrative Services, Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to accept the low bid from Northside for 4'0" to 5'6" x 3/8" at \$65.00; 5'7" to 6'6" x 7/16" for \$95.00 and 8'7" to 9'6" x 1/2" at \$115.00. In addition, the motion included accepting the low bid from Gateway Pipe for 6'7" to 7'6" x 7/16" at \$88.00; 7'7" to 8'6" x 1/2" at \$105.00 and 9'7" to 10'6" x 3/4" at \$120.00. The **motion passed** by a unanimous vote. **See Exhibit C.5.c.**

d. Roadside Herbicides

At the recommendation of Vanessa Lynchard, Director of Administrative Services, Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to accept the low bidders including Terra International, Helena Chemical and Timberline Enterprises as indicated on Exhibit C.5.d., which indicates the low bidder for all items within this bid specification. The **motion passed** by a unanimous vote. **See Exhibit C.5.d.**

e. Liquid Asphalt & Emulsions

At the recommendation of Vanessa Lynchard, Director of Administrative Services, Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to accept the low bid from Ergon Asphalt for all items connected with the liquid asphalt and emulsion bid, except for item SS-1 in which the motion included to accept the low bid from Marathon for the item, as indicated on the attached bid tabulation. The **motion passed** by a unanimous vote. **See Exhibit C.5.e.**

f. Gasoline & Diesel

Vanessa Lynchard recommended all bids be rejected and call for daily quotes, as no bidder conforming to bid specifications gave a firm quote for gasoline bids. The recommendation also included notification that the bid from Fuel Man supports a credit card system at public facilities with control reporting structure. Their firm quote for unleaded regular gasoline is \$.674 and for unleaded plus gasoline \$.734. It was pointed out that this could be cost effective for county employees who, in traveling out of town, cannot use the Central Maintenance tanks. The Board of Supervisors discussed this item and determined that out of town usage would not warrant bidding out this item.

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to reject all bids and instructed the Road Manager to

call vendors for daily quotes for gasoline and diesel to determine the lowest and best bidder. The **motion passed** by a unanimous vote. See **Exhibit C.5.f.**

Item C.5., continued,

g. Road Striping

At the recommendation of Vanessa Lynchard, Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to accept the low and only bid from J.C. Cheek for road striping in DeSoto County. The **motion passed** by a unanimous vote. See **Exhibit C..5.g.**

h. Propane Gas

At the recommendation of Vanessa Lynchard, Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to accept the low bid from Amerigas for propane gas usage. The **motion passed** by a unanimous vote. See **Exhibit C.5.h.**

i. Lubricants

At the recommendation of Vanessa Lynchard, Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to accept the low bid for lubricants from Sayle Oil Co. The **motion passed** by a unanimous vote. See **Exhibit C.5.i.**

j. Fencing

At the recommendation of Vanessa Lynchard, Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to accept the low bid as indicated on the attached bid tabulation from DeSoto County Co-op on all items except 3 1/2" posts, which do not meet bid specification as required. It was not recommended to re-bid the remaining items, in which no bids were received, due to the Road Manager's assessment that in the past few years the county has never used enough fencing material to require bidding. If usage increases dramatically during the year, it may be necessary to re-bid the item at that time. The **motion passed** by a unanimous vote. See **Exhibit C.5.j.**

k. Road Signs, Posts and Frame Stand

At the recommendation of Vanessa Lynchard, Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to accept the low bids from Custom Products and G & C Supply as indicated on the attached bid tabulation. The **motion passed** by a unanimous vote. See **Exhibit C.5.k.**

l. Metal Culverts

At the recommendation of Vanessa Lynchard, Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to accept the low bid from Choctaw on all items as they were the only vendor not to take exception to specifications of delivery. The recommendation included ordering from Contec on items noted by

asterisks only if they can deliver in 5 days as specified by the Road Manager in the bid specifications. The **motion passed** by a vote as follows:

Item C.,5.,l, continued,

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

m. Hot & Cold Asphalt Mix

Vanessa Lynchard notified the Board of Supervisors that Kenny Gunn has verified the exact location of each bidders facility for hot and cold asphalt mix. Vanessa said that according to the Road Manager these items are more cost effective to purchase at the location closest to each job site. Therefore, the recommendation is to approve all bids and have the Road Manager determine the most cost effective source per job. The Board of Supervisors conferred with the Board Attorney on this issue.

At the recommendation of the Board Attorney, William Austin, Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to take the bids for hot and cold asphalt mix under advisement. The **motion passed** by a unanimous vote. **See Exhibit C.5.m.**

n. Limestone & Rip Rap

Vanessa recommended accepting all bids for limestone and rip rap and authorized the Road Manager Kenny Gunn to determine the lowest and best bidder based on the number of miles from the jobsite to the vendor's location as indicated on the bids. After some discussion and at the recommendation of the Board Attorney, William Austin, Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to take the bids for limestone and rip rap under advisement. The **motion passed** by a unanimous vote. **See Exhibit C.5.n.**

o. Cement Treated Base

Vanessa Lynchard recommended accepting the low bids from APAC and Metro Materials as indicated on the attached bid tabulation form for cement treated base material. She explained that the bid from APAC specified the cement stable crushed limestone and the Road Manager agreed that he had determined that this bid does meet bid specifications in bid file #98-156-002. Therefore, Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to accept the low bids as recommended by Vanessa Lynchard. The **motion passed** by a unanimous vote. **See Exhibit C.5.o.**

p. Concrete Portland Cement

Vanessa Lynchard pointed out that the bids for Portland Cement concrete from Carrier Read-Mix quoted a delivery charge of \$60 per load for all quotes on less than 5 yards. She stated she had clarified with the Road Manager, Kenny Gunn, that there is no delivery charge for quotes of 5 yards or greater. Therefore, Vanessa Lynchard recommended Carrier Read-Mix as the low and only bidder for Portland Cement Concrete. Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to accept the low and only bid from Carrier Read-Mix for Portland Cement Concrete. The **motion passed** by unanimous vote. **See Exhibit C.5.p.**

Item C., continued,

6. Bids Under Advisement - Tractors

At the recommendation of Vanessa Lynchard and the Road Manager, Kenny Gunn, Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the low bid from Blackton Equipment in connection with bid file #98-156-001 for 3 general purpose tractors at a low bid of \$24,150.00 each. The **motion passed** by a unanimous vote. **See Exhibit C.6.**

Supervisor Eugene Thach made the motion and Supervisor John Caldwell Bank in the amount of 4.65% in accordance with Section 31-7-10 of the

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

7. Bids Under Advisement - One Boom Truck, One Lube Truck, Five Dump

Vanessa Lynchard explained that the bids received in connection with bid file #97-156-021 for five dump trucks, one lube truck and one boom truck did not meet specifications and explained that all bids took exceptions to some items.

Supervisor John Caldwell asked if any of these needs are critical and asked if any one until now.

At the request of the Road Manager, Supervisor John Caldwell made the motion dump trucks. The **motion passed** by a unanimous vote. **See Exhibit C.7.**

8. Hernando Concerned Community Volunteers - Request for Funding

Barbara Howell appeared before the Board of Supervisors to follow up the appearance by a representative from the Hernando Concerned Community Volunteers on January 26, 1998, at which time the Board of Supervisors made a motion to take their request under advisement to get a list of other contributions for this group. Ms. Howell reminded the Board of Supervisors that the Hernando Concerned Community Volunteers is asking for a donation of \$10,000 for their program. Supervisor Eugene Thach asked if this is the same as the Board has done in the past. Supervisor Tommy Lewis responded that the Board has been giving \$3,000 to the program from the District 5 Park Budget. Supervisor Eugene Thach asked how much had the group gotten from the City of Hernando. Barbara responded that last year the city gave \$500 to the program and this year they contributed \$1,000 to the program. After reviewing the list, Supervisor

Eugene Thach asked how much the group got last year from the Sheriff's Department. Barbara Howell responded \$100 plus the Sheriff's Department agreed present several program for the children.

Item C.8., Continued,

Supervisor Tommy Lewis said that he feels this is a good program and said he seconded the motion to donate \$5,000 to the Hernando Concerned Community Volunteers from the District 5 Park Fund. The **motion passed** by a unanimous vote. **See Exhibit C.8.**

9. Site Inventory Update

Bonnie Gatlin, the Inventory Clerk, came before the Board to follow up on a prior request to do a site inventory in the county. Ms. Gatlin said that she had talked to County Administrator, Clovis Reed, about waiting to do the site inventory until the bar code system can be implemented. Ms. Gatlin said that she cannot promise the bar coding system will be in within 6 months, but offered to do a physical touching now and then going back when the bar code is installed and doing another physical touching of the inventory. Ms. Gatlin said that Data Processing anticipates it taking 4 months to get the equipment necessary and then she would need some time learning the bar coding system.

Ms. Gatlin said that she had talked to Bill Polk in the Audit Department and he has said that he understands that there will be adds and deletes after the physical inventory has been turned in. Ms. Gatlin said that she has been working with Kim, the Inventory Deputy Clerk in Central Maintenance, regarding the Central Maintenance inventory. Ms. Gatlin said that Kim assures her that everything on the list is in Central Maintenance.

Supervisor John Caldwell said that inventory is an ongoing need and he supports

Supervisor Eugene Thach asked the Inventory Clerk why she cannot go on and put bar codes on the equipment now and then implement the use of the reader when the bar coding system is available. Ms. Gatlin responded that the bar codes cost \$.20 each and to do so would be cost prohibitive.

Supervisor John Caldwell asked when the last time the county has had a physical

County Administrator, Clovis Reed, told the Board that the long lead time for the

Supervisor John Caldwell asked who counts the Health Department. Bonnie Gatlin responded that they are not a county office. Supervisor Caldwell asked what about the Tax Collector. Ms. Gatlin responded that someone from that office is appointed to do those inventories. Supervisor John Caldwell asked if Ms. Gatlin does a site inventory every year. Then Supervisor John Caldwell asked Chancery Clerk, W.E. "Sluggo" Davis, if he does a site inventory every year. Mr. Davis responded that whenever Bonnie Gatlin gives him the list he has someone in his office do the inventory.

Supervisor John Caldwell asked how long it takes to do an inventory. Bonnie

Supervisor Eugene Thach asked what is so bad about the inventory. Bonnie Gatlin responded that she is comfortable with the inventory and hopes the Board will be

Item C.9., Continued,

comfortable with the inventory as well. Ms. Gatlin pointed out that there had been no audit problems with the inventory in recent years.

Supervisor Jessie Medlin said that if Central Maintenance is the main source of

Supervisor Eugene Thach suggested continuing with the use of inventory

Supervisor Tommy Lewis asked if we could deputize someone to do inventory.

10. Contract for Park Study - Recommendation for Contract

County Administrator, Clovis Reed, said that he has negotiated with Jeff Arnold from Fisher & Arnold regarding the contract for the park study and is ready to present a recommendation to accept a contract in the amount of \$32,700.00 plus \$5,000 to \$10,000 for GEO Technical services. Jeff Arnold said he appreciates the opportunity to work for this county on this project.

Supervisor Eugene Thach requested that Fisher & Arnold take any steps necessary to make sure that the old landfill site is a safe place for this park. Supervisor John Caldwell agreed with the need to assure safety in this park.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve Fisher & Arnold for the contract to do the park study based on the recommendation of the County Administrator in the amount of \$32,700.00 plus \$5,000 to \$10,000 for GEO Technical Services. The **motion passed** by a vote as follows:

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

See Exhibit C.10.

11. Contract for Sewer Study - Recommendation for Contract

County Administrator, Clovis Reed, said he has negotiated a contract with Waggoner Engineering for the Sewer Study and recommended a contract with Waggoner Engineering in the amount of \$89,655.00. Mr. Reed pointed out that this constitutes a savings of \$45,655.00 from their original bid. Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the negotiated bid with Waggoner Engineering in the amount of \$89,655.00 for the countywide sewer study. 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

D. NEW BUSINESS

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1. Kenny Gunn

a. Four Year Road Plan

The Road Manager, Kenny Gunn, presented a working copy of the Four Year Road Plan to the Board for their review. The Road Manager discussed the item on the report. There was discussion of several roads including:

Supervisor Tommy Lewis asked where Ranch Road is on the list. Kenny

The Board discussed State Aid Road funds and when that money is appropriated. Kenny Gunn said that he had tried to put items on the list that the Board has requested. Kenny Gunn discussed future needs for roads in the county.

Supervisor Jessie Medlin clarified that McNeil and Plummer McNeil Road is the same road. Kenny Gunn responded, not according to his workers.

Supervisor Eugene Thach pointed out some roads on the road plan are on the 97 contract.

Supervisor John Caldwell said that he would like the Road Manager to look at preliminary engineering work on Starlanding Road this year to identify where road crossings should be and which right of ways are needed to be obtained. Supervisor Caldwell requested moving Poplar Corner Road to 1998 and asked to make sure that Copper Meadows is done in the same year.

Supervisor Eugene Thach said that he would like to overlay Church Road

Supervisor John Caldwell made the motion and Supervisor Jake Pearson seconded the motion to take the Four Year Road Plan under Advisement. **The motion passed** by a unanimous vote. **See Exhibit D.1.a.**

b. Other Items

(1) The Road Manager, Kenny Gunn, asked if the Board would like to the road. Mr. Gunn said that they need two trucks and two more trailers to expedite work in the road department. Supervisor Jessie Medlin said that there are a lot of trucks in Central Maintenance. Supervisor Medlin said that if the Board authorizes to

get new

(2) The Road Manager, Kenny Gunn, explained that he has received a bill from a resident of DeSoto County stemming from an outlet that stopped up in which the Road Department was attempting to repair in Lake Cormorant. Mr. Gunn explained that to repair the outlet they had to get on top of the sewer line. He said the Road Department did not know they had damaged the sewer line. When this resident's sewer

Item D.1.b.(2) continued,

backed up he called a repairman and had to dig out his line before

Supervisor Eugene Thach asked how much the bills were. Kenny

County Administrator, Clovis Reed, asked if the damage occurred on public property. Kenny Gunn, answered no the damage occurred on private property.

(3) Speed Limit on Church Road Between Highway 51 and Highway 301

The Road Manager notified the Board that the speed limit on Church discussion, Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to raise the speed limits on Church Road to 45 miles per hour from Highway 51 to Highway 301 and to keep the 30 mile per hour speed limit from Highway

(4) Texas Gas - Request to Run Gas Line

The Road Manager, Kenny Gunn, presented a letter from Texas Gas and said they want to cut a gas line from Nail Road and Poplar Corner Road. Mr. Gunn said that to do so would require closing each road for 8 hours.

Supervisor Eugene Thach made the motion and Supervisor John

(5) Request to make Malone Road a NO Truck Route

The Road Manager said tractor trailers on Malone Road need to be Route. Supervisor Jessie Medlin seconded the motion. The motion passed by a un

(6) Lease Purchase on Bids

The Road Manager asked if in the future he should leave lease

Item D. continued,

2. Supervisor John Caldwell - Planning Commission Item

Supervisor John Caldwell reminded the Board that they have talked about request to:

- (1) Limit lot sizes on new subdivisions (including PUDs) to promote orderly growth and ensure residential developments are compatible with surrounding areas, by restricting the average lot size of any new subdivision such that the new subdivision's average lot size is no smaller than 75% of the average lot size of all adjoining residential and agriculture/residential properties combined, or 1.5 acres, whichever is smaller. This is in addition to zoning requirements and shall not reduce

the obligations to meet or exceed minimum requirements within any residential district, overlay or PUD.

- (2) Increase all minimum square footage lot requirements (R-30 and below) by 999 square feet. (i.e., an R-15 zoning currently requiring 15,000 sq.ft. lots would then require 15,999 sq. ft. lots).
- (3) Eliminate R-6 zoning.
- (4) Impose moratorium on all PUDs under 100 acres.
- (5) Require minimum of 10 acres of "green space" in ANY residential PUD in increments of 3 acres (minimum "green space" size accountable to total) or greater with a length-to-width ration no greater than 3:1, or could require 10% "green space" on PUDs 100+ as currently required and then require 15% "green space" on PUDs less than 100 acres (keep 3 acre minimum).
- (6) Re-define residential descriptions to include R-12 Single family residential and under as "high density"; R-15 and R-20 as "medium density"; R-30 and R-40 and up as "low density".

Supervisor Caldwell said that these are some areas that come up at every about the possibility of conflicting with the comprehensive plan.

Supervisor John Caldwell asked that Mr. Powell use these as points to review and come back to make further recommendations to the Board.

Supervisor Eugene Thach said that the Planning Commission should also

Merritt Powell said that if the Board votes today for the Planning Commission to review this, they will also look at other items that need to be added to the list. Supervisor Eugene Thach suggested working through the Planning Commission.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to send this recommendation to the Planning Commission for review and to have the Planning Commission come back to the Board with further recommendations concerning these items. The **motion passed** by a vote as follows:

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

Supervisor Eugene Thach said that he is in favor of looking at the issue. Supervisor John Caldwell said that the comprehensive plan was a good start, but may need to be updated as the comprehensive plan still shows Goodman as a two lane road.

Supervisor Tommy Lewis asked if the Planning Commission needs the expertise of the people that did the study. Merritt Powell responded that when the study was adopted, the Planning Commission had said they

would try to look into future improvements or changes to the plan. Mr. Powell said that no other plan has lasted more than 7 to 10 years.

Supervisor John Caldwell suggested giving the issue to Merritt Powell for review and recommendations and if they are unable to accomplish this request, they can come back to the Board with a recommendation that they need some help. **See Exhibit D.2.**

3. Approval of Sewer Easement to City of Hernando

Eddie Halfacre and Mark Anglin appeared before the Board asking for an easement for the city where they are doing some work for the city on the city sewer system. Mr. Halfacre said that they need the easement by the National Guard Armory.

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to approve the sewer easement as presented between DeSoto County and the City of Hernando. The **motion passed** by a unanimous vote. **See Exhibit D.3.**

4. Walls Library/Health Department

Jim Anderson, First Regional Library Director, appeared before the Board and explained that the original budget for the Walls Library and Community building was \$50,000 more than the building was contracted to be built. However, Mr. Anderson pointed out that the plans did not include furniture and shelving. Mr. Anderson said that we cannot have a library without these items. Mr. Anderson provided a list of items that are mandatory to purchase for the start up of the library. Mr. Anderson said that other areas have dedicated funds to the library with the library taking care of bidding for this equipment, but said this needs to be done as soon as possible. Mr. Anderson said that he would request increasing the budget for the opening day collections for the Walls Library. Mr. Anderson said that he is planning to purchase books and other materials for the opening of the library, and he estimates needing at least 15,000 volumes at \$10.00 each to start the library program for a total of \$150,000.00. Supervisor John Caldwell asked if the portion of the library's budget that says \$22,000 for the Walls Library is for that specific library. Jim Anderson answered, yes that that is the normal stocking needs of a library and is the budget for most libraries.

Jim Anderson said that \$75,000 would take care of the most pending furniture and equipment needs in the library. Mr. Anderson said that when they purchase the

Item D.4., continued,

Supervisor Jessie Medlin asked when the library would be finished.

Supervisor John Caldwell asked where the money is coming from. County Administrator, Clovis Reed, responded that \$50,000 was under the original estimate which would cover the cost of these items. Mr. Reed said that these items were moved into contingency. Mr. Reed noted that the first estimate for furniture and equipment from Mr. Anderson had been marked down considerably. Mr. Reed said that Jim Anderson is trying to get by only with what he really needs for the building. Mr. Reed said that \$25,000 would come out of contingency.

Supervisor Eugene Thach said he understood that Mr. Anderson has to have the that amount. Mr. Anderson said that to do so would add an additional \$50,000 in cost.

In accordance with the provisions set forth in Section 19-11-11 of the Mississippi Code for the Board of Supervisors did discuss the amendment to the budget for the Fiscal year beginning October 1, 1997, and ending September 30, 1998. Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to amend the libraries budget and reduce the contingency fund by \$75,000 for the furniture and shelving and \$50,000 for books for a total of \$125,000. The **motion passed** by a unanimous vote. **See Exhibit D.4.**

5. Making Certificate of Coverage for Liability Insurance Policy Part of the Minutes

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to accept the Certificate of Coverage for liability insurance for DeSoto County as required by Section 11-46-17(3) of the Mississippi Code. The **motion passed** by a vote as follows:

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

See Exhibit D.5.

6. Acceptance of State Aid Bridge Inspection Report

Supervisor John Caldwell made the motion and supervisor Eugene Thach seconded the motion to accept the 1998 Bridge Inspection Report for projects BR-NBIS (039)B, BRIS-17(39), BRNBIS(040)Band BRIS-17(40). The **motion passed** by a vote as follows:

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

See Exhibit D.6.

Item D., continued,

7. Approval of Bond Counsel

In accordance with Securities and Exchange Commission Rule 15c2-12(b)(5) Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve retaining the law offices of CrosthwaitTerney for DeSoto County Mississippi \$6,000,000 general obligation road and bridge bond, series 1996, at a cost of \$500 to include fees and expenses for this service. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----Absent

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

See Exhibit D.7.

8. Nesbit Water Project - Approval of Request for Cash

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to authorize the Board President to execute the request for cash in the amount of \$260 in connection with the Mississippi Department of Economic and Community Development Grant for DeSoto County CDBG Public Facilities Project (Nesbit) #60226552, Bank of Mississippi, Hernando, MS, 38632, in the amount of \$260 to cover the engineering invoice from Edward T. Davis for work on the water project. The **motion passed** by a vote as follows:

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

See Exhibit D.8.

9. Authorization to Bid to Paint Courthouse

Jim Bearden, Director of Operations and Maintenance, notified the Board that he Bearden said he is estimating the cost to reglaze some of the windows in the rotunda to be the motion to go out for bids to paint the Courthouse. The **motion passed** by a vote as follows:

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

Item D., continued,

10. State Aid

a. Road Requirements

County Administrator, Clovis Reed, notified the Board that State Aid Road Construction has sent a letter requesting a final publication of State Aid Project SAP17(2)M DeSoto County. In accordance with the provisions of Section 31-5-53 of the Mississippi Code Annotated, Laws of 1972, which states a notice of publication of final settlement shall be published in some paper in the county before a suit can be instituted against a contractor and his surety by a person or persons for claims arising out of the performance of that contract. Therefore, Supervisor

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Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to authorize a notice of Publication of Final Settlement of the contract for project SAP17(2)M, 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 D.10.

b. Annual Maintenance Inspection

The Chancery Clerk, W. E. "Sluggo" Davis presented the Annual Maintenance Inspection Report from the State Aid Road Department in connection with the maintenance inspection of January 1998. The letter stated that it appears that the construction of brick mailboxes within the clear zone of State Aid Roadways is becoming more common. The letter asked the County to take such action as necessary to remove these obstructions.

County Engineer, Daniel Murphy, told the Board that the county is faced with doing something about brick mailboxes. Mr. Murphy said the mailboxes should be constructed 10 feet from the pavement. Daniel Murphy said that State Aid doesn't care if the mailboxes are on the right of way, they just do not want them to be in the clear zone. Mr. Murphy said clear zones differ on different roads.

Supervisor John Caldwell asked if the Road Department will be responsible for removing the mailboxes. The Board discussed this issue.

Supervisor Tommy Lewis suggested getting someone to ride the roads to collect the addresses. Daniel Murphy said he would be glad to provide maps of State Aid Roads in the county for use in riding the roads in collecting the addresses.

Supervisor Eugene Thach suggested the letter should be from the Road

Supervisor Jessie Medlin suggested finding out the addresses where the permanent mailboxes are located and send them a certified letter explaining this violation of Code.

Item D.10.b, continued

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to instruct the Road Department to gather addresses on permanent brick mail box structures on State Aid roads in DeSoto County within the next 30 days. After the addresses are obtained, the Road Manager should turn them over to the Board Attorney, William Austin, who will draft a letter to send to each resident by certified mail requesting the homeowner to move the mailbox within 60 days out of the clear zone of the State Aid Roads. 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.10.b.

11. Making Final Approval of Joint Petition With IC Railroad Co. Part of the Minutes

County Administrator, Clovis Reed, presented a joint petition in connection with IC Railroad granting authority to install and/or upgrade systems of automatic flashing light signal highway-rail crossing traffic control devices, and improve the crossing surfaces and approaches thereto at 2 public highway-rail crossing locations and for authority to permanently close and abolish 2 other highway-rail crossings in Walls, MS, in DeSoto County.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve and file the joint petition in the office of the Chancery Clerk and attach a certified copy of the joint petition to the Board minutes. 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.11.

12. Authorize County Administrator to Open Bids

a. March 19, 1998 - Front Deck Mower

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the County Administrator to open bids on March 19, 1998, for the Front Deck Mower and to take those bids under advisement until the next meeting of the Board of Supervisors. The **motion passed** by a vote as follows:

Item D.12., continued,

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

13. Contract to Do Space Analysis

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to authorize execution of the contract between Allen & Hoshall and DeSoto County Mississippi in the amount of \$2,500 in connection with their work to do a space analysis in the old Board of Education Building. 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.13.

14. Supervisor Eugene Thach - Rural Fire Departments

Supervisor Eugene Thach discussed Rural Fire Department Funding with the Board. No motions were made on this item.

15. DeSoto Council - Request to Use County Transportation

The County Administrator, Clovis Reed, presented a letter from DeSoto Council requesting use of the county van for an upcoming trip to Jackson. Chancery Clerk, W. E. "Sluggo" Davis, told the Board that as Chancery Clerk he was going on this trip and would reserve the use of this van. No motions were made on this issue. **See Exhibit D.15.**

16. Topographical Survey - Rasco & Sweeney Roads

County Administrator, Clovis Reed, presented a letter from Jones Davis and Associates, quoting a price of \$450 to do a topographical survey of the usable portion of property at Rasco & Sweeney Roads in Southaven. Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to authorize Jones Davis and Associates to do a topographical survey of the usable property at Rasco & Sweeney Roads in Southaven for \$450.00. 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 D.16.

E. EXECUTIVE SESSION

The executive session portion of these minutes are recorded under the portion of the minutes called "Exe

F. OTHER ISSUES

2/23/98
T. L.

1. Leadership 2000

The Board of Supervisors welcomed a group of representatives from the

2. Blue Ribbon Trip - Airline Tickets

Bonnie Gatlin, the Board of Supervisors Secretary, notified the Board that there are two extra airline tickets for the Blue Ribbon Trip as Supervisor Jake Pearson and his wife are no longer going on the trip. Ms. Gatlin said that if anyone wants to purchase the tickets they can see her.

3. Litigation - Inmate Labor

County Administrator, Clovis Reed, reminded the Board that earlier they had received a letter stating that the county is not in compliance with the use of inmate labor. Mr. Reed said that the Attorney General has looked into the matter and the county is in compliance. Upon receipt of the Attorney General's letter, Mr. Welch, who wrote the non-compliance letter, now withdraws that letter and agrees that DeSoto County is in compliance with the use of inmate labor.

4. Administration Building

Supervisor John Caldwell notified the Board that there is only 22 feet from the road to the new Administration Building. Supervisor Caldwell said 22 feet does not give enough space, in his opinion. Supervisor Caldwell also indicated locating the building in this position will necessitate the cutting of some trees.

5. Petition to Accept Road East of Craft

Supervisor Tommy Lewis presented a petition for the county to accept a road east of Craft Road. After discussion, the Board noted they need a drawing of the road. Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to set up a road committee to inspect this road consisting of Supervisors Eugene Thach and Jessie Medlin. 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.5.

Item F., continued,

6. Service Agreement Between BellSouth Public Communications & DeSoto

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Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to authorize the Board President, Tommy Lewis, to execute the agreement for service negotiation rights between BellSouth Public Communications, Inc. and DeSoto County Jail pending Board Attorney approval. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----Absent
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, March 2, 1998. 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 23rd 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

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T. L.