

DRAFT

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

TOMMY LEWIS, PRESIDENT, PRESIDING

March 2, 1998

A. CALL TO ORDER

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

James A. Riley, the DeSoto County Sheriff, was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

Jessie Medlin-----District 1
Eugene C. Thach-----District 2
James D. Pearson-----District 3
John Caldwell-----District 4
Tommy Lewis-----District 5
W. E. "Sluggo" Davis-----Chancery Clerk
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. APPROVAL OF FEBRUARY MINUTES

Supervisor John Caldwell made the motion and Supervisor James Pearson seconded to hold over the approval of the February minutes. The **motion passed** by a unanimous vote.

Later in the meeting, the official minutes of the Board of Supervisors were read for the month of month of February, 1998. Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to accept the minutes of the Board of Supervisor's for February 1998, as presented this date pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated with the following changes:

Item C.2., page three, paragraph 4 - Supervisor Thach suggested supporting a firm with contacts in Jackson.

February 23rd minutes heading should be changed to reflect Tommy Lewis, President, Presiding.

D. MAYOR ED GALE - Contract with County for Building Inspection

Mayor Ed Gale, of the city of Hernando, and Bob Barber, Planner for the City of Hernando, appeared before the Board of Supervisors to discuss building inspections in the City of Hernando. Mayor Gale told the Board that Mr. Bouchillon has been doing city inspections and he wants to resign. Mayor Gale requested to work out an Interlocal Agreement for the County to do building inspections for the City. Mayor Gale explained that the City of Hernando does not have enough inspections to hire a full time inspector and said that Mr. Bouchillon had performed these duties on a part time basis for \$18,000.00 per year.

Supervisor Eugene Thach asked Merritt Powell of the Planning Commission, if the County Planning Commission can handle this extra work. Merritt Powell responded that he has talked with the Inspectors and they have indicated that their work load has tapered off a little due to annexations. Mr. Powell proposed the County charging the City of Hernando the \$18,000.00 normally paid to their part time inspector. Mr. Powell suggested giving the Inspectors an increase of \$1,000.00 per month to handle the extra services. Mr. Powell said the Inspectors have indicated that they would be willing to work the extra hours necessary to perform these services for the extra \$1,000.00 per month.

Supervisor Eugene Thach asked if this Interlocal Agreement would be for one year.

Mayor Gale said yes and that the City would probably want to get out of the Interlocal Agreement when their inspection business picks up. Supervisor Jessie Medlin asked if they would be doing the extra inspections on their own time. Merritt Powell responded that they would get the job done in whatever amount of time it takes to do so. Mr. Powell said that the City of Hernando averages 5 inspections per day.

Supervisor John Caldwell asked, if this Interlocal Agreement is adopted can the County make sure the extra pay comes off if the Agreement is not renewed. Supervisor Eugene Thach said there won't be any overtime paid. They should assume that the \$1,000.00 would come off when the Agreement is no longer in effect. The Board Attorney, William Austin, said that he will work with the City Attorney, Kenneth Stockton, to work out the arrangements for this Interlocal Agreement. Mr. Austin said this has been done many times. Mayor Gale said he would have to take the proposal to his Board for approval as well.

Supervisor John Caldwell made the motion and Supervisor James Pearson seconded the motion to approve the Interlocal Agreement for the DeSoto County Planning Commission to perform building inspections for the City of Hernando for \$18,000.00 per year with a \$1,000.00 per month raise being awarded to the Building Inspectors for extra work associated with the inspections. The **motion passed** by a unanimous vote.

E. MS. BARBARA DOOR - Keep Mississippi Beautiful

Ms. Barbara Door, representing Keep Mississippi Beautiful, appeared before the Board of Supervisors and commended DeSoto County for participating in the Glad Bag-a-Thon. Ms. Door said she is delighted to see the future leaders in the Courtroom. (Ms. Door was referring to the Spotlight Group from Oakgrove Elementary.) Ms. Door said that Keep Mississippi Beautiful is in the business of preventing litter and said the most effective way is to have a structured on-going approach to assure success in the effort. Ms. Door said that DeSoto County has never had that. Ms. Door said that the most successful areas in Mississippi in terms of litter prevention, are those areas with a paid coordinator.

Ms. Door said that their organization would like the County to consider establishing this position on either a part time or a full time basis. Ms. Door said that the volunteers have been doing a great job in DeSoto County thus far.

Item E., Continued,

Ms. Door said that she would like the County to consider funding the program in the next budget year. Ms. Door explained the duties of the paid coordinator. Ms. Door reminded the Board of Supervisors that DeSoto County is one of the fastest growing counties in the state and to keep up with that growth will require someone to work with the cities and the schools to achieve the goals of litter prevention. Ms. Door told the Board of Supervisors that DeSoto Beautiful meets tonight and welcomed the Board to attend the meeting.

Supervisor Eugene Thach asked if this worker would work under the County government. Ms. Door responded that they are a non-profit and the government supports them. Ms. Door said that in most places they work through the Chamber of Commerce. Ms. Door said that as a non-profit organization, they can get contributions from businesses and individuals in the community. Supervisor Tommy Lewis thanked Ms. Door for coming to the meeting.

County Administrator, Clovis Reed, asked Martha Gatlin of the Home Economist's office, if she would attach this to her budget if the Board decided to approve the position. Martha Gatlin said that this position should stand alone, because they are a non-profit organization. Ms. Gatlin said that she has enjoyed doing work with DeSoto Beautiful, but it has grown so much that she does not have the time to fulfill the necessary duties of the organization.

Supervisor Eugene Thach noted that the position would have to report to someone. Martha Gatlin said that they are an organization and they have reporting responsibilities within their organization. County Administrator, Clovis Reed, asked if they will need offices. Martha Gatlin said yes, but they could get one from a local company if one is available. Ms. Gatlin said that there is a small room in the Ag Building that is dedicated to DeSoto Beautiful.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to take the matter under advisement. The **motion passed** by a unanimous vote. **See Exhibit E.**

F. OLD BUSINESS

1. Bids Under Advisement

a. Annual Bids

- (1) Sand & Gravel**
- (2) Hot & Cold Asphalt**
- (3) Limestone & RipRap**

Vanessa Lynchard pointed out that the bids for sand and gravel, hot and cold asphalt and limestone and rip rap were held over to determine whether or not transportation could be considered when determining the lowest bidder on these items. In addition, there were several other issues concerning sand and gravel that had to be addressed. The Board Attorney, William Austin, said that transportation and delivery costs can be considered when determining the low bidder for these items.

Supervisor Jessie Medlin said that on the gravel there are some questions being asked about the bids. Supervisor Medlin said that he would like to rebid

sand and gravel and said he thinks there are some people who may bid that did not bid the last time. Supervisor Eugene Thach said that the new bids should require proof of permit. Road Manager, Kenny Gunn asked about the bonding of roads. Supervisor John Caldwell said the bids should require the bonding of roads. If they do this

Item F.1., Continued,

they should have to bond as a part of their permit and not as a part of their bid. Merritt Powell of the DeSoto Planning Commission, said that he understands that the pits would like to sell to anyone. Supervisor James Pearson asked if there are any pits who just sell to the County. Merritt Powell said he is not sure. Vanessa Lynchard asked if the bid should stipulate that a proof of road bond be supplied. Supervisor James Pearson said that road bonds have never been enforced.

County Administrator, Clovis Reed, asked if the Board would like to consider adding to that stipulation that the pits be permitted to meet the requirements of the County and the State.

Merritt Powell suggested a grandfather clause be added to pits already established without bonds. Mr. Powell explained the bonding options of the pits and asked if the Board was asking in any case for a conditional use. Supervisor Tommy Lewis asked if the regulations provide for a permit.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to reject and rebid the sand and gravel bids as it was determined that the specifications included in the last bid were not in the best interest of DeSoto County, with new specifications including the guidelines set forth in the gravel pit ordinance, and to approve the bids for hot and cold asphalt and limestone and rip rap with the low bidder to be determined by the Road Manager depending on the area of the job as compared to the area of the nearest gravel pit, and the cost effectiveness of same when considering the hauling costs. The **motion passed** by a unanimous vote.

2. Kenny Gunn

a. Four Year Road Plan

The Road Manager, Kenny Gunn, presented a copy of the Four Year Road Plan and indicated that no new changes, other than those directed at the last meeting, have been made. Supervisor Jessie Medlin asked the Road Manager how many miles of road there is on Strickland Road. Kenny Gunn responded 2 1/2 miles. Supervisor Jessie Medlin said he would like to have Strickland Road added. Kenny Gunn explained that he has tried to schedule construction projects to one year acquire the right of ways and the next year to do the work.

Supervisor Jessie Medlin asked if the County will have all the funds necessary to do the work we have to do on the Four Year Road Plan. The Road Manager responded that he had estimated the cost based on the labor and the equipment use and said the only exception was Hacks Cross Road, where the County will not be directly involved in construction of the road.

Supervisor Tommy Lewis pointed out on the second page of the Four Year Road Report shows Getwell to be DBST'd from Bolin to Cleveland. Supervisor Lewis said that is a major thoroughfare and adding DBST will likely make it more dangerous. Supervisor Lewis thinks the road needs to be widened. Supervisor

John Caldwell said that is the same problem he has on Dean Road. Supervisor Eugene Thach said he understands it is good to put DBST one year and come back the next year and add a hard surface. The Road Manager said that if the road is cracked, you can seal it but if you have high and low spots in the road you have to rework the road.

Item F.2., Continued,

Supervisor Jessie Medlin asked if on the 2000 and 2001 plan there should be any overlay added.

Supervisor John Caldwell made the motion to approve the Four Year Road Plan with the following changes:

- (1) Add Strickland Road to overlay and remove it from DBST for 1998
- (2) Add Wheeler Road from Robinson Gin Road to the Arkabutla Lake Access to 1999
- (3) Change Getwell Road from Bolin to Cleveland from DBST to require right of ways.

The motion passed by a unanimous vote.

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to send the 1998 and 1999 list for overlay to Daniel Murphy to advertise these for bids. The **motion passed** by a vote as follows:

Supervisor Medlin	Yes
Supervisor Gene Thach	No
Supervisor Jake Pearson	No
Supervisor John Caldwell	Yes
Supervisor Tommy Lewis	Yes

The Board of Supervisors asked the County Engineer, Daniel Murphy, to report back in two weeks with the estimated cost of the overlay projects.

Supervisor Jessie Medlin said that if we get to a point to decrease the amount of patching the money saved could be used and applied to overlay projects. The Road Manager, Kenny Gunn, agreed that patching ran 14% of the contract we are in now.

Supervisor John Caldwell made the motion and Supervisor James Pearson seconded the motion to do a separate estimate to go out to bids for the widening of Horn Lake Road from Nail to Goodman and to tie in the lanes the developer added and to complete the project before the start of school next year. The **motion passed** by a vote as follows:

Supervisor Medlin	Yes
Supervisor Gene Thach	No
Supervisor Jake Pearson	Yes
Supervisor John Caldwell	Yes
Supervisor Tommy Lewis	Yes

Supervisor Thach clarified that his no vote was because he feels the County is spending money from 1999 in 1998. Supervisor James Pearson said this work is for now, 1998. Supervisor Thach responded that if the work is to be done in 1998, there are already over \$2 million estimated in 1998. Supervisor Thach asked where the extra money will come from. The Road Manager responded that it will

come out of that line item in the budget. Supervisor Thach said that there is too much money scheduled on the 1998 plan.

Supervisor James Pearson asked the Road Manager how much is left in the 1998 budget now. Kenny Gunn said there is \$2 million in the budget and said to date, revenues have exceeded expectations according to the Comptroller.

Item F.2.a., Continued,

Supervisor Jessie Medlin asked if the Road Manager had money in other places that could be moved if necessary. Kenny Gunn responded that he already knows he has to move some money around in the budget.

Supervisor Jessie Medlin asked if the County plans to contract the work on Horn Lake Road. Kenny Gunn responded that he does plan to contract that work out.

Daniel Murphy, County Engineer, said he thinks the estimate for that work is between \$260,000 and \$265,000, excluding the work the developer is doing. Supervisor Jessie Medlin said that should get the project past the school.

Supervisor Eugene Thach said he is not satisfied with the 1999 plan.

his Supervisor Jessie Medlin said that money had to come from the taxpayers, so in opinion, if the County can do some of this work for \$40,000 rather than \$60,000 next year he feels that is a better deal for the taxpayers of DeSoto County.

Supervisor Eugene Thach said he does not think the Board of Supervisors has any business spending money they don't have, because in the end there will be no money for 2000. Supervisor Thach pointed out that of the \$2 million in the budget, the heavily traveled roads in District 2 have only \$258,000 listed for road maintenance. Supervisor Thach asked how he could vote for that and said he is not happy with the plan for funding.

Supervisor Jessie Medlin asked if the Board of Supervisors can do a contract for next year's money. The Board Attorney, William Austin, responded that the Board of Supervisors cannot do deficit spending. Supervisor John Caldwell said that the Board can authorize to move line items within the budget. Supervisor Eugene Thach asked where the money will come from. Supervisor John Caldwell said that the Four Year Road Plan does not go from January to December, otherwise the Board of Supervisors would not be mandated to approve the Four Year Road Plan in February. The Board Attorney said that the Road Plan is on a fiscal year. Supervisor Eugene Thach said we are giving them the authority to go out for bids for 1999. The County Administrator, Clovis Reed, said in his opinion, we are planning for work to be done, therefore, to gather estimates is a means of planning for 1999. Mr. Reed said, however, if the Board of Supervisors is wanting the County Engineer to do the work in fiscal year 1998, then that would be a problem. Supervisor John Caldwell said that the board does not know the cost of doing the work at this time, therefore, it cannot be determined whether the work can be afforded. County Administrator, Clovis Reed, clarified that the Board plans to do the 1998 work first. Supervisor John Caldwell said that is right. The Board of Supervisors can do a budget amendment if we need to within the Road Managers Budget. Supervisor John Caldwell said that when the County Engineer, Daniel Murphy, comes back with the bid the Board of Supervisors can let the work out in two contracts, if necessary.

b. Request to Repair Sewer Line

seconded Supervisor James Pearson made the motion and Supervisor Jessie Medlin the motion to approve paying the bills in connection with the broken sewer line

and repairs related to the incident, as first discussed in the Board Minutes dated February 23rd, 1998. According to the Road Manager, while fixing a road in the area, it was necessary for the County road machinery to get off the road property. While fixing the property, the County unknowingly damaged the sewer line belonging to Mr. J. R. Osborne. Mr. Osborne has requested reimbursement from the County. The **motion passed** by a unanimous vote. **See Exhibit F.2.**

Item F.2.c., Continued,

c. Texas Gas - Request to Run Gas Line

The Road Manager presented a copy of the letter from Texas Gas requesting to close a vicinity of Nail Road and Poplar Corner Road in order that they may work on a mainline system pipeline in that area for eight (8) hours. The Board Attorney, William Austin, said that he and the County Engineer, Daniel Murphy, are working to alleviate that problem now. Supervisor Jessie Medlin made the motion and Supervisor James Pearson seconded the motion to hold this item over. The **motion passed** by a unanimous vote.

G. NEW BUSINESS

1. Road Report and Work Schedule

Supervisor John Caldwell made the motion and Supervisor James Pearson seconded the motion to approve the Road Report and Work Schedule presented by the Road Manager, Kenny Gunn, for the Month of February 1998, and the Work Schedule for the month of March, 1998, pursuant to Section 65-17-7 of the Mississippi Code of 1972, annotated. The **motion passed** by a unanimous vote. **SEE EXHIBIT G.1.**

2. Appointment - Grievance Committee

The County Administrator, Clovis Reed, presented a letter of resignation from Bobby Cleveland from the County Employee Grievance Committee. The Road Manager, Kenny Gunn recommended Jim Green to replace Mr. Cleveland on this committee.

Supervisor Jessie Medlin made the motion and Supervisor James Pearson seconded the motion to accept the resignation of Bobby Cleveland to the Grievance Committee, with Mr. Cleveland having served from April 7, 1997, until the present, and to appoint Jim Green to be the Grievance Committee Representative from the Central Maintenance Department. The **motion passed** by a unanimous vote. See Exhibit G.2.

3. Edward T. Davis - Approval of Contract for Nesbit Water Project

a Engineer, Edward T. Davis, appeared before the Board of Supervisors and presented contract and change order for the Nesbit Water Project. Mr. Davis explained that earlier bids were taken for this project and Nelson Plumbing was awarded the bid. Mr. Davis said that the contracts he is presenting have been reviewed and approved by North Delta.

Supervisor John Caldwell pointed out that this project was approved based on the survey area and now he finds that all of the area surveyed will not get water. Edward T. Davis asked where Mr. Caldwell was referring to. Supervisor Caldwell said there were three (3) houses on old Starlanding who are not scheduled to get water. Supervisor Caldwell said that these residents understand that they cannot tie in to the water lines, even though they are on a public road. Supervisor Caldwell said that the area to their homes is a lengthy strip. Mr. Edward T. Davis responded that he will look into why these houses were omitted from the plan. Mr. Davis said that if they live on a public road, then something can probably be done to see that they

receive water with this project. Mr. Davis says that he thinks those people have to be served and he will look into the matter.

Supervisor James Pearson made the motion and Supervisor Eugene Thach seconded the motion to approve the contract and change order subject to the Board Attorney's approval. The **motion passed** by a unanimous vote.

Item G., Continued,

4. Approval of Resolution Declaring April 18 and May 2, 1998 for County Wide Clean Up Days

Jim Bearden, Director of Operations and Maintenance, notified the Board of Supervisors that, if approved, this is the third year the County will participate in County Wide cleanup projects. Mr. Bearden said that once again BFI will supply 40 yard dumpsters throughout the County. Mr. Bearden said that this clean up day is an attempt to allow everyone an opportunity to clean up around their house and neighborhood and get rid of household garbage. Mr. Bearden said that hazardous waste will not be accepted. Jim Bearden discussed changes he has made to improve the clean up days and make them more effective for DeSoto County.

Supervisor John Caldwell made the motion and Supervisor James Pearson seconded the motion to approve the Resolution declaring April 18th and May 2nd, 1998, for County Wide Clean Up Days to allow DeSoto County residents an opportunity to clean up their households and neighborhoods. The **motion passed** by a unanimous vote. **See Exhibit G.4.**

5. Dale Thompson

a. Investment of Surplus Funds

In accordance with Section 19-2-29 of the Mississippi Code, which states that whenever any county shall have on hand any bond and interest funds, any funds derived from the sale of bonds, special funds, or any other funds in excess of the sums which will be required to meet the current needs and demands of no more than seven (7) business days, the Board of Supervisors of such county shall invest such excess funds.

At the recommendation of the Comptroller, Dale Thompson, Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the investment of surplus funds to Trustmark National Bank, who was the high bidder under these terms:

<u>Date of Investment</u>	<u>Amount of Investment</u>	<u>Maturity Date</u>	<u># of Days</u>	<u>Rate of Interest</u>	<u>Interest Earnings</u>
2/25/98	\$1,125,490.00	3/25/98	28	5.245%	4,528.72
2/25/98	1,771,000.00	4/29/98	63	5.269%	16,106.58
2/25/98	2,579,600.00	5/25/98	89	5.295%	33,305.58
2/25/98	<u>3,693,900.00</u>	6/25/98	120	5.295%	<u>64,304.40</u>
TOTAL	\$9,169,990.00				\$118,245.28

The **motion passed** by a unanimous vote. **See Exhibit D.1.a.**

The County Administrator, Clovis Reed, notified the Board of Supervisors that Demery Grubbs says there is a draw schedule for the Civic Center to tie up \$13,000,000.00 for a year. Mr. Grubbs says the balance can be invested. Mr. Grubbs is working on a complete schedule for presentation to DeSoto County.

The Comptroller, Dale Thompson, presented details of another investment, but withdrew that request for approval to allow her to continue working on the investment. Ms. Thompson will present the investment at a later meeting.

Item G.5., Continued,

b. Claims Docket

Comptroller, Dale Thompson, presented the claims docket for the Boards review. Particular items of discussion are included but not limited to the following:

(1) MAGPA Dues

The Board of Supervisors discussed the bill for MAGPA dues for the Secretary in Operations and Maintenance with anticipation of her attending the MAGPA Convention. The County Administrator requested the Comptroller to verify that Penny Gooch has been appointed as Assistant Inventory Clerk to justify her attending this meeting.

(2) Prisoner Medical Expense

The Comptroller, Dale Thompson, notified the Board that prisoner medical expenses are at 55% of their budget at the end of five months. The County Administrator, Clovis Reed, said that he is doing a detailed analysis of the budget at the end of six full months.

(3) Travel - Constables

The Board of Supervisors discussed the bill from the Hollywood Casino for the Constable's and determined that the bill was from the trip they made during June of 1997, which was approved by the Board of Supervisors

(4) Unclaimed Body

The Board of Supervisors discussed paying for the unclaimed body at a cost of \$791.00 and said this could lead to other such requests.

(5) Payment for Mowers

The Chancery Clerk, W.E. "Sluggo" Davis, said that Baker & Powell Equipment Company has mowers ordered in connection with a recent bid for Central Maintenance and they are requesting pay for the mowers.

(6) Metro Narcotics Surplus Sale

the Comptroller requested a list of items from Metro Narcotics sold at sale.

(7) Request to Pay Bill in Connection With Interlocal Agreement for Airways

The Comptroller asked for authority to pay \$100,000 to the City of Southaven in connection with an interlocal agreement between DeSoto County and the City of Southaven dated October 1996, for work on Airways Road.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi

Code Annotated, Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to pay the bills on the claims docket and to pay the bill to the City of Southaven for \$100,000 and to pay the bill from Baker & Powell subject to Kenny Gunn's receiving the mowers as presented by the Comptroller. The **motion passed** by a unanimous vote. **See Exhibit G.5.b.**

Item G., Continued,

6. Inventory Control Dispositions

The Board of Supervisors were given a list of equipment owned by the county that is either unrepairable or not cost effective to repair. Supervisor John Caldwell made the motion to accept receipts from the Inventory Clerk pursuant to Section 31-7-107 of the Mississippi Code and did approve the disposition on the February report. Supervisor Eugene Thach seconded the motion. The **motion passed** by a unanimous vote.

County Administrator, Clovis Reed, also notified the Board of Supervisors that Inventory Clerk, Bonnie Gatlin, is taking steps to complete the physical on-site inventory as requested by the Board of Supervisors. **See Exhibit G.6.**

7. Bailiff Pay

Pursuant to Section 25-7-27, Section 1, paragraph (e) which allows for Constables working as Bailiffs to be paid as provided under Section 25-3-69, Mississippi Code of 1973, Annotated, Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to pay Joe Holmes the amount of \$200.00 for the month of February, 1998; to pay Jerry Easley the amount of \$80.00 for the month of February, 1998; and to pay T. Carr the amount of \$280.00 for the month of January and February, 1998, for their service as bailiff for DeSoto County Justice Court. The **motion passed** by a vote as follows:

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

SEE EXHIBIT G.7.

8. Justice Court Report

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve the Justice Court Report as presented by Linda Aldridge, Justice Court Clerk for the month of February 1998, pursuant to Section 9-11-19 of the Mississippi Code of 1972, Annotated. The **motion passed** by a unanimous vote. **See Exhibit G.8.**

9. Approval of Publication of Board Proceedings

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the publication of Board Proceedings in connection with Section 19-3-33 of the Mississippi Code which states that the Board of Supervisors may have its proceedings published in some newspaper published in the county, and cause the same to be paid for out of the county

treasury. The motion passed by a vote as follows:

Item G., Continued,

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

10 Authorizing Travel

In accordance with Section 25-3-41 Mississippi Code of 1972, as amended, any official or employee of DeSoto County, Mississippi, is hereby authorized to travel during the period of March 2, 1998, to April 6, 1998, as necessary and incur travel expenses in the performance of their official duties for DeSoto County. That all such travel is hereby authorized contingent on funds being available in the departmental budget of the individual traveling.

Supervisor Eugene Thach the motion to authorize travel for all officials and employees of DeSoto County for the period of March 3, 1998, to April 6, 1998. Supervisor John Caldwell seconded the motion. The **motion passed** by a vote as follows:

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

11. Chancery Court Allowances

Allowances for the Chancery Court Clerk was presented to the Board of Supervisors for the February, 1998, term in the amount of \$2,216.66. Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the Chancery Clerk Allowances pursuant to Section 25-7-9 of the Mississippi Code of 1972, Annotated. The **motion passed** by a vote as follows:

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

See Exhibit G.11

12. Contract - CopyPlus, Inc. for Copier in Tax Collector's Olive Branch Office

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the copy contract for the Tax Collector's Olive Branch office with CopyPlus, Inc. for a term of three (3) years at \$116.80 per month and authorized the Board President to execute the contract. The motion passed by a vote as follows:

Exhibit G.12, continued,

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

See Exhibit G.12

13. Authorization to Employ Litter Crew

Sheriff James Albert Riley notified the Board of Supervisors, that as of this date, the Sheriff has sent six (6) inmates to pick up garbage on the roads and will try to send ten (10) from this day forward. The Board of Supervisors discussed authorizing to employ a litter crew in the County, but discussed the benefits of using trustee labor for this work. Supervisor John Caldwell asked if the availability of trustee labor for the cleaning of roads will continue. Sheriff James A. Riley responded that inmates will be available five (5) to six (6) days a week to continue with this effort.

Later in the meeting, Supervisor Jessie Medlin asked who the litter crew will work under. Supervisor John Caldwell said he was leaning on the Road Department. Supervisor Caldwell said that perhaps the Board should give the Sheriff 45 days to assess the impact made by trusty labor. Supervisor Eugene Thach said that the Sheriff's Department oversees the crew and can tell if they are messing up. Supervisor Jessie Medlin said we need to work 5 - 8 hours per day out of the Road Department collecting garbage and then get someone to go behind the crews picking up.

14. Acceptance of Audit Approval

The County Administrator, Clovis Reed, presented a letter from Phil Bryant, the State Auditor, approving the Audit for DeSoto County prepared by Williams & Pitts, CPA's and in connection with Section 7-7-21(k) of the Mississippi Code Annotated 1972. Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to accept the Audit Report in connection with the Audit for the fiscal year ending September 30, 1996. The motion passed by a vote as follows:

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

15. Approval of Financing for 80 HP Crawler Dozer

Vanessa Lynchard presented a bid tabulation form indicating the financing bids received in connection with Bid File #97-156-024 for the 80 HP Crawler Dozer

with trade in alternative. Vanessa explained to the Board of Supervisors that the Lease Purchase Bid that was received with the bid from United Equipment, who was the low bidder for the equipment. Several items in the preliminary contract needed information from other departments, including whether the County could

Item G.15, continued,

pay the underwriting fee of \$300 for the loan. The Board Attorney, William Austin, explained that the County was not tied to the acceptance of the Lease Purchase, but rather the bid itself from United Equipment. Therefore, at the recommendation of the County Administrator, bids were received on the Lease Purchase of this equipment in the amount of \$65,712.00 for a sixty (60) month financing period. The low bidder for this financing was First Tennessee Bank as indicated on Exhibit G.15. Supervisor John Caldwell made the motion and

Supervisor Jessie Medlin seconded the motion to approve the low bid of First Tennessee Bank for financing in connection with Bid File #97-156-024 and in accordance with Section 31-7-10 of the Mississippi Code Annotated and authorized the Board President to execute documents in connection with this loan. The motion passed by a vote as follows:

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

See Exhibit G.15.

16. Approval of Service Contract Renewal w/ Hobart for Sheriff's Dept. Dishwasher

At the recommendation of the County Administrator, Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the service contract with Hobart Corp. for a billing period of April 1, 1998, to March 31, 1999, for servicing of the dishwasher at the DeSoto County Jail and authorized the Board President to execute the contract. The motion passed by a vote as follows:

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

See Exhibit G.16.

17. Kerry Todd - Request to Advertise County Resources

Supervisor Tommy Lewis notified the Board of Supervisors that Ms. Kerry Todd has been awarded the title of Ms. Pre Teen of Memphis and will go on to Florida to participate in the National Pageant. In accordance with Section 17-3-3, of the Mississippi Code of 1972, the Board of Supervisors did make a determination that the above request would advertise the resources and opportunities of DeSoto County and thereby advance the moral, financial and other interests of DeSoto County. Therefore, Supervisor James Pearson made the motion and Supervisor Jessie Medlin seconded the motion to approve a donation

of \$250.00 for Kerry Todd. The **motion passed** by a unanimous vote. See **Exhibit G.17.**

Item G., Continued,

18. Resolution Celebrating the 25th Anniversary of Horn Lake

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to do a Resolution celebrating the 25th Anniversary for the City of Horn Lake for all their contributions and efforts to support DeSoto County. The motion passed by a vote a vote as follows:

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

See Exhibit G.18.

19. Dr. Lovetta Brown - Update on Health Department Service At Walls

Dr. Lovetta Brown and other representatives from the Health Department, notified the Board of Supervisors that they will be opening the Walls Health Department to provide services at least one (1) day a week. Dr. Brown said that they have looked back at their activity in the past in the Walls area and found that they served almost 800 people in that area. Dr. Brown said that she has worked with the architect and was able to make the necessary changes to make the building workable for them.

Dr. Brown asked for a status report from Jim Bearden on the roof at the existing DeSoto County Health Department. Jim Bearden, Director of Operations and Maintenance, said he has one bid on his desk now and the same contractor is giving a cost estimate for a flat roof as well. Mr. Bearden said all bids are supposed to be to him by Wednesday. Mr. Bearden said that due to the difference in cost, they will probably stay with a flat roof. Mr. Bearden said that the cost of a metal roof would require advertisement and the guarantee with the flat roof may make that the best choice in this situation.

Supervisor John Caldwell asked if they are going to reconstruct the flat roof. Mr. Bearden responded that he has been up in the existing roof on two different occasions with contractors and found no structural damage. Mr. Bearden said the estimates he has received for a metal roof are \$13,000 and \$4,000 for a flat roof with a three (3) year guarantee. Mr. Bearden said that once the roof has been repaired, Buildings and Grounds will go to work inside to make the necessary repairs to the building.

Dr. Lovetta Brown asked the County's plans to move the Environmentalists. County Administrator, Clovis Reed, said the architect is working on the space analysis and should report back soon. Supervisor Tommy Lewis asked when we could get back with Dr. Brown on the space for the Environmentalists. Mr. Reed responded, probably next week.

20. Merritt Powell - Road Issue

Merritt Powell, Director of DeSoto Planning Commission, appeared before the Board of Supervisors to report that Honey Ridge Subdivision has been approved on Highway 305 with two entrances. Mr. Powell said that MDOT will not approve one of the entrances. Supervisor Jessie Medlin made the motion and

Item G.20, Continued,

Supervisor Eugene Thach seconded the motion to have the County Engineer, Daniel Murphy, go to look at the subdivision entrances and work something out with MDOT by the March 11th meeting.

21. Authorization to Open Bids on March 4, 1998 for State Aid Project BR-1946(3)B

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the County Administrator to open bids on March 4th at 10:00 in connection with State Aid Project BR-19-46(3)B. The **motion passed** by a unanimous vote.

H.. EXECUTIVE SESSION

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

I. OTHER ISSUES

1. Oak Grove Elementary Visit

The Board of Supervisors welcomed the Spotlight Class from Oakgrove Elementary.

2. Central Maintenance

a. Sewer and Drainage Problems in the County

The Road Manager, Kenny Gunn, said that it has come to his attention that there are problems in the county with sewer lines that was brought to his attention when a sewer line was accidentally crushed, therefore, causing the County to reimburse the property owner for the work. Mr. Gunn said that there are other areas where concrete pipes are separating and falling in.

if The Board Attorney, William Austin, and Supervisor Eugene Thach said that the problem does not impact the road, the County cannot lawfully do anything about it. The Board Attorney instructed the Road Manager that he needs to determine if the problem is impacting the roads.

b. Cross Road

The Road Manager, Kenny Gunn, notified the Board of Supervisors that they had previously approved a road off Vaiden Road that does not have a name. Supervisor Tommy Lewis said to name the road Cross Road.

4. Schoolbus Turnaround

The Road Manager, Kenny Gunn, notified the Board of Supervisors that there is a schoolbus turnaround approved by the Board recently on Old Joe Road and the Road Manager wanted to bring it to the attention of the Board of Supervisors that

Item I.4., Continued,

this property still belongs to a developer. Supervisor Tommy Lewis said that this is a subdivision off Pine Tree Loop and the bus needs to go down that road to pick up a toddler who now has to walk a long distance to get on the bus, because the bus cannot turn around on this road. Supervisor Lewis explained that the mother of this child has another small baby that makes it impossible for her to walk to the bus stop with the child each day.

Supervisor John Caldwell said that if the County has to fix the road, the cost to do so could be taken out of the developer's bond. Supervisor Eugene Thach said that the County could require the developer to enlarge the turnaround to meet County requirements so that the schoolbus can turn around. The Road Manager, Kenny Gunn, said that these roads are supposed to be built large enough for buses to turn around. Mr. Gunn said that the Board of Education is asking for the culvert to be extended to allow the bus to turn around on this road. Supervisor Tommy Lewis asked if the culvert passed inspection by the subdivision inspector.

The Board Attorney, William Austin, that if the road has been improved by the inspector and if the schoolbus turnaround needs to be enlarged the County should do the work. But, if the road was not developed correctly and by County Ordinance, then the developer should do the work.

Supervisor Jessie Medlin asked if the County should work on the road if it still belongs to the developer as it may not be considered a County road. The Board Attorney explained that legally the road became the County's when the plat was filed.

5. Cellular Phone

The Road Manager, Kenny Gunn, said the Road Inspector is having trouble getting in touch with developers and others he is required to interact with in his job and could use a cellular phone. Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve a cellular phone for the subdivision inspector. The **motion passed** by a unanimous vote..

6. Justice Court

a. Justice Court Bank

Justice Court Clerk, Linda Aldridge, said she would like to use Deposit Guaranty for Justice Court Banking, due to the closeness of the bank to their office. The Board Attorney, William Austin, said that it is legal to do so. Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve Justice Court to use Deposit Guaranty as their depository.

b. Justice Court - Daily Balance

The Justice Court Clerk, Linda Aldridge, asked the Board of Supervisors how to handle daily balance shortages and overages. The County Administrator said that he and the Board Attorney are working on a solution to that problem.

Item I., Continued,

7. Individual Department Depository's

Chancery Clerk, W.E. "Sluggo" Davis, said that he has talked to Mike Keys in the Audit Department and he said that certain County offices are authorized to select a separate depository. Comptroller, Dale Thompson, said she would like to note on the minutes which accounts are being kept in different locations. The County Administrator, Clovis Reed, said that by statute different elected officials can put their funds in separate banks. The Comptroller, Dale Thompson, said that she wanted it clearly stated and understood that she is only responsible for making that securities are on file for the bank accounts that she is responsible for. The County Administrator, asked that any office that holds a separate bank account be responsible for filing those securities and Dale Thompson will be responsible only for the securities for the accounts in which she is responsible. The Board of Supervisors asked the Comptroller to formulate a list of all accounts to be spread upon the Board Minutes at the meeting of March 11, 1998.

8. County Administrator

a. Travel Expense Reimbursement to Adjacent Counties

The Board of Supervisors requested the County Administrator to bring the minutes concerning travel reimbursement to adjacent counties to the next meeting.

b. Gravel Pit Ordinance

County Administrator, Clovis Reed, and the board Attorney, William Austin, presented a sample ordinance for gravel pits as follows:

Gravel pit operators will be required to submit evidence that their pit operation complies with DeSoto County and DEQ regulations for surface mining to include a permit and reclamation bond or documentation of exemption. Further, that if the pit operator sells or supplies any product from this mine to any entity other than the County or a municipality within the County then in that event said operator must provide evidence of an approved road bond and a haul route by the proper authority.

The standards of quality of all gravel to be purchased shall be determined by the Road Manager or the County Engineer. However, those persons shall use the Mississippi Department of Transportation standards for determining the adequacy of the product to be purchased and used on the job. A copy of the standards is attached hereto and shall be made a part of this order, including all future amendments and modifications.

Supervisor John Caldwell says he thinks the County should not differentiate between pits that sell only to the County.

Supervisor Eugene Thach asked how high the bonds are. The Board Attorney responded that it depends on how much you have to bond. Supervisor Eugene Thach said he does not think there is a way to enforce the County pits. After discussion, the Board of Supervisors agreed to remove the portion of the sample ordinance dealing with enforcing the pits.

Item I.8.b., Continued,

Supervisor Jessie Medlin said he thinks all pits sell to the public. The Board Attorney, William Austin, explained the steps used by he and the County Administrator, Clovis Reed, to develop the ordinance.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to approve adopting the ordinance for sand and gravel pits with certain omissions and changes. The motion passed by a vote as follows:

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

See Exhibit I.8.b.

9. EMS

The County Administrator, Clovis Reed, said that he had been notified by Fire Coordinator/EMS Director, Bobby Storey, that Eudora is now at Paramedic Level for ambulance service.

10. Chancery Clerk - Homesteads

At the recommendation of the Chancery Clerk, W.E. "Sluggo" Davis, Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the Homestead changes as presented.

The **motion passed** by a vote as follows:

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

See Exhibit I.10.

11. Sheriff's Department - Beds in Jail

County Administrator, Clovis Reed, read a letter from the state saying that the DeSoto County Jail had a capacity of 188 beds. They recommend operating at a 150 bed capacity to allow moving people in and out. Supervisor John Caldwell asked if they took into consideration the women's tank. County Administrator, Clovis Reed, says they looked at the whole jail. Supervisor Tommy Lewis said we need to make sure they looked

at the whole jail. Supervisor John Caldwell said the County might as well put the right locks on the women's tank as well. The Board of Supervisors asked the County Administrator to find out how many total beds are needed in the DeSoto County Jail to bring the jail to capacity.

Item I.11., Continued,

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to authorize Jim Bearden to determine the needs for beds in the jail and to authorize going out for bids for the beds at the jail if the quantity mandates bidding. The motion passed by a vote as follows:

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

12. Parliamentary Procedures

Supervisor Eugene Thach asked if the Board of Supervisors are operating under Roberts Rules of Order. The Board Attorney said there is no mandate to operate under Roberts Rules of Order. Supervisor John Caldwell said that Roberts Rules does not allow the President to vote and would therefore, have to be amended upon adoption. Supervisor Tommy Lewis said that he is going to give anyone the opportunity to state their business or opinions before the Board.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to recess until March 11, 1998, at 9:00am. The **motion passed** by a vote as follows:

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

THIS the 2nd day of March, 1998, these minutes have been read and approved by the DeSoto County Board of Supervisors.

TOMMY LEWIS, President
DeSoto County Board of Supervisors