

DRAFT

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

TOMMY LEWIS, PRESIDENT, PRESIDING

March 11, 1998

A. CALL TO ORDER

The meeting of the DeSoto County Board of Supervisors was called to order by Sheriff James Albert Riley.

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 Eugene Thach.

C. PLANNING COMMISSION

The Planning Commission brought several items before the Board of Supervisors as evidenced by the portion of the minutes submitted by the Planning Commission.

SEE EXHIBIT C.

D. OLD BUSINESS

E. NEW BUSINESS

1. Travel Reimbursement Approval

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 4, 1998, to March 8, 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.

Item E.1., Continued,

Supervisor Eugene Thach made the motion to authorize travel reimbursements from the Blue Ribbon Trip to Washington, D.C. plus airfare for John Caldwell. Supervisor Jessie Medlin seconded the motion. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
James D. Pearson-----Absent
John Caldwell-----Yes
Tommy Lewis-----Yes

See Exhibit E.1.

2. Approval to Request Proposals for General Liability Insurance

County Administrator, Clovis Reed, notified the Board of Supervisors that it is time to go out for proposals for General Liability Insurance. Supervisor Jessie Medlin said to be sure to compare how much the County spent on deductibles this year when considering the insurance proposals and report that figure back to the Board of Supervisors.

Ginger Allison, of Accounting, asked on behalf of the Comptroller, whether the insurance was to be advertised or if the Board would rather call vendors who had supplied bids in the past. County Administrator, Clovis Reed, said that to surpass the advertising of the proposals could not fairly give all companies an opportunity to submit proposals for this insurance business. Supervisor Tommy Lewis asked what the County has done in the past. Ginger Allison said that these proposals have been handled both ways in the past. The Board of Supervisors instructed Ms. Allison to advertise these proposals in a local newspaper. Supervisor Tommy Lewis requested proposals for full coverage and self insurance proposals, so that the County can compare the proposals fairly and then make the choice of coverage.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve accepting proposals for General Liability Insurance. The motion passed by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
James D. Pearson-----Absent
John Caldwell-----Yes
Tommy Lewis-----Yes

3. Approval of Resolution for Local & Private to Increase Fees to County Attorney

The County Administrator, Clovis Reed, reminded the Board of Supervisors that the effort for Legislation to increase the County Attorney's salary had not passed the Legislature. Mr. Reed said that he talked to Bart Sperry, who writes bills for the Legislature, and was instructed to try a local and private bill to request increasing the salary of the County Attorney up to the salary of the Justice Court Judges.

Item E.3., Continued,

Supervisor Jessie Medlin asked why the Board of Supervisors can't increase this budget. Supervisor John Caldwell responded that you cannot increase his budget unless you spend the money for the item that was increased. Supervisor Eugene Thach said that he would rather go through a local and private rather than a budget increase. Supervisor Thach said that he does not think office supplies should be for personal use.

Supervisor Jessie Medlin asked why the Legislature did not get the increase.

County Administrator, Clovis Reed, responded that he does not know.

Supervisor Jessie Medlin asked how much the County Attorney makes. Clovis Reed responded, \$33,000.00, he thinks. The Board of Supervisors discussed hiring an assistant to assume the County Attorney's responsibilities in Youth Court.

Supervisor John Caldwell said that the Legislature does not have to have a local and private to bring an item up. This was discussed by the Board of Supervisors. Supervisor Eugene Thach asked if the County Administrator is sure the Legislature cannot bring this back up. Clovis Reed responded that he is sure, according to Bart Sperry.

Supervisor Jessie Medlin said that, in his opinion, people know what a job pays when they run for it.

This item was held over until March 16th.

See Exhibit E.3.

4. Approval of Memorandum of Agreement Between Army and DeSoto County

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the Memorandum of Agreement between DeSoto County and the Department of the Army for acceptance in return of non-federal funds for flood control Mississippi River and tributaries in the Yazoo Basin/Coldwater River, Arkabutla Lake, DeSoto County, Mississippi, for construction of betterments to Mississippi State Highway 301 from Eudora to Arkabutla Lake reservoir boundary. The motion passed by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
James D. Pearson-----Absent
John Caldwell-----Yes
Tommy Lewis-----Yes

Later in the meeting, Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to allow Supervisor John Caldwell to be the signatory authority for this Memorandum of Agreement. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
James D. Pearson-----Absent
John Caldwell-----Yes
Tommy Lewis-----Yes

See Exhibit E.4.

Item E., Continued,

5. Approval of Petitions for Changes in Assessments

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the petitions for changes in assessments as presented by the Tax Assessor, Parker Pickle. The motion passed by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
James D. Pearson-----Absent
John Caldwell-----Yes
Tommy Lewis-----Yes

See Exhibit E.5.

6. Daniel Murphy - State Aid Bid #BR1946(3)B

The County Engineer, Daniel Murphy, presented the bid tabulation in connection with State Air Road Project #BR1946(3)B. Mr. Murphy said that the low bid from EnDevco, Inc. at \$176,589.00 came in 22% under the State Aid estimate for this project and has been determined to meet the specifications in the bid. Mr. Murphy said that this project was located on Church Road.

Supervisor James Pearson made the motion and Supervisor Eugene Thach seconded the motion to approve the low bid from EnDevco in the amount of \$176,589.00. The motion passed by a unanimous vote. **See Exhibit E.6.**

7. Approval of Contract for Jail Security Alterations

alterations Engineer, John Clark Hudson, Jr., presented a proposed contract for jail to the Board of Supervisors. County Administrator, Clovis Reed, notified the Board of Supervisors that a copy of the proposed contract was in their folder. Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the contract as recommended by the County Administrator. Supervisor John Caldwell asked if the contract includes the women's tank. Mr. Hudson said yes and said they will look at everything that needs to be done. Mr. Hudson said they will come up with a preliminary report and cost estimate and seek approval to proceed. Mr. Hudson said that whatever they end up taking bids on will be what their fee is based upon.

Supervisor Jessie Medlin asked if Mr. Mitchell will be part of this. Mr. Hudson said yes.

Supervisor John Caldwell asked the County Administrator if he has negotiated the contract. Clovis Reed responded that he has and that the current fee is almost half of the original fee quoted. Mr. John Clark Hudson said that the fee is not half of the original quote. Mr. Hudson said that he is depending on the architects and consultants for this project. Mr. Hudson said that he and the County Administrator had negotiated the contract and discussed many options of the contract.

Supervisor Jessie Medlin if the fee was up to \$15,000.00. County Administrator, Clovis Reed, said that \$15,000.00 is a guess based on an algebraic formula at a \$200,000.00 estimate. Mr. Hudson responded that the algebraic figure no longer applied and that this amounts to a straight 12% of the construction estimate. County Administrator, Clovis Reed, responded that in that case, he

would recommend taking the matter under advisement for further negotiations, as this
Item E.7., Continued,

was not his understanding. Supervisors Caldwell and Thach withdrew their motion. The County Administrator left the meeting with Mr. Hudson to further negotiate the contract and upon returning reported that he was unable to finalize the negotiations at this meeting. **See Exhibit E.7.**

8. Request to Use Courthouse for Daffodil Show

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to approve the request to use the Courthouse for a Daffodil Show on Friday, March 27, 1998, from 5:00pm to 9:00pm; on Saturday, March 28, 1998, from 7:00am to 5:00pm; and, on Sunday, March 29, 1998, from 1:00pm to 6:00pm. The motion passed by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
James D. Pearson-----Absent
John Caldwell-----Yes
Tommy Lewis-----Yes

See Exhibit E.8.

9. Preconstruction Conference Update

Supervisor John Caldwell asked if there will be a pre-construction conference on the Civic Center. County Administrator, Clovis Reed, responded that the Civic Center Committee had a conference scheduled on Monday, which had to be cancelled due to bad weather. The purpose of this conference was to review the design of the building. Mr. Reed said that he did not know when this meeting will be rescheduled.

10. 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 in 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 that placed their bid on time.

Date of Investment	Recommended Bidder	Amount	Maturity Date	# of Days	Rate	Interest Earnings
March 4, 1998	Trustmark Nat'l	\$26,587,724	4/6/98	33	5.338	\$128,316.21
March 5, 1998	Trustmark Nat'l	\$ 6,347,000	4/6/98	32	5.298	\$ 29,480.96

Item E.10., Continued,

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

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
James D. Pearson-----Absent
John Caldwell-----Yes
Tommy Lewis-----Yes

See Exhibit E.10..

F. EXECUTIVE SESSION

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

G. OTHER ITEMS

1. Kenny Gunn

a. Request for Gravel at Saddleclub

The Road Manager, Kenny Gunn, notified the Board of Supervisors that he had received a request for gravel at the Saddleclub. The Board of Supervisors discussed the agreement with the Civic Center. Supervisor Tommy Lewis asked how much gravel they need. The Road Manager responded that he did not know. Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to put gravel on the road and to bill the cost of the gravel to the District 5 Park Fund. The **motion passed** by a unanimous vote.

b. Ingram Mills Voting Precinct

Supervisor Jessie Medlin asked if the County can put gravel on voting precinct driveways. The Board Attorney said yes, that such donations of gravel need to be in line with the activity that is going on at the location. Mr. Austin said that the Board of Supervisors may not be able to pave the parking lot, but should not have any problems in applying gravel in anticipation of coming elections.

c. Dumping Area for White Goods

The Road Manager, Kenny Gunn, notified the Board of Supervisors that the area north of the Central Maintenance Shop that was designated for white goods only has turned into a dumping area. Supervisor Tommy Lewis asked if there are signs at the location indicating that only white goods could be dropped off. Kenny Gunn said no. Supervisor Tommy Lewis suggested putting a sign at the location noting the penalty for illegal dumping. Supervisor Jessie Medlin asked where iron is dumped. The Road Manager said it is dumped in the back of the building. Supervisor Caldwell said iron could be sold at a location very close to this area.

d. Agreement with Civic Center

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach

seconded the motion to extend the agreement with the Civic Center to the year 2000. The **motion passed** by a unanimous vote.
Item G., Continued,

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to recess for lunch until 1:45pm. The **motion passed** by a unanimous vote.

2. Invoice to Baker & Powell for Mowers

The Chancery Clerk, W.E. "Sluggo" Davis, asked the Board of Supervisors for clarification that they had previously approved the payment of a bill to Baker & Powell for a bid they received for mowers. Mr. Davis notified the Board that a receiving report was received on the mowers yesterday. The Board said they previously approved payment of this bill upon receipt of the mowers.

3. Travel to Adjacent Counties

The County Administrator, Clovis Reed, notified the Board that as directed, a copy of the minutes concerning travel to adjacent counties is in the Board of Supervisors Agenda packets. Mr. Reed stated that the Board did not make a firm policy regarding travel out of County.

The Chancery Clerk, Sluggo Davis, said that many offices had their conventions scheduled in Tunica County now. Supervisor Jessie Medlin asked how long most of the conventions last. The County Administrator responded three to four days. No motions were made on this portion of the minutes.

4. County Engineer, Daniel Murphy

a. Project #BR1946(3)B

The County Engineer requested establishing a project fund for the State Aid Road Project BR1946(3)B. Supervisor James Pearson made the motion and Supervisor Eugene Thach seconded the motion to approve establishing a project fund for Project #BR1946(3)B. The **motion passed** by a unanimous vote.

b. Approval to Establish Advance Credit

The County Engineer requested approval to establish advance credit on Project BR1946(3)B. Supervisor Eugene Thach made the motion and Supervisor James Pearson seconded the motion to establish advance credit for the above mentioned project. The **motion passed** by a unanimous vote.

c. Request to Delete State Aid Project SAP175

The County Engineer notified the Board that State Aid Project 19468B included the same work previously established in Project SAP175, therefore, creating the need to delete that project number. At the recommendation of the County Engineer, Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to delete project SAP175. The **motion passed** by a unanimous vote.

d. Recommendation to Reprogram SAP17(3)M

The County Engineer notified the Board of Supervisors that three state aid projects are ahead of federal funds and it will be October before the federal funds are available. Therefore, the County Engineer recommends

Item G.4.d., Continued,

reprogramming the federal project into State Aid Project 17(3)M. Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to reprogram the federal project into State Project 17(3)M. The **motion passed** by a unanimous vote.

e. Project STP1968(1)B

At the recommendation of the County Engineer, Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to delete state project #1968(1)B. The **motion passed** by a unanimous vote.

5. Administration Building - Request to Delay Bid

The County Administrator, Clovis Reed, notified the Board that the architects, Allen & Hoshall, have requested to delay the bid opening for the Administration Building. Mr. Reed said that at the pre-bid conference, several of the contractors indicated that the County could experience if the contractors were allowed to check for material prices on the East Coast prior to Bid time and a 10:00 bid opening would not allow that to happen. Mr. Reed said that he has notified the auditor's office and has been told that to change the bid time will restart the entire bid process. Mr. Reed said that some of the contractors had indicated that it would be more competitive to wait one week on the bid. The Board Attorney, William Austin, said that he understood that 10:00 was too early in the day to get quotes from the Eastern SeaBoard on materials necessary for the construction of this building.

Supervisor Jessie Medlin asked why Allen & Hoshall did not know this. The County Administrator responded that is a good question, but reminded the Board that he was told there could be a significant savings to come from this. Supervisor Tommy Lewis said that he does not have a problem with the delay, as it may be a challenge to get the McInvale House cleaned out early.

Supervisor Eugene Thach clarified that the contractors are saying they want to wait until later in the day. County Administrator said they want to wait from 10:00 to 2:00.

County cause Supervisor Tommy Lewis asked why the County should re-advertise. The Administrator said that the contractors are saying that to re-advertise could a savings of 5 to 10% on the contract.

Supervisor John Caldwell said they had the prior days numbers and to wait 3 weeks may make the cost go up. Supervisor Jessie Medlin says that contract pricing has a potential to go up everyday.

Supervisor Eugene Thach asked if they are saying they will get a 5 to 10% better price if they wait. The County Administrator said that is what they are telling him.

Supervisor John Caldwell asked the first date to open the bid if they will re-advertise. Clovis Reed said probably around the April 20th. Supervisor

Thach responded that he cannot see where one day can make that big of a difference. The County Administrator contacted Rick Boeving from Allen & Hoshall, who said that he had received a request from several contractors to delay the bid opening and was told that they could receive better pricing on the bid if the bid was delayed. Mr. Boeving said that the response has been good and it looks as

Item G.5., Continued,

though the bid is much nicer than most contractors expected. Mr. Boeving said that it would allow more time to clean out the McInvale property and could allow the job to begin in better weather. The Board Attorney, notified Mr. Boeving that this would require moving the bid out 3 weeks. Supervisor John Caldwell asked what Mr. Boeving meant when he said this would prevent some of the contractors they liked from bidding the job. County Administrator asked what the difference between the bid opening at 10:00 and 2:00 could be. Rick Boeving responded that this is something that is a different procedure from what the contractors are used to. Mr. Boeving said that his Jackson office has said it should not be a problem to reschedule the meeting or change the time of the meeting. The Board Attorney asked the name of the individual in his Jackson office who has information on that. Rick Boeving said John Almond says that he got this information from their County Attorney. The Board held this item over until March 16th to allow the Board Attorney to research whether the bid can be moved without rebidding.

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to recess until March 16, 1998, at 9:00am. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
James D. Pearson-----Absent
John Caldwell-----Yes
Tommy Lewis-----Yes

THIS the 11th 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