

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

TOMMY LEWIS, PRESIDENT, PRESIDING

August 17, 1998

A. CALL TO ORDER

The August 17, 1998, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Tommy Lewis of DeSoto County.

Sheriff James Albert Riley of DeSoto County 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, Absent
- Tommy Lewis-----District 5
- W. E. "Sluggo" Davis-----Chancery Clerk
- James Albert Riley-----Sheriff of DeSoto County
- Clovis Reed-----County Administrator
- Bobby Chamberlain-----Board Attorney

B. INVOCATION

The invocation was presented by County Administrator Clovis Reed.

C. DOG BITE INCIDENT

Stacy Spriggs, Attorney, came before the Board of Supervisors to represent Rick Johnson, etal, owners of the Dog, Montana to appeal to the Board of Supervisors the Animal Control Officers recommendation to euthanize Montana. Bobby Chamberlain, the Board Attorney, stated the animal control ordinance states that the Animal Control officer can deem an animal vicious, and order the elimination of the animal.

Mr. Chamberlain recommended to the Board of Supervisors, the ordinance needed to be clarified and a procedure setforth to define the steps to do so and the appeal process. Mr. Chamberlain said when a animal is deemed vicious, the animal control officer should file charges in Justice Court, the animal would incarcerated until hearing and findings were final.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to clarify the dog ordinance to show Animal Control Officer should file charges in Justice Court when an animal is to be destroyed. The animal would be incarcerated until the hearing is finalized or for ten (10) days if no objection is filed. The **motion passed** by a vote as follows:

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

ITEM C, CONTINUED,

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Supervisor Tommy Lewis asked Bobby Chamberlain who would need to file charges with Justice Court. Bobby Chamberlain replied, Clara Riley, Animal Control Officer would file the charges with Justice Court.

Stacy Spriggs asked Bobby Chamberlain if Montana could be released to the owners as at this time charges have not been filed in Justice Court. Mr. Chamberlain responded he felt Ms. Riley would file charges quickly and Montana would remain at the veterinary.

Animal Control Officer Clara Riley said the ten (10) day quarantine is for Rabies, however, if a animal is held longer than the ten (10) days, is it harder on the animal as well as the owners.

Bobby Chamberlain said if a animal is moved from the Animal Shelter to a private veterinary for observation and held for a hearing, the owners are liable for the cost involved. Mr. Chamberlain stated the need to clarify the process is because one the animal is destroyed, there is no appeal.

Mr. Spriggs asked Mr. Chamberlain once a charge is filed, would the animal be picked up and held until a decision is final or would the animal be released pending a decision.

Debra White asked Bobby Chamberlain Board Attorney how long can a animal be held if the animal it has tags. Mr. Chamberlain replied ten (10) days for rabies observation. Lisa Coletta asked Bobby Chamberlain what the rights of a homeowner on his/hers property were if someone approaches their property without consent. Mr. Chamberlain responded, as long as the homeowner has taken all necessary steps to ensure the animal is confined properly, this situation should not arise.

Bobby Chamberlain, Board Attorney, recommended to the Board of Supervisors that the dog bite incident be referred to Justice Court for a decision, and a precedent set for any future cases. The **motion passed** by a vote as follows:

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

****EXHIBIT C****

D. OLD BUSINESS

1. LEGISLATIVE WISH LIST

County Administrator Clovis Reed notified to the Board of Supervisors that invitations had been mailed to the Legislative Delegates for a meeting August 31, 1998 @ 10 a.m. Mr. Reed said the Board meeting of August 31st conflicts with the Annual Tax Sale held in the Board Room therefore the August 31st, 1998 Board Meeting will be held in a Courtroom to be announced. Mr. Reed reminded the Board of Supervisors that the Legislator asked to be presented the Wish List in August rather than December therefore any issues need to added to the list as soon as possible.

The County Administrator told the Board of Supervisors that there is a conflicting statue concerning the adoption of the budget. After discussing the issues involved the Board of Supervisors asked that this item be added to the Legislative Wish List.

ITEM D, CONTINUED,

22. GERALD DAVIS - APPEAL ROAD CONSTRUCTION - DOGWOOD HOLLOW

Gerald Davis Engineer came before the Board of Supervisor regarding road construction in

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Dogwood Hollow Subdivision that was held over from the August 5, 1998 Board of Supervisors Meeting. Mr. Davis said if he resided in this subdivision he would prefer only one (1) road in and out, as to discourage criminal activity. Mr. Davis said that if the road was ever necessary to connect to an adjoining road the county would have to bare the cost of removing the trees instead of the developer if the county waived the road at this time.

Supervisor Eugene Thach said the subdivision needed more than one (1) way in and out, for emergency vehicles, such as fire, and ambulance. Supervisor Thach said he thought with only one (1) road the liability would be too great for the county and he would like to see the roads in the subdivision tied together.

Supervisor Tommy Lewis said he would like to see the roadbed built with gravel, as this road would be important to the future of tying the roads together and with other roads in the area. Supervisor Lewis said he did not have a problem leaving the asphalt off at this time.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to require the developer to build the roadbed with gravel, waiving the blacktop in the Subdivision known as Dogwood Hollow. The **motion passed** by a vote as follows:

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

23. CIVIC CENTER - REQUEST FOR PAYMENT OF INVOICE

County Administrator Clovis Reed presented two (2) invoices for the Civic Center for approval of the Board of Supervisors. Mr. Reed said these invoices were part of the start up expenses for the Civic Center as well as part of Mr. Taylor’s contract.

Mr. Reed said the invoice from United Van Lines was a reimbursement of moving expenses for Stuart Taylor in the amount of \$ 4,908.61; reimbursement of mileage to Stuart Taylor in the amount of \$ 173.29. Mr. Reed also presented a invoice in the amount of \$ 1,791.95 for reimbursement for Mr. Taylor attending the 1998 Annual Conference of the International Association of Assembly Managers in San Francisco, which was also a part of Mr. Taylor’s contract. The Comptroller asked from where she was to pay these funds, the County Administrator said because the charges are in connection with Mr. Taylor’s contract the payment will come from the 2% fund. The Board of Supervisors instructed the County Administrator’s office that, in the future, they should obtain two quotes on such expenditures. Purchasing laws should be followed on expenditures for the Civic Center

Supervisor Jake Pearson made the motion, and Supervisor Tommy Lewis seconded the motion to approve for payment to the Convention & Visitors Bureau for the Civic Center invoices presented totally \$ 1,791.95 and \$ 5,081.90. The **motion passed** by a vote as follows:

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

****EXHIBIT D.3****

E. NEW BUSINESS

1. JIM FLANAGHAN - TAX EXEMPTIONS

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a. Southern Metal & Plastics

Mike Hartnett Director and Keith Turner of ASCO Industries, Inc., came before the Board of Directors for consideration of a tax exemption for ASCO Industries, Inc. doing business as AFLCO Plastic Products formerly known as Southern Metal & Plastics Products. Mr. Hartnett stated the company presently has 102 employees with three (3) new hires. Mr. Hartnett said that 80.7% of these employees live in DeSoto County. AFLCO Plastics Products offers entry level pay @ & 6.50 per hour, tool & die @ \$ 17.50 per hour, with the average pay rate @ \$ 8.75, along with shift differential pay. Mr. Hartnett said the company has made a capital investment for the new addition in the amount of \$ 337,206.43. Mr. Harnett said that ALFCO Plastics Products hopes to add another manufacturing site to the location in the near future. Mr. Hartnett said that ALFCO Plastic Products has a profit sharing program that is regulated by the Federal Government.

Supervisor Eugene Thach asked if ALFCO has any problem recruiting employees at \$ 6.50 per hour. Mike Hartnett responded that they do. Mr. Hartnett said that last year Southern Metal & Plastics got with the state of Mississippi and paid the employees overtime for training in reading and math. Mr. Hartnett said that they have recently hired a Human Resource person to evaluate whether the starting salaries need to be upgraded.

Jim Flanagan said Southern Metal & Plastics were asking for tax exemption consideration of five (5) years personal property and ten (10) years real property. At the recommendation of the Tax Advisory Committee, Supervisor Jessie Medlin made the motion, and Supervisor Eugene Thach seconded the motion to approve a ten (10) year tax exemption for real property and a five (5) tax exemption for personal property for AFCO Industries Inc, doing business as ALFCO Plastic Products formerly known as Southern Metal & Plastic Products. The **motion passed** by a vote as follows:

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

****EXHIBIT E.1.a****

b. Ashland Oil Company

Ron G. Wainscott, CMI, Tax Specialist of Ashland Oil Company came before the Board of Supervisors for consideration of tax exemption. Mr. Wainscott stated the company has added 46,000 square feet to their building. Ashland Oil has added 2.4 million to building expense and 3 million to machinery. Ashland Oil presently has 46 employees. Ashland Oil offers entry level pay @ & 8.30 per hour, with the average pay rate @ \$ 14.00, along with full benefits. Mr. Wainscott said the annual payroll has increased 50% since 1993.

Jim Flanagan said Ashland Oil Company was for a consideration of a ten (10) years exemption on real property and a five (5) year exemption on personal property. At the recommendation of the Tax Advisory Committee, Supervisor Tommy Lewis made the motion, and Supervisor Jake Pearson seconded the motion to approve the ten (10) year exemption on real property and the five (5) year exemption on personal property for Ashland Oil Company. The **motion passed** by a vote as follows:

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

****EXHIBIT E.1.b****

ITEM E,1, CONTINUED,

c. MBCI Metal Building Components

Wayne Lipzinger of MCBI Metal Building Components came before the Board of Supervisors for consideration for a tax exemption. Mr. Lipzinger stated the company has a revised application ready, and said the company has added 26,000 square feet to their building. Mr.

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Lipzinger said that the new line resulting some new hires but every year the company has grown 10% to 15% therefore many of the new employees were a result of an increase in business. Mr. Lipzinger said MBCI Metal Building Components offers entry level pay @ & 7.75 per hour. Mr. Lipzinger said MBCI offers great benefits and a \$.75 pay differential.

Supervisor Tommy Lewis asked what is MBCI's highest salaries. Wayne Lipzinger responded \$ 12.00 to \$ 13.00 per hour for hourly employees. The Chancery Clerk W.E. "Sluggo" Davis asked if that is plus benefits. Wayne Lipzinger said yes, plus paid sick days, vacation leave, and a 401K plan. Mr. Lipzinger said that there are also salaried foreman at MBCI. Supervisor Tommy Lewis asked what kind of money they make. Wayne Lipzinger said \$ 3,000.00 per month.

Jim Flanagan said MBCI Metal Building Components was asking for tax exemption consideration of five (5) years personal property and ten (10) years real property. At the recommendation of Tax Advisory Committee, Supervisor Tommy Lewis made the motion, and Supervisor Jessie Medlin seconded the motion to approve the tax exemption for MBCI for five (5) years personal property and ten (10) years real property. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
James D. Pearson-----Yes
John Caldwell-----Absent
Tommy Lewis-----Yes ****EXHIBIT E.1.c****

d. Quality Ultra Print

Dan Kruse of Quality Ultra Print came before the Board of Supervisors for consideration of a tax exemption. Mr. Kruse stated the company has been in business since 1974 and has been involved with the DeSoto Council since their existence. Mr. Kruse said their company offers entry level pay at \$ 8.00 per hour. Mr. Kruse said that Quality Ultra Print had out grown their space and in order to assure continued growth, they had to build a new building. Mr. Kruse said most employees live in Mississippi.

Supervisor Eugene Thach asked if Mr. Kruse has been through the Tax Advisory Committee. Jim Flanagan said yes, that this is the first and only exemption Quality Ultra Print has received and this comes as a recommendation from the Tax Advisory Committee.

Jim Flanagan said Quality Ultra Print is asking for a resolution of intent for tax exemption consideration of ten (10) years on real property and five (5) years personal property. At the recommendation of the Tax Advisory Committee, Supervisor Eugene Thach made the motion, and Supervisor Jake Pearson seconded the motion to approve a resolution of intent for a tax exemption for Quality Ultra Print for ten (10) years real property and five (5) years personal property. The **motion passed** by a vote as follows:

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

****EXHIBIT E.1.d****

ITEM E,1, CONTINUED,

e. Milwaukee Electric Tools

Mr. Steve Nelson of Milwaukee Electric Tools came before the Board of Supervisors for consideration of a tax exemption application. Mr. Nelson stated the company has been in Olive Branch, County of DeSoto for nineteen (19) years. Mr. Nelson said with continued growth and the recent expansion of their facility, the company has increased from 140 to 180 full time employees. Mr. Nelson said their company offers entry level pay at \$ 10.00 per hour, with the print setter pay rate @ \$ 11.80 per hour, along with full benefits.

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Jim Flanagan said Milwaukee Electric Tools was asking for tax exemption consideration of five (5) years personal property and ten (10) years real property. At the recommendation of the Tax Advisory Committee, Supervisor Jessie Medlin made the motion, and Supervisor Jake Pearson seconded the motion to approve the tax exempt status for Milwaukee Electric Tools for five (5) years personal property and ten (10) years real property. The **motion passed** by a vote as follows:

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

****EXHIBIT E.1.e****

2. HWY 51 - APPROVAL OF EASEMENT & CONSTRUCTION AGREEMENT

County Administrator Clovis Reed presented to the Board of Supervisors a Easement & Construction Agreement for MDOT Project #82-9327-00-002-10 for US 51 from Nail Road to Church Road in DeSoto County.

Mr. Reed told the Board of Supervisors he had sent copies of the agreement to the County Engineer Daniel Murphy and the Board Attorney Bobby Chamberlain for review. The County Engineer Daniel Murphy said the agreement was acceptable to him. The Board Attorney Bobby Chamberlain said the only problem he has with the document is that the bottom of the first page should say the Mississippi Department of Transportation will; before listing item #1. Supervisor Tommy Lewis suggested changing the signature line to reflect his name as President of the Board of Supervisors.

Supervisor Eugene Thach made the motion, and Supervisor Jake Pearson seconded the motion to approve the Easement and Construction Agreement between DeSoto County and the Mississippi Department of Transportation for road construction on U.S. 51 from Nail Road to Church Road in DeSoto County, Mississippi, with changes as recommended by the Board Attorney and with the signature line changed to reflect Tommy Lewis as current President of DeSoto County Board of Supervisors. The **motion passed** by a vote as follows:

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

****EXHIBIT E.2****

ITEM E,3, CONTINUED,

3. CDBG NESBIT WATER

- a. Approval for Request for Cash**
- b. Contract Extension**

County Administrator Clovis Reed presented a request for cash in connection with the Nesbit Water Project the amount of \$ 24,971.60. Mr. Reed said the request for cash has been approved by the Project Engineer Edward T. Davis and Nesbit Water Association. Mr Reed also presented a request for Contract Extension for the Nesbit Water Project extending the contract period to November 26, 1998.

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At the recommendation of the County Administrator Supervisor Tommy Lewis made the motion, and Supervisor Jake Pearson seconded the motion to authorize the Board President to execute the request for cash and the contract extension in connection with the CDBG Grant for the Nesbit Water Project. The **motion passed** by a vote as follows:

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

****EXHIBIT E,3.a.& b****

**4. DESOTO TIMES TODAY REQUEST TO USE COURTHOUSE LAWN
HHS FOOTBALL KICKOFF AUGUST 28, 1998 5 P.M. - 7 P.M.**

Ms. Ellen Meacham of the DeSoto Times Today came before the Board of Supervisors to request the use of the Courthouse Lawn August 28, 1998, at approximately 4.45 P.M. This brief prep rally will be the official Football Season Kickoff for the Hernando High School Football team.

Ms. Meacham said he spoke with Bob Barber of the City of Hernando concerning usage of the courthouse lawn before 5 P.M., and Mr. Barber said there should be no problems. The students will arrive by bus for this brief pep rally, and they will need to be transported back to the school for a Friday night game.

Supervisor Eugene Thach asked Ms. Meacham if they would make sure the courthouse lawn is clean and tidy. Ms. Meacham replied yes.

Supervisor Jessie Medlin asked Ms. Meacham could they not schedule the prep rally for after 5 P.M. due to the parking situation. Ms. Meacham responded, the team has a game that evening, and the prep rally should only be approximately thirty (30) minutes long.

Supervisor Jessie Medlin made the motion, and Supervisor Eugene Thach seconded the motion to approve the DeSoto Times Today request for use of the courthouse lawn for the Hernando High School Football Kickoff on August 28, 1998 from 4:45 P.M. to 7:00 P.M.. The **motion passed** by a vote as follows:

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

ITEM E, CONTINUED,

5. APPROVAL TO BID - VENDING MACHINE SERVICE

County Administrator Clovis Reed requested the Board of Supervisors approval to bid for vending machine service.

Supervisor Jessie Medlin asked the County Administrator Clovis Reed if we could find a vending service to properly maintain the vending machines. Supervisor Medlin asked if there is anyway the County could fill the machines ourselves. The County Administrator asked if Mr. Medlin would like him to research that issue. Supervisor Medlin said that it maybe beneficial to the employees of DeSoto County to do so if the proceeds could be used for the employee fund.

Supervisor Eugene Thach made the motion, and Supervisor Jessie Medlin seconded the motion to

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approve bids for vending machines. The **motion passed** by a vote as follows:

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

6. BIDS UNDER ADVISEMENT

a. 1999 Overlay

The County Engineer Daniel Murphy presented a bid tabulation of the 1999 Overlay project in the amount of \$ 1,955,495.00 from Apac-Tennessee and \$ 1,746,477.30 from Lehman-Roberts for approval by the Board of Supervisors.

Daniel Murphy said his first estimate for this project was \$ 1.6 million. The County Administrator Clovis Reed asked Daniel Murphy if work began in September, when would the invoices for that work be due. Daniel Murphy replied they would be due in October 1998.

Supervisor Eugene Thach made a motion, and Supervisor Tommy Lewis seconded the motion to accept the low bid of Lehman-Roberts for the 1999 Overlay for DeSoto County. The motion did not pass by a vote as follows:

Jessie Medlin-----No
Eugene C. Thach-----Yes
James D. Pearson-----No
John Caldwell-----Absent
Tommy Lewis-----Yes

After further discussion Supervisor Eugene Thach withdrew the motion.

Supervisor Jessie Medlin made a motion, and Supervisor Eugene Thach seconded the motion to approve the low bid for the 1999 Overlay project of Lehman-Roberts in the amount of \$ 1,746,477.30. The **motion passed** by a vote as follows:

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

****EXHIBIT E.6.a****

ITEM E,6, CONTINUED,

b. Horn Lake Road

The County Engineer Daniel Murphy presented a bid tabulation for improvements to Horn Lake Road as follows:

Ferrell Paving \$ 374,011.90
Hill Brothers \$ 511,263.75

for approval of the Board of Supervisors. Mr. Murphy said the original estimate for this project was \$ 350,000.00. County Administrator Clovis Reed asked Daniel Murphy when if the work began in September, when would the invoices come due. Daniel Murphy replied, October 1998.

Supervisor Jake Pearson made the motion, and Supervisor Eugene Thach seconded the motion to approve the low bid from Ferrell Paving in the amount of \$ 374,011.90 for the Horn Lake Road Project, as recommended by the County Engineer. The **motion passed** by a vote as follows:

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

****EXHIBIT E. 6. b****

c. Two (2) Police Motorcycles

The County Administrator Clovis Reed presented a bid tabulation of the two (2) Police Motorcycles in connection with Bid File #98-220-03. At the recommendation of the County Administrator, Supervisor Jessie Medlin made the motion, and Supervisor Jake Pearson seconded the motion to approve the lowest and only bid from Southaven Kawasaki Yamaha, Inc, in the amount of \$ 18,966.00 for two (2) Police Motorcycles. The **motion passed** by a vote as follows:

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

****EXHIBIT E. 6. c****

ITEM E,7, CONTINUED,

1. DALE THOMPSON, COMPTROLLER

Dale Thompson, Comptroller, presented the budget amendments for approval by the Board of Supervisors.

a. BUDGET AMENDMENT

- (1) Circuit Court Clerk**
- (2) Youth Services**
- (3) Planning Commission**
- (4) Emergency Services**
- (5) Solid Waste Department**

In accordance with the provisions set forth in Section 19-11-11 of the Mississippi Code, the Board of Supervisors did discuss an amendment to the budget for the Fiscal year beginning October 1, 1997, and ending September 30, 1998.

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Lower	001-161-439	\$ 900.00
Lower	001-161-521	\$ 100.00
Lower	001-161-544	\$ 800.00
Lower	001-161-570	\$ 400.00
Lower	001-161-603	\$ 700.00
Lower	001-102-468	\$ 2000.00
Lower	001-162-456	\$ 900.00
Lower	001-180-465	\$ 1000.00
Lower	001-180-466	\$ 700.00
Lower	001-180-501	\$ 500.00
Lower	001-180-501	\$ 300.00
Increase	001-161-412	\$ 900.00
Increase	001-161-501	\$ 100.00
Increase	001-161-523	\$ 800.00
Increase	001-161-501	\$ 400.00
Increase	001-161-600	\$ 700.00
Increase	001-161-468	\$ 2000.00
Increase	001-161-575	\$ 900.00
Increase	001-161-465	\$ 1000.00
Increase	001-161-466	\$ 700.00
Increase	001-161-476	\$ 500.00
Increase	001-161-475	\$ 300.00

The Comptroller Dale Thompson presented and recommended the following budget for approval for the **Circuit Court Clerk.**

Lower	001-164-602	\$ 200.00
Lower	001-164-603	\$ 70.00
Increase	001-164-933	\$ 200.00
Increase	001-164-933	\$ 70.00

The Comptroller Dale Thompson presented and recommended the following budget for approval for the

ITEM E,7, CONTINUED,

Lower	001-107-543	\$ 350.00
Lower	001-107-550	\$ 400.00
Increase	001-107-521	\$ 350.00
Increase	001-107-521	\$ 400.00

The Comptroller Dale Thompson presented and recommended the following budget for approval for the **Planning Commission.**

Lower	001-252-671	\$ 300.00
Increase	001-252-587	\$ 300.00

The Comptroller Dale Thompson presented and recommended the following budget for approval for the

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Lower	112-350-541	\$ 150.00
Lower	112-000-347	\$ 835.25
Increase	112-340-501	\$ 150.00
Increase	112-340-585	\$ 835.25

The Comptroller Dale Thompson presented and recommended the following budget for approval for the **Solid Waste Department**.

Supervisor Jake Pearson made the motion and Supervisor Jessie Medlin seconded the motion to approve the budget amendments as listed above. The **motion passed** by a vote as follows:

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

****EXHIBIT 7.a.(1).(2).(3).(4). & (5)****

ITEM E.7, CONTINUED,

b. 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

At the recommendation of the Comptroller, Dale Thompson, Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve the investment of surplus funds to TrustMark National Bank and First Security Bank, who were the high bidders that placed their bids on time for funds as follows:

<u>Date of Investment</u>	<u>Bank</u>	<u>Amount</u>	<u>Maturity Date</u>	<u># of Days</u>	<u>Rate</u>
08/06/98	TrustMark	\$ 9,712,000.00	10/01/98	56	5.1259
08/06/98	First Security	\$ 1,805,000.00	09/10/98	35	5.300
08/06/98	First Security	\$ 180,000.00	09/25/98	50	5.300

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

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

****EXHIBIT 7.b****

8. APPROVAL OF RESOLUTION - SAM RUSSELL

After discussing the valuable efforts of Mr. Sam Russell having served the citizens of DeSoto County in the Planning Commission from May 28, 1996 until August 21, 1998, Supervisor Jessie Medlin made the motion, and Supervisor Eugene Thach seconded the motion to send a Resolution of Gratitude to Mr. Sam Russell for his dedicated and competent service, devotion, and leadership as Deputy Director of the DeSoto County Planning Commission. The **motion passed** by a vote as follows:

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

****EXHIBIT E.8****

ITEM E. CONTINUED,

1. APPROVAL OF EXTENSION OF ALLIED GRANT

County Administrator Clovis Reed presented to the Board of Supervisors for approval an amendment extending the Allied Grant. Mr. Reed said this extension would extend the grant until June 30, 1999. In addition, Mr. Reed explained the amendment would cover the additional cost associated with the six (6) offices that were added to the scope of the project. Mr. Reed said the document was forwarded to the Board Attorney for approval.

Supervisor Jessie Medlin made the motion, and Supervisor Eugene Thach seconded the motion to approve the amendment to the Allied Grant and to authorize the Board President to execute the amendment. The **motion passed** by a vote as follows:

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

10. T.H. WALKER - REQUEST FOR CIVIL DEFENSE OFFICE LOCATION

T.H. Walker came before the Board of Supervisors to request a permanent Civil Defense location for his people and equipment.

Mr. Walker said the Search & Rescue classes have grown quickly and classroom space is a major concern. This unit meets twice a month and there is standing room only. Mr. Walker said there is a need to have a location to enclose equipment such as generators that are being exposed to the weather

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elements. Mr. Walker pointed out when a Search & Rescue unit is called, the unit must go several different places to pick up necessary equipment and time is valuable. If the Civil Defense had a permanent location with equipment storage, these units could go to one (1) location to pick up equipment instead of several.

Mr. Walker presented a request for \$ 25,000.00 to erect a permanent metal building for the Civil Defense. Mr. Walker also stated he thought a very practical area to erect the building would be down by the aviation barn and said the Civil Defense volunteers would erect the building and a fenced area to store equipment.

Supervisor Eugene Thach asked Mr. Walker why could they not use the old bus barn. Mr. Walker said this area would not be vacate until August, 1999 and at the present time the bus barn has no extra room. Mr. Walker said he has spoken with the manager of the bus barn and had been informed other agencies have bids on this space when it becomes vacant.

Mr. Walker pointed out to the Board of Supervisors these Civil Defense units have basic training, CPR training, and medical training requirements which require a large area for classes. County Administrator Clovis Reed asked Mr. Walker approximately how many people attend these classes. Mr. Walker responded 25 to 50 people at one time.

Supervisor Eugene Thach recommended the use of the Senior Citizens building. Supervisor Thach asked Mr. Walker where the majority of the calls come from. Mr. Walker replied, most of the calls received are from Lakeview and the Mississippi River. Mr. Walker said the Civil Defense needed a permanent place to call home and equipment would make it hard to use a temporary building.

Supervisor Tommy Lewis said at this time no decision would be made, however, the Board of Supervisors would review the above request for a permanent location for the Civil Defense.

No motions were made nor vote was taken on this issue. Supervisor Tommy Lewis asked T.H. Walker to communicate any other areas that may come available.

ITEM E. CONTINUED,

11. TIME WARNER CABLE COMPANY - TAX PROTEST

Mr. Stacy Thomas of Time Warner Cable Company consideration by the Board of Supervisors a Tax Protest appeal. Mr. Thomas said Time Warner is meeting with Bill Bryant of the Tax Assessor's office. The meeting is still in progress, but as of this time there is no mutual agreement. If none is reached Time Warner is requesting to present their tax protest to the Board of Supervisors.

Mr. Thomas asked Supervisor Tommy Lewis when the Board of Supervisors would meet again. Supervisor Tommy Lewis replied, Tuesday, August 25, 1998 @ 9.A.M. at which time Mr. Thomas could present Time Warner's Tax Protest.

Supervisor Tommy Lewis made the motion, and Supervisor Eugene Thach seconded the motion to the hear the Tax Protest of Time Warner Cable Company on Tuesday, August 25, 1998. The **motion passed** by a vote as follows:

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

12. MARSHA BAUGHN - REPORT ON 2000 CONVERSION

Programmer Marsha Baughn recommended Data Systems Management for some of the work on the 2000 Conversion.

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Supervisor Tommy Lewis asked Marsha Baughn the cost involved on this upgrade. Marsha Baughn replied, this would depend on each program for the different departments. Marsha Baughn presented a report and highlighted yellow are original programs and programs highlighted orange are programs written by Data Processing. Ms. Baughn said there would be an additional charge for programs which were written by Data Processing.

Supervisor Tommy Lewis asked Ms. Baughn approximate total dollar cost involved in this conversion. Ms. Baughn replied \$ 78,900.00 hardware cost, \$ 13,200.00 installation/formatting/setup/training, and approximate/ \$ 4,500.00 for travel & per diem.

Ms. Baughn said representatives from Data Systems Management would be on site Monday, August 24, 1998 to review the County system and to offer suggestions for this upgrade. Ms. Baughn stated again that all of the in house programs would have to be modified for this conversion with additional cost involved. Supervisor Tommy Lewis asked Ms. Baughn if this a sole source. Ms. Baughn replied to use another company would be more costly as Data Systems Management uses the same computer language as our system.

Supervisor Tommy Lewis asked Ms. Baughn what is the response time will be. Ms. Baughn said a commitment should be made as soon as possible, due to the time frame involved.

County Administrator Clovis Reed asked Ms. Baughn when would the first invoice be due for the 2000 conversion. Ms. Baughn replied, payment would be due in next fiscal year.

ITEM E.12, CONTINUED,

Supervisor Jessie Medlin made the motion, and Supervisor Jake Pearson seconded the motion to declare Data Systems Management a sole source if the Board Attorney agrees that to do so would meet the criteria noted in Section 31-7-13 of the Mississippi Code and/or any other applicable Code requirements and if approved by the Board Attorney, the Board approves Data Systems Management for the work recommended by Marsha Baughn the Director of Data Processing for work on the 2000 Conversion. The **motion passed** by a vote as follows:

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

F. EXECUTIVE SESSION

The "Executive Session" portion of this meeting is presented under the portion of minutes called "Executive Session"

G. BUDGET

1. Regional Library - Jim Anderson

Jim Anderson appeared before the Board of Supervisors to appeal for the Regional Library Budget in the amount of \$ 91,000.00 additional funds.

Mr. Anderson said he had met the County Administrator Clovis Reed to discuss fund appropriation for the Regional Library. Mr. Anderson said he was coming before the Board of Supervisors to bring to their attention two (2) things. First, Mr. Anderson said he wanted to bring to the attention of the Board of Supervisors the budget needs for the coming fiscal year. Secondly, Mr. Anderson said he wanted to put the

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Boards mind at rest about the allocation of funds to the Regional Libraries for both Revenues and Expenditures. Mr. Anderson said that DeSoto County is not paying more than their fair share of the operating budget of the library system. Mr. Anderson said that recently the DeSoto Times Today stated that the Board had discussed their library allocations and determined that they were putting in 49% of the cost to operate the Regional Library System and having only 33% of the services funded back through DeSoto County. Mr. Anderson said that the income and expenditure allocations are computed as fairly as possible. Mr. Anderson said the previous support submitted by the County Administrator in some way compared apples and oranges. Mr. Anderson said that the budget requests he has submitted will only work based on three (3) assumptions:

- (1) That all counties give the requested budget:
- (2) The Library assumes that any State and Federal Funds will be allocated using a fair formula of distribution.
- (3) City Revenue has always been supplemental to the County Revenues. Mr. Anderson said that the cities are told that every dollar they give will be spent back in the branch in which their city is located. Regional cost are paid by the County and the State.

Mr. Anderson said the budget formula includes five (5) county contract. The libraries receive grant funds from the state for the county. City revenue is used from supplemental funds thru the county income, with every dollar going into the county library. Mr. Anderson said this formula has worked for the past 25 years and has been the most equitable way to allocate funds.

Mr. Anderson said additional budget funds would be used for the following:

- (1) Demands placed on libraries for collections
- (2) Pay increase for staff
- (3) Funding to operate Walls Library

ITEM G., CONTINUED,

The above mentioned funds will cover a wide variety of expenditures for the Regional Libraries. Pay increases for the library staff is needed desperately, as good employees have been difficult to retain due to competitive salaries in other areas. Presently the libraries offer a level entry of \$ 6.50 per hour, which is not high enough with the surrounding areas.

Since completion of the Walls Library, additional funding will need to be appropriated for salaries and maintenance of this new facility for a period of the next twelve (12) months.

Supervisor Eugene Thach asked Mr. Anderson if the increase is comparable to other cities and counties. Mr. Anderson said the increase is very compatible with other areas. Mr. Reed said Mr. Anderson explained how the cities contribution is figured into the formula and it is complicated but it does work.

Supervisor Tommy Lewis stated the library received \$ 625,000.00 last year, and asked how would the additional fund be expended. Mr. Anderson replied assuming funding was appropriated, \$ 32,000.00 would be expended on books/other material, and maintenance of automation system. Approximately \$ 24,000.00 would be expended for pay increases in DeSoto County Libraries. Approximately \$ 18,000.00 would be expended for materials for all five (5) DeSoto County Libraries, and \$ 17,000 to operate the Walls Library.

Supervisor Jessie Medlin asked Mr. Anderson about Summer Reading Programs. Mr. Anderson replied this program has gone well, as this program is a fun way to get children to use skills they have learned in school. Mr. Anderson said the library has received volunteer help with these programs.

Citizen Barbara James, Trustee, retired Teacher, and School Administrator said funding for libraries is important for primary thru college ages in order to provide a better education for our children of DeSoto County.

Citizen David Heur of Eudora said library patrons have asked for extended hours however, if funding is not provided extended hours will not be allowed.

Citizen Jo Buck said she would rather have county funding for the libraries to go to "FEED THEIR MINDS" and said it is not the same as fixing other county roads.

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No motions nor votes were taken on this issue.

****EXHIBIT G.1****

2. Literacy Council - Al Simmons

Mr. Al Simmons appeared before the Board of Supervisors to appeal for the Literacy Council Budget in the amount of \$ 5,000.00 total funds.

Mr. Simmons said the growth of the county is a blessing as well as a curse. With tremendous growth in the county over the past few years, the Literacy Council has not had an increase in budget for two (2) years. Mr. Simmons said the summer camp has enhanced reading for the children and has kept them off the streets.

Mr. Simmons said the Literacy Council would be requesting substantial funding from the United Way.

Supervisor Eugene Thach asked the current budget amount for the Literacy Council. Mr. Simmons replied, \$ 58,000.00 per year. The County Administrator Clovis Reed said they requested a budget of \$ 5,000.00 and he recommends \$ 4,000.00.

No motions were made nor votes was taken on this issue.

ITEM H., CONTINUED,

A. OTHER ISSUES

(1) Acquisition of property - Board of Education Building

Supervisor Tommy Lewis made the motion, and Supervisor Jessie Medlin seconded the motion to authorize the clerk to sign a check in the amount of \$ 400,000.00 for the Board of Education Building on Commerce Street in exchange for the Deed to the property. The **motion passed** by a vote as follows:

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

****SEE EXHIBIT H.(1)****

(2) FY99 Budget Hearing

The County Administrator Clovis Reed notified the Board of Supervisors that the Mississippi Code requires the Public Notice for the Budget Hearing to state that it is a Notice of Tax Increase. Mr. Reed said that in reality there is no tax increase, rather, because population has increased the county will take in more taxes. Mr. Reed acknowledged that this requirement is misleading to the general public therefore the County Administrator said that the public notice was published and a separate notice that the budget did not include a tax increase was published underneath the budget. Mr. Reed said that this was done much the same way as the Board of Educations Public Notice was ran this year.

(3) Homesteads

The Chancery Clerk W.E. "Sluggo" Davis presented the Homestead Roll for approval by the Board of Supervisors. Mr. Davis said that this is a redundant step in the homestead approval process as the list

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presented encompasses all of the individual homesteads that were approved at meetings throughout the year. However, the State office requires Board approval for the compiled listing of these homesteads as well.

Supervisor Jake Pearson made the motion, and Supervisor Tommy Lewis seconded the motion to approve the homestead deletion roll as presented by the Chancery Clerk. The **motion passed** by a vote as follows:

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

****SEE EXHIBIT G.(3)****

ITEM H.(4), CONTINUED,

(4) Roads - Allison Road

Supervisor Eugene Thach commended the Road Manager for the job he did with the fence on Church Road. Chancery Clerk W.E. "Sluggo" Davis said he has been getting complaints that the post were too far apart. Mr. Davis said it was reported that some of the post were twenty-one (21') feet apart. Supervisor Jessie Medlin said that if necessary the county needs to put some fence post in those areas when post are deficient. Supervisor Tommy Lewis presented a petition asking the County to take in an additional of 600' of road on Allison Road.

Pursuant to Section 65-7-57 of the Mississippi Code of 1972, as amended, the Board did acknowledge receipt of the petition to adopt Allison Road as a county road. Supervisor Tommy Lewis made the motion, and Supervisor Jake Pearson seconded the motion to appoint a committee to inspect Allison Road consisting of Supervisor Jessie Medlin and Supervisor Eugene Thach. The **motion passed** by a vote as follows:

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

****SEE EXHIBIT H.(4)****

(5) Roads - Ciba Road

The Road Manager Kenny Gunn notified the Board of Supervisors that Ciba Road is almost ready to open and requested approval to post a 15 Ton Weight Limit on Highway 61 from Graves Road to Tunica County Line. The **motion passed** by a vote as follows:

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

(6) Personnel - Data Processing

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Supervisor Eugene Thach made the motion, and Supervisor Jessie Medlin seconded the motion to advertise for the position of Programmer due to the resignation of Marsha Baughn. The **motion passed** by a vote as follows:

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

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to recess until Tuesday, August 25, 1998 at 9:00 a.m.

THIS the 17th day of August, 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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