

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

TOMMY LEWIS, PRESIDENT, PRESIDING

September 11, 1998

A. CALL TO ORDER

The September 11, 1998, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Tommy Lewis of DeSoto County.

Deputy Sheriff Charlie Brown of the DeSoto County Sheriff's department 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, Absent
John Caldwell-----District 4
Tommy Lewis-----District 5
W. E. "Sluggo" Davis-----Chancery Clerk
Charlie Brown-----Deputy Sheriff of DeSoto County
Clovis Reed-----County Administrator
Tony Nowak-----Board Attorney

B. INVOCATION

The invocation was presented by County Administrator Clovis Reed.

C. OLD BUSINESS

1. Dale Thompson - Budget Amendments
 - a. Tax Assessor

Supervisor Eugene Thach suggested sending a memo to all department heads and elected officials in connection with yearly salary increases. Supervisor Eugene Thach suggested notifying department heads and elected officials that they were responsible for this budget line item not exceeding the budget.

Supervisor Jessie Medlin said if an official can give a higher raise than the county sets if it is in the budget. Supervisor Medlin said if money is not in the budget, a higher salary would not be approved.

County Administrator Clovis Reed explained the Board allows a 5% increase however a department head may allow a 6% increase for one (1) employee and a 4% increase for another if money is in the budget.

Supervisor Eugene Thach said if a increase over 5% is requested, this increase must be approved by the Board of Supervisors before increase is given.

County Administrator Clovis Reed said he will draft a memo for the Board's approval in connection with the increase of pay before sending memos out to the department heads.

ITEM C.1.a., CONTINUED,

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Supervisor Eugene Thach made the motion, and Supervisor John Caldwell Medlin seconded the motion to approve the budget amendment for the Tax Assessor as follows:

Increase	001-103-402	\$ 7,900.00	tax assessor's deputy salary
Increase	001-103-465	\$ 767.00	retirement
Increase	001-103-466	\$ 125.00	social security
Lower	001-103-440	\$ 4,032.00	part time salary
Lower	001-103-469	\$ 2,000.00	unemployment
Lower	001-103-594	\$ 2,760.00	contract services

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

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

****SEE EXHIBIT C.1.a****

b. Animal Control

Jim Bearden of Operations and Maintenance came before the Board of Supervisors regarding the 1995 Ford F 150 Pickup of the Animal Control Officer. Mr. Bearden said invoices totaling \$ 895.97 were within reason for the replacement of a catalytic convertor. Mr Bearden stated the replacement of a dual catalytic convertor is in line with other companies for this repair and the gas which the county is presently using is contributing to the number of fouled catalytic convertors. Mr. Bearden said the Sheriff's department has been experiencing the same problems with squad cars and this is in line with the cost to repair these cars.

Mr. Bearden said in regards to the estimated price of \$ 1,400.00 to rebuild the transmission, his research revealed the Ford's transmission required rebuilding when mileage has reached 90,000 to 120,000 miles. Mr. Bearden stated the estimated price of \$ 1,400.00 to rebuild the transmission in the 1995 Ford F 150 pickup is reasonable.

Supervisor Jessie Medlin made the motion, and Supervisor John Caldwell seconded the motion to approve repair invoices in the amount of \$ 895.97 to Country Ford for replacement of catalytic convertor and approval to rebuilding the transmission at \$ 1,400.00 plus any budget amendments necessary to accomplish this work at the recommendation of Mr. Jim Bearden.

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

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

****SEE EXHIBIT C.1.b****

ITEM C.2, CONTINUED,

2. Merritt Powell - Planning Commission - Gordon Arnold

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Merritt Powell of the Planning Commission came before the Board of Supervisors in connection with Gordon Arnold's request for C-2 zoning.

Supervisor Jessie Medlin asked when would Mr. Arnold clean up the property.

Supervisor John Caldwell said Mr. Arnold requested a list of items that need to be done to meet requirements.

Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion to grant final approval of C-2 Zoning for one (1) lot of three (3) acres located on the north side of Highway 304, West of Fogg Road, in Section 7, Township 3, Range 8, known as Gordon Arnold Commercial Subdivision. The **motion passed** by vote was as follows:

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

D. NEW BUSINESS

1. Administration Building - Moving Power Lines

County Administrator Clovis Reed told the Board of Supervisors Entergy is requesting a letter of intent to move power lines on the Administration Building property. Mr. Reed said the estimated cost of moving these power lines is \$ 20,000.00.

Mr. Jim Bearden said this estimated cost is for five (5) light poles, two (2) transformers, and approximately six hundred (600') feet of power lines.

Supervisor Tommy Lewis asked Mr. Reed if he had spoken with Allen & Hoshall regarding this issue. Mr. Reed said per conversation with Burt Poletti of Allen & Hoshall, there was no contingency set up for this project. Vanessa Lynchard said some government agencies do not require a contingency fund, therefore, Allen & Hoshall does not include one in the projects.

Supervisor Tommy Lewis said the Board of Supervisors should have set a contingency policy for this project. Supervisor Eugene Thach asked why this cost was not included in the initial estimate.

Supervisor John Caldwell made the motion, and Supervisor Jessie Medlin seconded the motion to authorize the County Administrator to provide a letter of intent to Entergy for moving equipment and power lines on the site of the DeSoto County Administration Building and to approve payment of same in order to keep the operation on track. The **motion passed** by vote was as follows:

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

E. BUDGET

The County Administrator Clovis Reed said a lot of work has been done to the budget since the last meeting and discussed line item by line item, noting previous expenditures for these items. Mr.

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Reed said there is enough money to operate on and not a lot of padding in the modified budget.

Church Road

Mr. Reed said the answer to the Church Road issue is to place millage in the Road & Bridge fund, until the bonds are issued. Then the Board could move the money into the Church Road fund. Mr. Reed said to do so would increase the road budget by \$ 675,000.00.

Supervisor Jessie Medlin asked if the Board took this suggested approach, could the Road Manager then spend those funds. The County Administrator, Clovis Reed answered, not if the Board tells him not to use those funds.

Contingency

The County Administrator, Clovis Reed said that as of last week he understood that the County will have \$ 6.8 million dollars conservatively in the budget. Therefore, the \$ 600,000.00 is what you could do this budget to fund any projects and leave \$ 6.2 million dollars.

Sheriff's Department

Supervisor Tommy Lewis asked how did the budget cuts effect the Sheriff's department. Supervisor John Caldwell replied the budget cuts reflect a decrease in insurance and fidelity bonds in the amount of \$ 20,000.00 as the county is fully insured now.

Supervisor Caldwell said the new budget shows a reduction in expenses of two (2) squad cars but the revenues from the sale of the old squad cars is not shown and that should make up the difference to allow the Sheriff the same number of squad cars to be added to his department.

Sheriff James Albert Riley asked Supervisor Caldwell if he considered the Road Manager asking for a 6% increase for his employees when the Sheriff department employees only received a 5% increase. Sheriff Riley said by cutting his budget, the Board is cutting the safety of the citizens of DeSoto County. Sheriff Riley said he would rather have a gravel road and have the people of the County safe.

Mr. Reed said he understood Sheriff Riley's concerns, however the Board of Supervisors have been more than fair with the Sheriff's department, when compared to other counties in Mississippi tht are similar in size. Sheriff James Albert Riley asked how those counties law enforcement is compared to DeSoto County. Sheriff Riley said that the people who elected him do not live in Rankin County or Jackson County.

Supervisor John Caldwell said actually the Board was not cutting services. The insurance and fidelity bonds were not being used, as the County is fully insured, and with regards to squad cars the County will make up any shortfall to the purchase of two (2) more squad cars. Sheriff Riley said as far as the money in the insurance and fidelity bonds, if money is not needed, place it back into the general fund.

Supervisor Eugene Thach asked Sheriff Riley if he thought he would receive enough money from the sale of the cars to make up the difference for the new cars. Supervisor Thach said the budget is really not changing for the Sheriff's department. Supervisor Thach said if there is a shortfall in funds, the County will make up the difference for the two (2) cars.

ITEM E, CONTINUED,

Supervisor Tommy Lewis asked Sheriff Riley if he could live with his budget. Sheriff Riley replied yes.

Park

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Ms. Lauren Gerard of Fisher & Arnold came before the Board of Supervisors for a presentation of a County park located on Star Landing Road in DeSoto County, Mississippi.

Ms. Gerard said gave the following breakdown of construction:

Clearing & Grubbing.....	\$ 20,550.00
Grading & Drainage.....	\$ 216,957.00
Parking Lot & Entrance Drive.....	\$ 165,637.00
Sewer & Water.....	\$ 64,856.00
Babe Ruth Fields (2).....	\$ 245,753.00
Pavilion(pad/picnic tables).....	\$ 35,950.00
Pressbox/Restrooms/Concession.....	\$ 160,000.00
Lighting.....	\$ 266,247.00
Seeding & Sod.....	\$ 11,360.00
Site Furnishings.....	\$ 32,250.00
(Bleacher/bollards/trash receptacles- drinking fountains/benches)	
Methane Venting.....	\$ 96,950.00
Asphalt Trail.....	\$ 68,375.00

**Construction contingency, design fees,
inspection & project administration (25%)
\$ 1,384,885.00

Total Estimated Cost.....\$ 1,731,106.00

The County Administrator Clovis Reed asked Ms. Gerard a time frame for construction with phases. Ms. Gerard said approximately three (3) months for construction drawings and 180-210 days to complete the phase with good weather. Supervisor Eugene Thach asked an approximate cost for full completion of this project. Ms. Gerard replied approximately one million.

Supervisor John Caldwell asked how the payment process takes place. Ms. Gerard said the design fees would become due immediately and construction would be based on performance with the approved contract on a draw down bases.

Supervisor Jessie Medlin asked what type of operational budget would a park of this size require. Ms. Gerard replied, Fisher & Arnold would need to do research for the appropriate budget.

Supervisor John Caldwell made a presentation to the Board of Supervisors concerning parks in DeSoto County. Supervisor Caldwell said the whole County pays taxes and that County parks are used by both city and county residents. Supervisor Caldwell said that it would be impractical to build five (5) county parks across the county.

Supervisor Caldwell said that at one (1) time the county built roads for county residents. The cities then decided to incorporate those areas and that is when annexation occurs. Supervisor Caldwell said that unincorporated areas of the county should not have to suffer because of annexation.

Supervisor Tommy Lewis said that he agrees with Supervisor Caldwell’s perspective, but he is not ready to fund the parks.

ITEM E, CONTINUED,

Supervisor John Caldwell said that if the Board of Supervisors does not fund the parks, we should return the money to the tax payers.

Supervisor Eugene Thach said he lives in the city. Supervisor Thach said that the counties have inter local agreements with the cities and even share an animal shelter. Supervisor Thach said cities are providing parks that are enjoyed by all county residents and the county provides certain services to all county residents. Supervisor Thach said that the cities pay millage to the counties, but the

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county does not pay city taxes. Supervisor Thach said that he has not found support for a county wide park. Supervisor Thach said there are parks in this area and said that if the county does build a park it should be done for areas where there are no parks.

Supervisor John Caldwell said that when you get to today's standards it is hard to know the difference between the incorporated and unincorporated areas of the county. Supervisor Caldwell said that the existing parks should at least be brought to standard.

Supervisor Eugene Thach said there is also the issue of locating a park at the landfill. Supervisor Thach said that many of the Board and the county are not comfortable with that. Supervisor Thach said that is an issue he has a problem with. Supervisor Caldwell responded that is done all over the country. Supervisor Caldwell said he has four (4) children and he would not dare put them in a place that is unsafe.

A DeSoto County Citizen, Ms. Jo Buck asked if there could be a volunteer board to operate parks to help with these costs.

Supervisor John Caldwell asked what is reasonable for the County to budget for parks on an annual basis to improve the existing parks. Supervisor Caldwell said that if the City of Southaven meets all of their plans for parks today, we still would be short of the national average. Supervisor Caldwell speculated on where those parks would come from. Supervisor Caldwell said that parks are available except in the center and south of the County.

Supervisor Tommy Lewis said the County has road needs that the County could spend \$ 20 million dollars today on. Supervisor Lewis said that if the County needs parks, then there should be a tax levied for parks.

Supervisor John Caldwell said that the Board has looked at a budget that says the County can raise the road budget plus fund the County budget without a tax increase. Supervisor Eugene Thach speculated that this will be the last year for that luxury. Supervisor Thach said that a tax increase will be inevitable in the next years.

Supervisor Tommy Lewis said he has not seen anything in writing that says we would still be eligible for the Super Fund Clean Up money if the landfill is developed into a park. Supervisor John Caldwell said that money is paid out every year for ten (10) years and will not build a one-hundred twenty (120) acre park.

Supervisor Tommy Lewis asked where the budget is with these changes as far as contingency. The County Administrator, Clovis Reed said contingency is at \$ 6.2 million dollars with the \$ 175,000.00 undesignated.

Supervisor Jessie Medlin said he does not have anything against parks. Supervisor Medlin said that on the front of the discussion to do the park study the Board talked about doing a county wide park study but the study only included one (1) location of the County. Supervisor Medlin said that he agrees that the existing parks need to be improved. Supervisor Medlin said it may be better for the counties to assist the cities.

ITEM E, CONTINUED,

Supervisor John Caldwell asked how many of the Southaven parks are south of Church Road. The County Administrator, Clovis Reed asked what would you need for a one time allocation in the budget. Supervisor Caldwell said that the park project if the park project is not going to be done right, then he does not support doing it at all.

Supervisor Tommy Lewis said he is not against the parks, but he is not supportive of the location in the landfill. ****SEE EXHIBIT E****

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T.L.

Tax Assessor

Mr. Reed said the Tax Assessor's budget received a cut of \$ 6,000.00 out of contractual, \$ 2,400.00 out of travel, and had added back \$ 1,200.00 to office machines.

Tax Collector

Mr. Reed said the Tax Collector's budget was cut on a new position of \$ 21,000.00, \$ 6,600.00 part time, and \$ 10,000.00 for postage. Mr. Reed said the Tax Collector could come before the Board of Supervisors requesting reinstatement of the new position.

County Administrator

Mr. Reed said the County Administrator's budget was cut on a new position, postage, office supplies, furniture & fixtures, and computer equipment. Mr. Reed stated the cut of the new position, had previously been cut by the Board of Supervisors.

Supervisor Eugene Thach said to cut the budget now and then have to add items back throughout the year presents an unrealistic budget. Supervisor John Caldwell said you can cut it back too far. Supervisor Tommy Lewis said if you want to increase line items, now is time to do it.

Chancery Court Clerk

Mr. Reed presented suggested cuts in the following \$ 1,000.00 for postage, \$1,500.00 printing, \$1,000.00 court appointed attorney, \$ 1,000.00 office supplies, \$ 1,000.00 other court cost, and \$ 1,000.00 for furniture & fixtures.

Circuit Court

Mr. Reed presented the following cuts \$ 1,000.00 for furniture & fixtures, \$ 3,000.00 computer, and \$ 150.00 for dues & subscriptions.

Youth Services

Mr. Reed said he had spoken with Judge Barbee in connection with budget cuts and Judge Barbee said he is comfortable with his budget.

Animal Control

Mr. Reed suggested a cut in overtime of \$ 2,000.00. Supervisor John Caldwell said a part time position was created so Ms. Clara Riley could cut down on her overtime. Supervisor Jessie Medlin asked how long Ms. Riley has had part time help.

Architect Fees

Mr. Reed recommended a budget cut of \$ 15,000.00 for a jail study.

ITEM E, CONTINUED,

Millers Voting Precinct

Supervisor Jessie Medlin asked why this line item was cut completely. Supervisor John Caldwell said re-districting would occur after the year 2000, and suggested waiting until then. Supervisor Jessie Medlin said the County spent \$ 900,000.00 for a Library where no one lives.

Supervisor Medlin said the Millers Voting Precinct would alleviate overcrowding in Olive Branch voting precinct. Supervisor John Caldwell said the precinct is a good idea, just not at this time. Supervisor Medlin said the current voting precinct is an embarrassment.

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Supervisor Eugene Thach asked Supervisor Medlin what he would like to do. Supervisor Medlin said in this area we have \$200,000.00 homes and a \$ 50.00 building in which to vote.

Supervisor John Caldwell said presently the County needs to be repairing roads. Supervisor Tommy Lewis asked Supervisor Medlin if an old school house was purchased, would that be sufficient. Supervisor Medlin replied, he did not know.

Supervisor Tommy Lewis recommended leaving enough money to build a descent parking lot for the voting precinct. Ms. Mary Ann Schwartz, citizen of DeSoto County suggested building a adequate building for voters after the re-districting has occurred.

F. EXECUTIVE SESSION

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

G. OTHER ISSUES

1. Washington, D.C. Trip

Supervisor Tommy Lewis gave the Board of Supervisors an update on the trip to Washington, D.C. Supervisor Lewis said the House will include 5 million on a bill with the EPA and the Senate will include 1 million on a 55/45 match. Supervisor Lewis said our Congressmen are right on top of the situation, and are working very diligently to help. Supervisor Tommy Lewis said there possibly could be state funds as well.

Supervisor Tommy Lewis made the motion, and Supervisor Jessie Medlin seconded the motion to approve travel reimbursement in connection with travel expense for Supervisor Tommy Lewis to Washington, D.C. in connection with the County Wide Sewer Project. The **motion passed** by vote was as follows:

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

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

ITEM G. 2, CONTINUED,

2. DeSoto County EMS - Bobby Storey

Supervisor John Caldwell made the motion, and Supervisor Jessie Medlin seconded the motion to approve East Ford invoice in the amount of \$ 19,167.60 to purchase a 1999 Ford Crown Victoria for Fire/EMS Director Bobby Storey and to authorize the clerk to write the check. The **motion passed** by vote was as follows:

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

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Tommy Lewis-----Yes

****SEE EXHIBIT G.2****

3. Sheriff Department - Helicopter Repair

Dale Thompson, Comptroller came before the Board of Supervisors requesting approval to release checks for helicopter repairs in the Sheriff’s department. Supervisor John Caldwell made the motion, and Supervisor Jessie Medlin seconded the motion to approve release of checks for helicopter repairs. The **motion passed** by vote was as follows:

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

****SEE EXHIBIT G.3****

4. Board of Education - Reimbursement of Homestead

Dale Thompson, Comptroller came before the Board of Supervisors to present Notice of Distribution of Reimbursement of Tax Loss for the Board of Education. In pursuant of Section 27-33-67 (2) and Section 27-33-79 Mississippi Code, 1972, annotated the Board of Education is due \$ 550,732.57 in reimbursement.

Supervisor John Caldwell made the motion, and Supervisor Jessie Medlin seconded the motion to approve reimbursement of tax loss for the Board of Education. The **motion passed** by vote was as follows:

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

****SEE EXHIBIT G.4****

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to recess until Monday, September 14, 1998 at 9:00 a.m.

THIS the 11th day of September, 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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