

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

TOMMY LEWIS, PRESIDENT, PRESIDING

September 21, 1998

A. CALL TO ORDER

The September 21, 1998, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Tommy Lewis.

Deputy Sheriff Charlie Brown 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
- Tommy Lewis-----District 5
- W. E. "Sluggo" Davis-----Chancery Clerk
- James Albert Riley -----Sheriff of DeSoto County
- Clovis Reed-----County Administrator
- William Austin-----Board Attorney

B. INVOCATION

The invocation was presented by County Administrator Clovis Reed.

C. JUDGE MCCORMACK - NIGHT COURT

Justice Court Judge John McCormack and Judy Ken Adams presented a letter of recommendation for approval by the Board of Supervisors to hold night court. Judge McCormack and Judge Adams requested night court to begin October 1, 1998.

Judge McCormack said by holding court until 9 P.M., this would allow residents to appear for court without adding undue hardship in relation to their profession. Supervisor Eugene Thach asked Judge McCormack how many nights would this add to court. Judge McCormack said night court would only be held twice (2) a month. Judge McCormack said a court would be scheduled from 2 P.M. and end at 9 P.M.

Supervisor Tommy Lewis asked Judge McCormack if he had discussed this with the constables and security. Judge McCormack replied, he had spoken with them, he will not speak for them to the Board of Supervisors. Judge Adams said he and Judge McCormack are asking for approval for night court.

Supervisor Eugene Thach asked if the judges have talked to the Justice Court Clerk Linda Aldridge. Judge McCormack said he had, but suggested the Board speak to Ms. Aldridge about the matter.

ITEM C, CONTINUED,

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County Administrator Clovis Reed asked how many people will need to be involved in extending the hours. Judge Adams replied, we would need to make arrangements for staffing through Linda Aldridge in Justice Court. Judge Adams also requested the use of a printer in order to receive funds.

Supervisor Jake Pearson speculated that people will be receptive to night court. Judge McCormack stated this is only the beginning to see how receptive this concept is. Supervisor Jessie Medlin asked if this will help speed up the system. Judge McCormack replied, no, it is just a convenience for the residents of DeSoto County.

Supervisor John Caldwell asked who would determine what time of day or night a case would be heard if there is a conflict for one party working. Judge McCormack said they would work through these type of obstacles. Judge Adams said this would not only benefit the citizens, but the officers as well. Judge Adams said he has spoken to officers regarding night court and they seem to have a positive attitude with holding night court. Supervisor Eugene Thach asked how this would effect highway patrolmen. Judge McCormack said at the present time, highway patrolmen would not be involved in night court.

Supervisor Jessie Medlin said he would like to hear from the other side before approving night court sessions. Judge McCormack replied night court could begin on November 1st, this would be no problem.

Chancery Clerk W.E."Sluggo" Davis asked Judge McCormack what time do the Deputy Clerks report to work. Judge McCormack replied 8 A.M. Judge McCormack said on a contested day of court, they work until the last case is resolved, which has ran as late as 7 P.M. Judge McCormack stated his staff does support holding night court.

Supervisor Eugene Thach requested time to work with Linda Aldridge. Supervisor Tommy Lewis also stated he would like to speak with all staff involved before making recommendation. Chancery Court Clerk W.E. "Sluggo" Davis asked Judge McCormack if night court would involve District Attorney Larry Vaughn. Judge McCormack replied, no.

Supervisor John Caldwell said it is the Board's job to support the Judges in their needs. Supervisor Jake Pearson said some residents do not show for court. Supervisor Jessie Medlin said he would like to know the cost involved in holding night court.

Judge McCormack and Judge Adams expressed their appreciation of Linda Aldridge and her staff being so cooperative.

Supervisor John Caldwell made the motion, and Supervisor Jake Pearson seconded the motion to support the request of Judge McCormack and Judge Adams to begin night court in Justice Court and provide administrative support to begin the process November 1, 1998. The **motion passed** by a vote as follows:

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

ITEM C, CONTINUED,

Supervisor Jessie Medlin clarified that his vote of opposition is because he would like to hear from the Constables, Clerk, and other involved in the changes to night court. Supervisor John Caldwell said the Judges are elected to serve the people and the staff is hired to support the Judges, therefore he commended their efforts.

Supervisor Tommy Lewis agreed but he said he would like to speak to the other side of the issue as well. Supervisor Lewis said he is not opposed to the idea but he would like to hear from everyone before voting on the issue.

Supervisor Jessie Medlin said he would also like to know about the additional cost associated with this change. Judge McCormack and Judge Adams commended Linda Aldridge, Justice Court Clerk and her staff for their diligence and dedication in caring out their duties in Justice Court. ****SEE EXHIBIT C.****

D. BOYD GREEN - DISCUSSION OF COUNTY DRAINAGE ISSUE

Mr. Boyd Green, Engineer, Ms. Candi Roberts, Mr. Wayne Lowery, Representative Wanda Jennings, and Bill Davis representing Stonehedge Homeowners Association appeared before the Board of Supervisors requesting assistance on the drainage problems in Stonehedge. Mr. Boyd said the problem at the present time involves the thirty-nine (39) acre lake in Stonehedge. This lake is becoming a complete mud hole due to the construction in the immediate area. Mr. Boyd stated with the silting taking place this lake is being totally destroyed and is requesting enforcement of planning ordinances as set forth for developers.

Mr. Wayne Lowery of the Stonehedge Association said 486 acres are draining into this lake, however construction around the lake is not being maintained and is virtually destroying the lake. Mr. Lowery said there needs to be strict control for silting and a firm control on developers during construction. Mr. Lowery said that Stonehedge also had a 2 ½ acre lake that was destroyed previously due to drainage from developers in the area. Mr. Lowery said he bought his house because of the lake and if the homeowners do not do something to control the erosion into the big lake, it will be destroyed.

Mr. Boyd Green said Phase II of the neighboring development is beginning soon. Mr. Green asked the Board of Supervisors who has authority to enforce ordinances. Supervisor Tommy Lewis asked the Board Attorney, Bill Austin for guidance. Mr. Austin stated he had written the Attorney General for an opinion as to who can manage the quality of water. Mr. Austin said the Planning Commission sets requirements as to retention ponds, etc, for developers.

Mr. Green said he had spoken with the City of Southaven regarding the silting problem. The City of Southaven explained to Mr. Green they did have problems with water/sewage in the county, however, they were not responsible for this problem. Mr. Green said there has been no enforcement of the codes set forth for developers and the problem usually occurs after the fact.

Mr. Lowery asked Supervisor Jessie Medlin if the Maywood area had a similar problem. Supervisor Medlin replied yes, however, he was unsure of the procedures to correct this problem. Mr. Lowery said that the Maywood problem was corrected by installing a retainage basin for silt.

Supervisor Eugene Thach said, at the present time, the County is trying to stop drainage problems with the use of retention ponds, but the state should have addressed the silt problem in the Stonehedge Association several years ago.

ITEM D, CONTINUED,

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Ms. Candi Roberts, a Stonehedge resident said she watched as the smaller lake of 2 ½ acres was destroyed and she does not want to see the larger lake destroyed. Mr. Lowery stated the large lake is now acting like a silting basin for all the run off due to the surrounding construction.

Supervisor John Caldwell asked Merritt Powell of the Planning Commission about pre/post run off. Mr. Powell said there should be no run off during construction. Mr. Powell said the state requires a permit for the developer however, presently there is no enforcement of the ordinance.

Representative Wanda Jennings said on September 3rd, 1998 she spoke with Zach Stewart in Batesville, Mississippi, regarding the drainage problem and ordinance enforcement. Ms. Jennings stated they were told if the Homeowners Association would not go into ligation the state would repair damages to the lake due to construction. Mr. Green said the MDOT did admit to the damage and ordered the clean up.

Mr. Lowery said with construction of Golden Oaks subdivision, this project is creating a lot of damage. Ms. Roberts said Stonehedge has already had fish to die in the smaller lake. Mr. Lowery asked if Stonehedge residents need to go into ligation to resolve this issue.

Supervisor John Caldwell asked if the City Engineer of Southaven had any recommendations. Mr. Green said this problem has not been addressed by the city, as this is not a priority, and the city is unsure of who has authority. Mr. Lowery said the Homeowner Association collects dues from residents and their funds are not plentiful enough to pursue ligation.

Supervisor John Caldwell said the drainage problem is County wide. Supervisor Caldwell said the County cannot enforce the County plan into the city limits. Mr. Green asked if Horn Lake Drainage Districts could be used to resolve these problems. Supervisor Caldwell responded, the solution may not be one of which the Board of Supervisors would approve.

Mr. Boyd Green sated there are ways to raise revenues to resolve this issue and suggested working directly with the Board of Supervisors. Board Attorney, Bill Austin said the Board of Supervisors can only make recommendations, and that is the reason they are waiting on an opinion from the Attorney General's office.

Supervisor Tommy Lewis asked Board Attorney Bill Austin if they have authority inside city limits. Mr. Austin responded, no, not for planning and zoning.

Ms. Candi Roberts said the Association has been going in circles and was told to come to the Board of Supervisors for guidance. Ms. Roberts asked the Board to tell them who to see, what to do. She said they are in great need of advise regarding this issue.

Supervisor John Caldwell said the Board all has constituents with drainage problems in the County. Supervisor Jessie Medlin asked where the 486 acres of watershed is located. Mr. Green said this acreage is in multiple jurisdictions. Supervisor Tommy Lewis suggested the Board of Supervisors take this issue under advisement, to hear the Attorney General's opinion.

ITEM E, CONTINUED,

E. MERRITT POWELL - PLANNING COMMISSION
MORNING VIEW SUBDIVISION - PHASE I

T.L.

Mr. Merritt Powell of the Planning Commission, and Mr. John Kyle, developer of Morning View subdivision, presented a request for Bond Reduction for approval by the Board of Supervisors.

Mr. Powell said Mr. Kyle was asking for a bond reduction in the amount of \$ 19,000.00. Mr. Powell said Mr. Kyle had completed the construction bond and had made application for a maintenance bond. Mr. Powell said this subdivision is south of Byhalia off Getwell Road.

Mr. Kyle said he graveled this road in 1996 and in October 1997 there were three (3) to four (4) families residing in the subdivision. Mr. Kyle said residents were calling to complain they could not get to their homes during winter. Mr. Kyle said he spoke with Mr. Powell in January 1998, and he suggested calling Central Maintenance for approval of asphalt. Mr. Kyle stated after several attempts to speak with Central Maintenance with no response, Mr. Kyle said he decided to asphalt the road to appease the residents.

Mr. Kyle said the original bond was set for \$ 32,000.00, and as to today, he has spent \$ 28,182.00 on this road not including labor. Mr. Kyle said now the County is asking him to spend another \$ 10,000.00 to \$ 12,000.00 for another ½ inch of asphalt. Mr. Kyle stated he began calling Central Maintenance in January, 1998, and finally spoke with Mr. Ivy on July 28th, 1998. Mr. Kyle said he could assure the Board of Supervisors there are no problems with the road he built and asked that the Board waive the requirements for the ½ lift.

Mr. Powell said regulation requires 3" of asphalt, however 80% of slabs are poured in this subdivision. Supervisor Jessie Medlin asked when Phase I was completed. Mr. Powell responded January 1996. Supervisor Tommy Lewis asked the Road Manager Kenny Gunn for his comments regarding this road. Mr. Gunn responded the Board would have to waive the regulation for Mr. Kyle to reduce his construction bond to a maintenance bond.

Supervisor John Caldwell said he did not like waiving regulations for developers, however, he did have a problem with a developer calling a County department and not receiving a call back in connection with regulations. Supervisor Eugene Thach agreed with Supervisor Caldwell. Supervisor Jessie Medlin asked Mr. Gunn if the same office staff takes all messages for him and Mr. Ivy. Mr. Gunn replied, yes. Supervisor Tommy Lewis said some messages are time sensitive, and parties concerned need a call back.

Mr. Powell said at this point in time a maintenance bond needs to be issued, not a construction bond. Supervisor John Caldwell asked Kenny Gunn what would be a reasonable maintenance bond. Mr. Gunn said the estimated cost is \$ 2.00 a linear foot or \$ 10,000.00 for one (1) mile.

Supervisor Eugene Thach said if the Board waives from the regulations for one (1) developer then there will be others making the same request. Mr. Kyle said he knows of roads that do not have 3" of asphalt.

Supervisor John Caldwell asked Mr. Powell what was the old regulation. Mr. Powell said that regulation had 8" of compacted gravel and 2" of asphalt. Mr. Powell said the 2nd phase was in place after 60% of lots were developed. Mr. Kyle said this area included 18 lots.

Supervisor John Caldwell asked Mr. Gunn if he agreed. Mr. Gunn said the road is based on tonnage. Supervisor John Caldwell asked when the ordinance changed. Mr. Powell said the changes occurred in March of 1998.

ITEM E, CONTINUED,

Supervisor Tommy Lewis made the motion to accept the road and require a \$ 4,600.00

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maintenance bond for two (2) years based on the fact that communications were broken down between the developer and the County. Supervisor Jessie Medlin seconded the motion based on the requirement for a two (2) year maintenance bond. The **motion passed** by vote as follows;

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

****SEE EXHIBIT E****

F. OLD BUSINESS

1. Appointment - Walls Sewer District

This item was held over until October 5th, 1998.

2. Contract - Prisoner Medical Services

Supervisor Jake Pearson made the motion, and Supervisor John Caldwell seconded the motion to approve the Prisoner Medical Services contract in the amount of \$ 78,750.00 for Dr. Robert Meacham for two (2) years with renewal rate the same as the County employees. The **motion passed** by a unanimous vote. ****SEE EXHIBIT F.2****

G. NEW BUSINESS

1. Dale Thompson, Comptroller

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 Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve the investment of surplus funds to First Security Bank, who was the high bidder that placed their bid as follows:

<u>Date of Investment</u>	<u>Bank</u>	<u>Amount</u>	<u>Rate</u>
9/2/98	First Security	\$ 2,596,328.16	5.156

The **motion passed** by unanimous vote.

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

ITEM G.1.b, CONTINUED,

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b. Civic Center Travel Voucher

Dale Thompson, Comptroller presented a Civic Center Travel Voucher in the amount of \$ 31.62 for Dianna L. Coleman for approval by the Board of Supervisors.

Supervisor Eugene Thach asked what the policy is for reimbursement from the work place. County Administrator Clovis Reed said mileage of a personal vehicle should only be paid when travel occurs from office to meeting place. Mr. Reed said reimbursement does not occur from the home to a meeting place.

Supervisor Tommy Lewis made the motion, and Supervisor Eugene Thach seconded the motion to approve travel voucher less mileage from home to office. The **motion passed** by vote as follows:

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

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

c. Order Authorizing Dale Thompson to amend the Budget for Year Ending 9/30/98

ORDER APPROVAL FINAL BUDGET AMENDMENT TO THE DESOTO COUNTY BUDGET FOR THE FISCAL YEAR 1997-1998

BE IT ORDERED:

That on the 14th day of September, 1998, this Board of Supervisors did adopt a County Budget prepared under the provisions of Section 19-11-11, Mississippi Code of 1972, for the Fiscal year beginning October 1, 1998, and ending September 30, 1999. That this date, Dale Thompson, Comptroller, did request that the County Budget be amended pursuant to the authority vested in this Board under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19, and the Final Amended Budget be accepted into the minutes as shown on the attached report and made a part of this order.

A motion was made by Supervisor Jessie Medlin and seconded by Supervisor John Caldwell to amend the budget and make this final budget a part of the minutes. The **vote passed** as follows:

First District Supervisor Jessie Medlin-----Yes
Second District Supervisor Eugene C. Thach-----Yes
Third District Supervisor James D. Pearson-----Yes
Fourth District Supervisor John Caldwell-----Yes
Fifth District Supervisor Tommy Lewis-----Yes

d. Transfer of Funds

Supervisor Eugene Thach made the motion, and Supervisor Jake Pearson seconded the motion, at the recommendation of the Comptroller, Dale Thompson, to approve the transfer of funds. The **motion passed** by a unanimous vote as noted on **EXHIBIT G.1.d.**

ITEM G.2, CONTINUED,

T.L.

2. County’s Financial Records - FY97 Audit - Approval

The County Administrator Clovis Reed presented a letter for approval of the Board of Supervisors from Williams & Pitts, CPA Firm in connection with the audit for FY97. Mr. Reed said these forms are required by the State for the FY97 audit.

Supervisor John Caldwell made the motion, and Supervisor Jake Pearson seconded the motion for the Board President to execute the letters from Williams & Pitts, CPA firm in connection with the audit for FY97. The **motion passed** by a unanimous vote.

3. DeSoto County Schools

a. Southaven High School - Request County’s boom mower

County Administrator Clovis Reed presented a letter from Jerry Baird, Superintendent of Education requesting the use of the county’s boom mowers to mow the grass in a ditch at the Southaven High School Campus. Mr. Baird stated their tractor and bushhog cannot do the job.

Supervisor Eugene Thach asked Road Manager Kenny Gunn if the county could provide a boom mower to Southaven High School. Mr. Gunn replied, yes.

Supervisor Eugene Thach made the motion, and Supervisor Jessie Medlin seconded the motion for DeSoto County Central Maintenance to do the work requested for the Board of Education this week. The **motion passed** by vote as follows:

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

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

b. Walls Elementary School - Delta View Road - One-Way during school hours

Supervisor Tommy Lewis presented a letter from Jerry Baird, Superintendent of Education, regarding Delta View Road. Mr. Thomas Spencer, Principal of Walls Elementary School is proposing Delta View Road be designated one-way during certain school hours. Mr. Spencer said the school has made temporary signs and had taken the responsibility of directing traffic one-way during the hours of 7:00 - 8:00 a.m. and 1:30 - 2:30 p.m. each day. Mr. Spencer is asking for assistance from the proper officials to make his proposal permanent during the school year.

Road Manager, Kenny Gunn said traffic was not heavy on Delta View Road except when school is in session. Mr. Merritt Powell of the Planning Commission said approximately two hundred (200') feet off Delta View Road there is a Industrial Park development underway. Mr. Powell said traffic will increase with this development.

Supervisor John Caldwell suggested the Board give the school authority to make Delta View Road one-way during school hours until Road Manager Kenny Gunn researches this issue.

ITEM G.3.b, CONTINUED,

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Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion to authorize the Road Manager, Kenny Gunn to place signage on Delta View Road to be one-way during school hours and asked the Road Manager to report back to the Board of Supervisors on October 5th, 1998, to recommend whether this should be a permanent change. The **motion passed** vote as follows:

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

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

4. Youth Service - Approval of Contract Lanier

County Administrator Clovis Reed presented a rental contract for DeSoto County Youth Services from Lanier Worldwide for a 7228 Copier in the amount of \$ 117.25 for thirty-six (36) months and installation and freight charges of \$ 100.00, for approval by the Board of Supervisors.

At the recommendation of Pat Steward of Purchasing, Supervisor John Caldwell made the motion, and Supervisor Jessie Medlin seconded the motion to approve the Lanier Worldwide rental contract for a 7228 Copier in the amount of \$ 117.25 for thirty-six (36) months for DeSoto County Youth Services. The **motion passed** by a unanimous vote.

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

5. Approval to Extend Inter Local Agreement with Southaven Animal Shelter

Supervisor Eugene Thach made the motion, and Supervisor John Caldwell seconded the motion to extend Inter Local Agreement with Southaven Animal Shelter. The **motion passed** by a unanimous vote.

****SEE EXHIBIT G.5****

6. William M. Bryant - Approval of Contract

Supervisor Jake Pearson made the motion, and Supervisor John Caldwell seconded the motion to approve the contract between DeSoto County and William M. Bryant of the Tax Assessor's office for appraisals of personal property at \$ 2,000.00, real property at \$ 36,000.00, and mapping at \$ 2,000.00. The **motion passed** by a unanimous vote.

****SEE EXHIBIT G.6****

7. County Administrator - Approval of MACAC Fall Workshop

The County Administrator, Clovis Reed notified the Board of Supervisors of the annual MACAC Fall Workshop to be held October 12th - 14th, 1998, in Hattiesburg, Mississippi.

Supervisor Eugene Thach made the motion, and Supervisor Jessie Medlin seconded the motion for the County Administrator, Clovis Reed, and the Board of Supervisors to attend the MACAC Fall Workshop, October 12th - 14th, 1998 in Hattiesburg, Mississippi. The **motion passed** by a unanimous vote.

****SEE EXHIBIT G.7****

ITEM G.8, CONTINUED,

8. Appointment - E911 Commission

Supervisor Tommy Lewis made the motion, and Supervisor Jake Pearson seconded the motion to reappoint La Van Gates to the E911 Commission. The **motion passed** by a unanimous vote.

****SEE EXHIBIT G.8****

9. Civil Defense - Authorization for Board President to Sign Grant

Supervisor Eugene Thach made the motion, and Supervisor John Caldwell seconded the motion for the Board President to execute the grant application for the Civil Defense Department. The **motion passed** by a unanimous vote. ****SEE EXHIBIT G.9****

10. Allen & Hoshall - Presentation of Plans - Jail Renovation

Supervisor Eugene Thach made the motion, and Supervisor John Caldwell seconded the motion to advertise for bids for the Jail Renovation. The **motion passed** by a unanimous vote.

11. Election Commissioners - Office Space

Mr. Carl Payne appeared before the Board of Supervisors requesting office space for the Election Commission. Mr. Payne said they would prefer office space on the ground floor due to work on the election machines.

Mr. Payne said at their present location some machines were damaged by a leaky roof. Mr. Payne said they do have problems with moving the machines and equipment from upstairs, as they feel they are under Ms. Jeanette Martin's feet.

Supervisor Eugene Thach asked County Administrator Clovis Reed if office space on the ground floor is already promised. Supervisor Jessie Medlin asked Mr. Reed if all the floor space would be needed. Mr. Reed said at the present time, the office space has been promised and he does not know if all floor space will be occupied.

Mr. Payne said with the growth in DeSoto County, the election commission will be asking for more machines in the near future.

Director of Operations and Maintenance, Jim Bearden, asked Mr. Payne if the damage to the election machines was before the roof was replaced on the Courthouse. Mr. Payne said that it was. Mr. Bearden also asked if trustee labor had been provided to move the election machines. Mr. Payne said the trustees do move the machines at election time.

Supervisor Eugene Thach made the motion, and Supervisor Tommy Lewis seconded the motion to take this issue under advisement. The **motion passed** by a unanimous vote.

12. Bonnie Gatlin - Presentation of Inventory Report

Ms. Bonnie Gatlin presented the Inventory Report for approval by the Board of Supervisors. Ms. Gatlin notified the Board the Inventory would close out September 30, 1998, and at that time no changes can be made to the report.

Ms. Gatlin said she has spoken with all department heads in regards to inventory status change. Ms. Gatlin said all disposals should be handled by the 1st of each month for all departments.

ITEM G.12, CONTINUED,

Ms. Gatlin requested direction concerning the Civic Center. Ms. Gatlin stated if this is a separate entity, the county is not responsible for inventory, however, the Civic Center has been ordering supplies, furniture, etc., through the purchasing department.

Supervisor Tommy Lewis suggested placing all purchases for the Civic Center being placed on the County’s inventory, and at such time it becomes a separate entity, inventory will be transferred to the Civic Center.

Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion to accept the Inventory Report as submitted and take the inventory report under advisement. The **motion passed** by vote as follows:

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

****SEE EXHIBIT G.12****

13. Authorization - Board President to Sign Tobacco Grant Form

Supervisor Eugene Thach made the motion, and Supervisor John Caldwell seconded the motion for the Board President to execute the Tobacco Grant Form. This **motion passed** by a unanimous vote. ****SEE EXHIBIT G.13****

H. EXECUTIVE SESSION

The “Executive Session” portion of this meeting is presented under the portion of minutes called “Executive Session.

I. OTHER ISSUES

1. Civic Center Loan Agreement

Dale Thompson, Comptroller notified Board of Supervisors she had a request from Ms. Martha Gatlin to set up draws for reimbursement of expenses, just as the payroll will be reimbursed. Supervisor John Caldwell said the Civic Center needs to be a separate entity.

County Administrator Clovis Reed said the Civic Center is accountable for expenditures and subject to an audit. Mr. Reed stated the Board of Supervisors are responsible for the proceeds obtained from the bond issue. Supervisor John Caldwell said the Civic Center should be responsible for payroll and benefits, not the County.

Supervisor Tommy Lewis said we are close in getting these issues separated. Mr. Reed stated the Board needs to see exactly where this issue stands. Supervisor Tommy Lewis asked the Board Attorney, Bill Austin to elaborate on this issue. Mr. Austin said he had spoken with Mr. Jasper and Mr. Robinson concerning the Civic Center issue and both gentlemen agreed the Civic Center is a Component Unit of Government as they would be responsible for audit. Mr. Austin said he is waiting on a reply from the Attorney General’s office in connection with this issue.

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ITEM I, CONTINUED,

Supervisor John Caldwell asked about the contract of a loan agreement between the Civic Center and DeSoto County. Dale Thompson, Comptroller said the agreement would need to be dated after September 30, 1998, to include the last payroll of the fiscal year and any outstanding invoices. Supervisor John Caldwell said he would like to see a structure of loan agreement so money can be repaid.

Board Attorney Bill Austin asked the Board of Supervisors if the loan is to include interest or not. Mr. Austin also requested the length of time for this loan agreement. Supervisor John Caldwell said if a interest rate is set, the Civic Center will repay money as quickly as possible.

Supervisor Eugene Thach made a motion, and Supervisor John Caldwell seconded the motion for Board Attorney Bill Austin to draw up a loan agreement between DeSoto County and the Civic Center with a 5% interest rate, with the first payment due January 1, 2000, and renewable at the beginning of each term of office. The **motion passed** by unanimous vote.

2. Inventory Tags

Ms. Bonnie Gatlin notified the Board inventory tags are very low. Ms. Gatlin said to finish up 1998, all inventory had been assigned a number. Ms. Gatlin said at the present time there are approximately 500 hundred inventory tags remaining. Ms. Gatlin received a quote of \$ 5,000.00 for 25,000 inventory tags.

Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion to take this issue under advisement. 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. Representative Wanda Jennings

Representative Wanda Jennings notified the Board of Supervisors that she is part of a state wide committee to revamp gravel mining. Representative Jennings requested a meeting be scheduled with the Board of Supervisors and other appropriate individuals to discuss this issue.

4. Joey Treadway - Memphis - Mississippi Village

Joey Treadway appeared before the Board of Supervisors with a contract draft for tax collections in connection with Memphis-Mississippi Village.

Mr. Treadway said DeSoto County could charge 3% of the net collections for the services. Mr. Treadway suggested to accommodate residents car tags could be filed by hand. Mr. Treadway asked if the Board wants to collect these taxes. Mr. Treadway said the other four (4) cities we contract at a rate of 3% of net collections. This contract would be the same way. Mr. Treadway said that the Village wants to know how fast we can meet this request. Mr. Treadway said if the contract is approved then we can accommodate them as soon as possible. Supervisor Eugene Thach said that the County does this for the other cities, so why wouldn't they do so for the Village of Memphis. Mr. Treadway said he thought the Board would feel that way.

Supervisor Tommy Lewis asked what the millage rate will be for the Village of Memphis. Mr. Treadway said at this time he has not received a letter from the Village, but they have told him they will attach 20 mills.

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ITEM I, 4, CONTINUED,

Supervisor Tommy Lewis made the motion, and Supervisor Eugene Thach seconded the motion at the recommendation of Joey Treadway, Tax Collector to draw up a contract for tax collections with a 3% charge of net collections for the Village of Memphis. This **motion passed** by a unanimous vote.

5. Nesbit Fire Department

The Road Manager, Kenny Gunn notified the Board of Supervisors, Jim Bearden, Director of Operations & Maintenance requested Central Maintenance to patch a hole in the parking lot at the Nesbit Fire Department. Mr. Gunn said this area is not on the road right of way.

Supervisor Tommy Lewis made the motion, and Supervisor Jessie Medlin seconded the motion to improve the parking lot at Nesbit Fire Department. 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

6. Kentwood Planned Park

Road Manager Kenny Gunn came before the Board of Supervisors for guidance in connection with the Kentwood Planned Park. Mr. Gunn asked the Board if they had indeed accepted this park.

Mr. Gunn said there is a creek which is the dividing line between the phases of this subdivision. Supervisor John Caldwell said the developers should be completing the park along with the last phase of the subdivision.

Supervisor Tommy Lewis asked Merritt Powell of the Planning Commission if bonds are required for parks. Mr. Powell said not at the present time, but the Board needs to take a good look at the possibility of making this a requirement.

Supervisor Eugene Thach suggested to Mr. Gunn that he and the Board Attorney, Bill Austin meet with Merritt Powell of the Planning Commission and return recommendations on Monday, October 5th, 1998 to the Board of Supervisors regarding this issue.

****SEE EXHIBIT I.6****

7. Crosthwait Terney Bond Council - Merge - Butler Snow Firm

At the recommendation of the Board Attorney, Supervisor Eugene Thach made the motion, and Supervisor Jessie Medlin seconded the motion to approve a resolution to authorize Crosthwait Terney Bond Council to transfer records to Butler Snow Firm due to the merging of these firms. 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 I.7****

ITEM I.8, CONTINUED,

8. Greenbrook Park

Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion to authorize payment of \$ 20,364.00 to the City of Southaven, Mississippi, for the upkeep of Greenbrook park as authorized by the Inter Local Agreement between DeSoto County and the City of Southaven. This **motion passed** by a unanimous vote. ****SEE EXHIBIT I.8****

9. Bonnie Gatlin - Internet Charges

Ms. Bonnie Gatlin notified the Board of Supervisors that her access to E-Mail had been used to receive a letter from Washington, D.C., concerning the Sewer Study and Mr. Powell requested placing the open position of Planner on the Internet. Mr. Powell said DeSoto County could get a higher response to the opening. Ms. Gatlin said she did not mind the occasional usage of her AOL, however, she pays for this service personally and asked if the County wanted to add this service to her office.

Supervisor Tommy Lewis asked County Administrator Clovis Reed if the Internet was available in other offices of the Courthouse. Mr. Reed replied several offices in the Courthouse does have access to the Internet, however, this program cannot be shared between offices.

No motions nor votes were made on this issue.

10. Bridgetown Residents

Mr. Vincent McCluskey, Ms. Susan Martin, and Mr. Lonnie Riley, residents of Bridgetown appeared before the Board of Supervisors requesting assistance in additional paving of an area 12' x13' x 200' in the Bridgetown subdivision.

Mr. McCluskey said this additional paved area would enhance the parking in the park area, as well as usage of the pavilion in this area of Bridgetown. Supervisor Eugene Thach asked Road Manager Kenny Gunn how much pavement is required for this additional area. Mr. Gunn said this small flat area should not require over one (1) load and should not take over ½ day to complete.

The Board Attorney, William Austin said the Board of Supervisors can authorize any work on the right of way as long as it is to correct a safety issue. The Bridgetown residents agreed that safety is the issue with this improvement.

Supervisor Jessie Medlin said the area of Bridgetown is in the process of being re-paved now. Mr. Riley said the Homeowners Association will do the prep work and pay for this additional area to be paved if the County agrees to pave the area along the park. Supervisor Tommy Lewis made the motion, and Supervisor Eugene Thach seconded the motion to approve the request to pave the 12' x 13' x 200' area long the park and Bridgetown subdivision. This **motion passed** by a unanimous vote.

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

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adjourn until Monday, October 5, 1998 at 9:00 a.m. The **motion passed** by a unanimous vote.

THIS the 21st 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