

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

TOMMY LEWIS, PRESIDENT, PRESIDING

October 19, 1998

A. CALL TO ORDER

The October 19, 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 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
- Bill Austin-----Board Attorney

B. INVOCATION

The invocation was presented by Supervisor Eugene Thach.

C. OLD BUSINESS

1. Contract for negotiations - BFI

Mr. Chip Barton appeared before the Board of Supervisors regarding negotiations with BFI. Mr. Barton said DeSoto County has one of the most complex contracts for garbage collections. Mr. Barton said he has twenty four (24) years of experience in the garbage collection business. Mr. Barton said his background would prove beneficial to DeSoto County and this knowledge would enable the County to setforth bid specifications for this project to attract bidders.

Supervisor Tommy Lewis asked Mr. Barton what would this process cost time wise. Mr. Barton replied, Jim Bearden is presently doing a lot of the work, and he felt twenty five (25) hours would be adequate.

Supervisor Eugene Thach said Supervisor Jessie Medlin and himself had served on a previous committee, and Supervisor Jessie Medlin and Supervisor John Caldwell served on a second committee in connection with the negotiations. Supervisor Thach said he feels the Board does need help with this project. Supervisor Jessie Medlin agreed with Supervisor Thach regarding this issue.

ITEM C, 1. CONTINUED,

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Supervisor Jessie Medlin asked Mr. Barton if this cost included his presents at the negotiation table. Mr. Barton replied, yes. Supervisor Jessie Medlin asked Mr. Barton if he would also write the bid specifications. Mr. Barton replied, yes, as there will be a pre-bid conference.

Supervisor Tommy Lewis asked Mr. Barton if at any time if this contract could be extended or terminated by the Board of Supervisors. Mr. Barton replied, yes.

Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion to hire Mr. Chip Barton for negotiations with BFI for garbage collection under the above stated conditions of contract. The **motion passed** by a unanimous vote.

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

2. Appointments

a. 2000 Census Contact

This item was held over until October 26, 1998.

b. Election Commission

In accordance with Section 19-5-307 of the Mississippi Code Annotated, Supervisor Jake Pearson made the motion and Supervisor John Caldwell seconded the motion to appoint Ted Mayhall, Jr. to the Election Commission. The **motion passed** by a vote as follows:

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

3. Request to transfer car from Civil Defense

Supervisor John Caldwell made the motion, and Supervisor Jessie Medlin seconded the motion to reconsider transfer of car from Civil Defense to Fairhaven Fire Department. The **motion passed** by a unanimous vote.

Supervisor Jessie Medlin made the motion, and Supervisor John Caldwell seconded the motion to transfer car from Civil Defense to Fairhaven Fire Department. The **motion passed** by a vote as follows:

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

ITEM D, 1. CONTINUED,

D. NEW BUSINESS

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1. Joey Treadway - Village of Memphis

The County Tax Collector, Joey Treadway presented an Inter Local Agreement between DeSoto County and the Village of Memphis for collection of property and real taxes for the approval of the Board of Supervisors. Mr. Treadway requested the signature of the Board President, Supervisor Tommy Lewis, therefore entering the Inter Local Agreement into the Board minutes.

Mr. Treadway said DeSoto County will receive 3% of net collections for the Village of Memphis. Mr. Treadway said this is the same identical agreement as the County has with Horn Lake, Southaven, and Olive Branch. Mr. Treadway said collection for car tags is already in place, and collection for property and real taxes will begin with the fiscal year October 1, 1998.

Supervisor Eugene Thach made the motion, and Supervisor John Caldwell seconded the motion for the Board President, Supervisor Tommy Lewis to sign the Inter Local Agreement between DeSoto County and the Village of Memphis. The **motion passed** by a unanimous vote. ****SEE EXHIBIT D.1****

2. Authorization for County Administrator to Open Bids on Project #STP1964(8)B @ 11:00

Mr. Dan Tolar of State Aid, and County Engineer Daniel Murphy came before the Board of Supervisors for Bid Opening of #STP-1964(8)B.

Mr. Tolar said one (1) bid was received and opened at 11:00 a.m. Mr. Tolar stated the bid was received from Lehman-Roberts in the amount of \$ 313,866.27 and second (2) bid received from APAC Tn in the amount of \$ 386,495.20 for repairing Craft Road.

Supervisor Jessie Medlin made the motion, and Supervisor John Caldwell seconded the motion to take bids under advisement for the repairing of Craft Road. The **motion passed** by unanimous vote. ****SEE EXHIBIT D.2****

3. Authorization for County Administrator to Open Bids on October 20, 1998.

a. Cutting/Baling hay on DeSoto County Landfill

Supervisor John Caldwell made the motion, and Supervisor Jake Pearson seconded the motion to authorize the County Administrator Clovis Reed to open bids for the Cutting/Baling hay on DeSoto County Landfill on October 20, 1998 at 10:00 A.M. The **motion passed** by a unanimous vote. ****SEE EXHIBIT D.3.a****

ITEM D.4, CONTINUED,

4. Parker Pickle - Budget FY99

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County Tax Assessor, Parker Pickle appeared before the Board of Supervisors to notify them of possible budget amendments for his department during the Fiscal Year 1999. Mr. Pickle expressed concern with travel expense and postage for his department.

Mr. Pickle said with the growth of the County, travel reimbursement for Fiscal Year 1999 will probably go over budget and need to be amended. Mr. Pickle said he wanted to make the Board aware as this is the fourth (4th) year, and there will be approximately 27,000 to 28,000 homestead notices go out, therefore creating an overage in his budget for postage.

Supervisor Eugene Thach asked Mr. Pickle if salaries in his department were within guidelines set by the Board of Supervisors. County Administrator, Clovis Reed said the Board of Supervisors sets the statute. Mr. Pickle replied, he has never gone over his budget, and he runs the County as a business. Mr. Reed responded, there is a lack of recognition for the Board of Supervisors. Supervisor Tommy Lewis said this issue needs to be discussed in Executive Session.

Supervisor John Caldwell asked if the Board is going to allow the separate departments to give raises at their discretion. Supervisor Caldwell said Government nor a private business works this way. Supervisor Eugene Thach said he had spoken with the State Auditor in regards to this issue, and the Auditor said the Board of Supervisors sets the budget and salaries. Supervisor Thach said the Board of Supervisors instructed the County Administrator, Clovis Reed to send a memo to all department heads concerning guidelines set on raises. Mr. Pickle replied, if the Board of Supervisors wishes to discuss salaries in my department, I am requesting Executive Session.

County Administrator, Clovis Reed said a department head should appear before the Board of Supervisors with their exceptions to the 5% increase in salary for the Fiscal Year 1999. Supervisor Eugene Thach explained to Mr. Parker he should have appeared before the Board with his recommendations, not after raises have been issued. County Tax Collector, Joey Treadway intervened, said all requests were turned into the Board, and to please explain when the Board asked either the Tax Collector or the Tax Assessor to appear before the Board to discuss their requests and recommendations.

County Administrator, Clovis Reed asked Mr. Pickle how could he justify giving an employee a 5% raise before the end of the previous fiscal year, and then turn around a give the same employee a 7% raise at the beginning of the new Fiscal year. Supervisor Tommy Lewis asked the Board if they were going to speak with Mr. Pickle regarding employee raises.

Supervisor Jessie Medlin asked if there is a Board Order for quarterly allocations for the Tax Assessor's office. County Administrator, Clovis Reed said yes, however, when salaries exceed the Board's recommendation, the Board can intervene. Supervisor Eugene Thach asked what do we do at the end of the quarter. Mr. Pickle asked Supervisor Thach what concern is it of yours as to what my employees make. Supervisor Thach replied, your employees are still County employees. Supervisor Tommy Lewis requested the Board of Supervisors give Mr. Pickle the courtesy of presenting his justifications for salary increases in Executive Session.

ITEM D.4, CONTINUED,

Mr. Pickle asked the Board of Supervisors to show him one (1) year when his department has gone over budget and he has not turned in excess money to the County. Mr. Pickle

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said over the next three (3) years his department has to do a complete update on all parcels of land. Supervisor John Caldwell reminded Mr. Pickle the Board of Supervisors have approved additional positions for his department, however, when the position is not filled, present employees in his department benefit from the money budgeted for the additional position.

No motions nor votes were made on this issue. ****SEE EXHIBIT D.3****

5. County Approval of Invoice from Williams & Pitts

County Administrator Clovis Reed presented a invoice from Williams & Pitts for payment in the amount of \$ 23,757.75 in connection with the County Audit. Supervisor Jessie Medlin asked if this is for payment in full. The County Administrator, Clovis Reed replied this invoice represents a partial billing of 75% completion.

At the recommendation of the County Administrator Supervisor John Caldwell made the motion, and Supervisor Jessie Medlin seconded the motion to approve the request for payment and to authorized the clerk to pay. The **motion passed** by a unanimous vote. ****SEE EXHIBIT D.5****

6. MAGPA - Approval of travel reimbursement & inventory

In accordance with Section 25-3-41 Mississippi Code of 1972, as amended, any official or employee of DeSoto County, Mississippi, is hereby authorized to travel during the period of October 5, 1998 to November 2, 1998, as necessary and incur travel expenses in the performance of their official duties for DeSoto County. That all such travel is hereby authorized contingent on funds being available in the departmental budget of the individual traveling. Supervisor Jessie Medlin made the motion, and Supervisor John Caldwell seconded the motion to authorize travel reimbursement for MAGPA convention in Biloxi, Mississippi, to Bonnie Gatlin, Ann Richmond, and Supervisor Eugene Thach, and to authorize travel reimbursement for inventory to Bonnie Gatlin. The **motion passed** by a unanimous vote. ****SEE EXHIBIT D.6****

7. Approval to enter into Inter Local Agreement with City of Hernando

County Administrator, Clovis Reed presented an Inter Local Agreement between the City of Hernando and DeSoto County in connection with the Hernando Civic Center for approval by the Board of Supervisors.

Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion to approve the Inter Local Agreement between the City of Hernando and DeSoto County. The **motion passed** by a unanimous vote. ****SEE EXHIBIT D.7****

8. AG approval of Inter Local Agreement with DeSoto County Metro Narcotics Unit

County Administrator, Clovis Reed presented an Inter Local Agreement between Metro Narcotics Unit and DeSoto County.

Supervisor Jessie Medlin made the motion, and Supervisor Eugene Thach seconded the motion to approve the Inter Local Agreement between the Metro Narcotics Unit and DeSoto County. The **motion passed** by a unanimous vote. ****SEE EXHIBIT D.8****

ITEM D.9, CONTINUED,

9. Making full executed Easement & Construction Agreement with MDOT - Part of the Minutes

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Supervisor Eugene Thach made the motion, and Supervisor John Caldwell seconded the motion to approve making fully executed Easement & Construction Agreement with MDOT part of the minutes. The **motion passed** by a unanimous vote.

****SEE EXHIBIT D.9****

10. Request to advertise Mississippi Supervisor Magazine - January 1999

County Administrator Clovis Reed presented a advertising contract for the Mississippi Supervisor Magazine for January 1999. Mr. Reed asked the Board of Supervisors if they would like a renewal as last year. Supervisor Tommy Lewis expressed he was of the opinion the ad would be better on the back cover if space was available. Mr. Reed replied, he did not know if that space was available. Supervisor John Caldwell stated he would like to drop the advertisement all together. Supervisor Eugene Thach disagreed with Supervisor John Caldwell as he feels the magazine is good exposure for the County.

Supervisor Tommy Lewis made the motion, and Supervisor Jessie Medlin seconded the motion to renew Mississippi Supervisor Magazine with ad placed on back cover or inside front cover if possible. If these areas are not available, renew ad with placement on the inside back cover as before. The **motion passed** by a vote as follows:

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

****SEE EXHIBIT D.10****

11. Entergy - Right of Way

The Board Attorney, Bill Austin explained to the Board of Supervisors, the Entergy Right of Way is in connection with the power lines which due run across the Administration property.

Supervisor Jake Pearson made the motion, and Supervisor Jessie Medlin seconded the motion to approve Right of Way Instrument for Entergy Mississippi, Inc. The **motion passed** by a unanimous vote. ****SEE EXHIBIT D.11****

12. Board of Education - Request to haul gravel to Horn Lake Intermediate School

The County Administrator, Clovis Reed presented a letter from Danny Freeze, Principal at Horn Lake Immediate School requesting assistance from the County to haul approximately 50 tons of pea gravel to the Horn Lake Intermediate School for the playground. Mr. Reed stated the pea gravel was donated to the school by Memphis Stone and Gravel in Love, Mississippi.

Supervisor John Caldwell made the motion, and Supervisor Tommy Lewis seconded the motion for the County to haul approximately 50 tons of pea gravel to Horn Lake Intermediate School for the playground, which was donated by Memphis Stone and Gravel in Love, Mississippi. The **motion passed** by a unanimous vote.

****SEE EXHIBIT D.12****

ITEM D.13, CONTINUED,

13. Courthouse Renovation - District Attorney

The County Administrator, Clovis Reed presented a letter from J.Michael Horan, Assistant District Attorney in connection with allotted office space in the Courthouse.

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Mr. Reed said Mr. Horan is requesting to remain in the present facility where they are located due to square footage allotted, security, and confidentiality being jeopardized. Mr. Horan stated in his letter if the District Attorney's office is relocated, this could pose a security threat to the general public.

Supervisor Eugene Thach made the motion, and Supervisor Jessie Medlin seconded the motion, to take the District Attorney's request under advisement. The **motion passed** by a unanimous vote. ****SEE EXHIBIT D.13****

14. Civic Center - Approval of Loan Agreement

Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion for this issue to be held over until October 26, 1998, abiding recommendations from Board Attorney, Bill Austin..

15. Nesbit Water Association - Nelson Plumbing

Supervisor Tommy Lewis presented a letter from Mr. R.I.Gates, President of the Nesbit Water Association in connection with uncompleted repairs from Nelson Plumbing. Nesbit Water Association is requesting authority from the Board of Supervisors to have uncompleted work done and charged back to Nelson Plumbing.

Supervisor Tommy Lewis made the motion, and Supervisor Eugene Thach seconded the motion granting Nesbit Water Association, Inc., the authority to relinquish uncompleted repairs with Nelson Plumbing. The **motion passed** by a unanimous vote.

****SEE EXHIBIT D.15****

16. Metro Narcotics - Approval for sole source of Video System

Supervisor Eugene Thach made the motion, and Supervisor John Caldwell seconded the motion for this issue to be held over until October 26, 1998, abiding recommendations from Board Attorney, Bill Austin..

E. EXECUTIVE SESSION

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

ITEM F, CONTINUED,

F. OTHER ISSUES

1. Board of Education - Request to haul gravel to Hernando Middle School

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Supervisor Tommy Lewis presented a letter from Hernando Middle School requesting assistance from the County to haul approximately 50 tons of pea gravel to the Hernando Middle School for the playground. Supervisor Lewis stated the pea gravel was donated to the school by Memphis Stone and Gravel in Love, Mississippi.

Supervisor John Caldwell made the motion, and Supervisor Tommy Lewis seconded the motion for the County to haul approximately 50 tons of pea gravel to Hernando Middle School for the playground, which was donated by Memphis Stone and Gravel in Love, Mississippi. The **motion passed** by a unanimous vote.

****SEE EXHIBIT F.1****

2. Crouch's Store

3. Nolan Road

Supervisor Jessie Medlin presented a petition from residents requesting the County to extend Nolan Road.

Supervisor John Caldwell made the motion, and Supervisor Jessie Medlin seconded the motion for the County to extend Nolan Road. The **motion passed** by a unanimous vote.

****SEE EXHIBIT F.3****

4. Church Road - Parcels

Board Attorney, Bill Austin notified the Board of Supervisors residents of two (2) parcels of land on Church Road agreed to accept the County's offer on the right of ways.

Supervisor Jessie Medlin made the motion, and Supervisor John Caldwell seconded the motion to authorize Board Attorney, Bill Austin to issue checks to residents on Church Road for right of way. The **motion passed** by a unanimous vote.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to recess until Monday, October 26, 1998 at 9:00 a.m.

THIS the 19th day of October, 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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