

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

TOMMY LEWIS, PRESIDENT, PRESIDING

November 2, 1998

A. CALL TO ORDER

The November 2, 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
- John Caldwell-----District 4
- Tommy Lewis-----District 5
- W. E. “Sluggo” Davis-----Chancery Clerk/Interim County Administrator
- James Albert Riley-----Sheriff of DeSoto County
- William Austin-----Board Attorney

B. INVOCATION

The invocation was presented by Supervisor John Caldwell.

C. APPROVAL OF OCTOBER MINUTES

The official minutes of the Board of Supervisors were read for the month of October, 1998. Pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated. Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to accept the minutes of the Board of Supervisor’s for October, 1998 subject to the revisions given to Vanessa Lynchard previously. 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

D. UPDATE ON COURTHOUSE RENOVATION

Dave Nicholson presented to the Board of Supervisors a revised plan showing changes for the Courthouse renovation. Mr. Nicholson said several changes were made after lengthy meetings with elected officials.

Mr. Nicholson said changes included additional space for the Chancery Clerk and Circuit Clerk, separating the Judge’s suites, and maintaining the District Attorney’s office at its present location. Mr. Nicholson said some of the original work has become obsolete and has required additional planning.

ITEM D, CONTINUED,

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Supervisor Eugene Thach asked Mr. Nicholson why the District Attorney was not being relocated to the Courthouse. Mr. Nicholson replied, floor space would not be adequate and the District Attorney's office had several questions regarding security. Mr. Nicholson stated the District Attorney's office requested to remain at their present location.

Mr. Nicholson said with the growth the County is experiencing, the Chancery Clerk and Circuit Clerk will require additional space. Mr. Nicholson said originally the judges were to have a suite, however, the judges have requested separate suites located near their courtrooms. Mr. Nicholson said in addition to these changes there will be a separate Inquiry Room which will be a major benefit to the County.

Supervisor John Caldwell asked how the floor space for the Law Library compares to their present floor space. Mr. Harvey Ferguson said the Law Library will gain additional floor space, however, with the new technology of replacing books with computers, the Law Library may require less floor space than originally allotted.

Supervisor Eugene Thach said he was hoping the County could eliminate the use of an additional building.

Supervisor John Caldwell asked why Allen & Hoshall is billing the County for additional cost when at this time the plans are fluid. Mr. Ferguson said the committee has discussed the additional fees and agree they are entitled. Mr. Ferguson stated the Board of Supervisors did instruct Allen & Hoshall to proceed with the design process for the final plans. Mr. Ferguson said after review of these plans with the elected officials, changes were made to the final drawings.

Mr. Nicholson said schematic designs were done and Allen & Hoshall have received payment for these designs. Supervisor John Caldwell asked why the judges were not asked for their input on the front end of the designs. Mr. Ferguson said he felt there had been some mis-communications regarding these designs. Chancery Clerk/Interim County Administrator, W.E. "Sluggo" Davis, said after reviewing initial floor plans, his department was not receiving adequate floor space. Supervisor Tommy Lewis said a final floor plan was approved. Supervisor John Caldwell said collectively, DeSoto County is at fault, and the County will owe an additional \$ 25,000.00 in design fees for floor plans.

Mr. Ferguson said the committee received changes Friday, October 30th, 1998. Supervisor John Caldwell said he does not find fault with any specific department, however, when minds are changed with the architect design, it costs the County. Mr. Nicholson recommended each department head sign off on the revision of plans stating acceptance of the floor plans. Mr. Ferguson said he felt the recommended changes were in order.

Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion, to accept the recommendation of the committee and to authorize Allen & Hoshall to proceed with design changes to the Courthouse Renovation and to approve the additional fee to Allen & Hoshall of \$25,000.00. This **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 D****

ITEM E, CONTINUED,

E. LOWRY DEAN - HWY 301, EUDORA TO ARKABUTLA

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Mr. Lowry Dean appeared before the Board of Supervisors to present photographs of Highway 301 from Eudora to Arkabutla. Mr. Dean said trucks weighing from 83,000 lbs. to 98,000 lbs. had been restricted from traveling this road, as this road is very hazardous, due to the shoulder drop offs, hills, and culverts not being maintained. Mr. Dean said he called Supervisor John Caldwell regarding problems with speeding through this area and the maintenance of the road. Mr. Dean stated there are culverts along this section of road a person can step off into from 8 to 10 feet.

Mr. Dean said he became involved with this issue September 28th, 1998, as Lehman Roberts asked for the usage of their property. Mr. Dean said Tony, who is employed by Lehman Roberts has been repairing ditches and culverts along this road. Tony, of Lehman Roberts asked Mr. Dean which direction the water runs on this property. Mr. Dean said the map from the Corp of Engineers, which Tony was given, showed the water flowing in the wrong direction.

Supervisor Eugene Thach asked Mr. Dean if there was a problem with coordinating efforts. Mr. Dean suggested a meeting with the Corp of Engineers and Lehman Roberts to coordinate efforts to repair and maintain this section of road. Mr. Dean said everyone on this road is willing to work with the County to repair and maintain this road, but residents did want the Board of Supervisors to be notified of the problems. Supervisor Jessie Medlin said coordination should have been a priority years ago.

Supervisor John Caldwell said he had spoken with County Engineer, Daniel Murphy, and requested Mr. Murphy to become involved with the Corp of Engineers for the ditching phase. Supervisor Caldwell said he asked Mr. Murphy to take a second look at the road plans. Mr. Dean responded, the culverts have not been maintained, and the County has not handled the problems. Supervisor Caldwell replied, part of the work has not been done, as the County has been waiting on the Corp of Engineers to begin road work. Mr. Dean said he would like to lower the road and make it safer.

Supervisor John Caldwell said there is a right of way problem. Supervisor Caldwell said the County is asking for 53' from center of the road. Supervisor Caldwell said if right of way is given 53' from the center of the road, this road would be on Ms. Gagne's front porch. Supervisor Caldwell said Couch's store is being torn down, and the hill on Sullivan Road graded down, as this dirt could be used in leveling.

Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion, to ask the County Engineer to review the final engineering and inspect the culverts on that stretch of the road and serve as a point of contact with the agency and that the Board approve changes on the document to make the easement read 53 feet from the section line generally understood that it would be 8 to 10 feet from the side of the road. The **motion passed** by a unanimous vote.

****See Exhibit E****

F. OLD BUSINESS

1. Bids Under Advisement

a. Jail Renovation

Mr. Dave Nicholson of Allen & Hoshall prepared plans and specifications for the jail renovation. Mr. Nicholson said Allen & Hoshall estimated the cost of the jail renovation at \$ 500,000.00.

Mr. Nicholson said he was aware the budget was set for \$ 400,000.00, and the low bid came in at \$ 439,000.00 from Panola Construction Company. Mr. Nicholson told the Board of Supervisors, when a bid comes within 10% of budget, the company looks for areas of negotiation as allowed in Section 31-7-13 (d)(ii).

ITEM F.1.a, CONTINUED,

Mr. Nicholson said money could be saved in the areas of the sally port, control panels, and the electric sub contract. Mr. Nicholson said at this time Allen & Hoshall would recommend the bid

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award be presented to Panola Construction Company.

Supervisor Tommy Lewis asked Dave Nicholson if he tried to negotiate this contract with Panola Construction Company. Mr. Nicholson replied, yes and could probably get the contract down to \$ 420,000.00 with some deletions from the plans. Supervisor Eugene Thach asked Dave Nicholson if the County should go back out for bids. Supervisor Jessie Medlin asked Mr. Nicholson after jail renovation is complete, will there be anything that will need to be re-done. Mr. Nicholson replied, no.

Supervisor Jessie Medlin asked if the control panels could be expanded later if needed. Mr. Nicholson replied yes. Supervisor Eugene Thach asked Sheriff James Albert Riley if he was satisfied with the jail renovation plans. Sheriff James Albert Riley replied, yes.

Chancery Clerk/Interim County Administrator, W.E. "Sluggo" Davis asked Mr. Nicholson to see if Panola Construction Company would negotiate for the \$ 420,000.00 with this commitment in writing, and return to the Board of Supervisors on November 4th, 1998 with recommendation.

This item was held over until November 4, 1998. ****See Exhibit F.1.a****

2. Appointment - 2000 Census Contact

Chancery Clerk/Interim County Administrator, W.E. "Sluggo" Davis notified the Board of Supervisors, Mr. Albert Broadway has declined the Appointment for the 2000 Census Contact.

Supervisor John Caldwell suggested asking for volunteers for this position. Supervisor Tommy Lewis replied, the Board will probably need to pay someone to accept this position. Chancery Clerk/Interim County Administrator, W.E. "Sluggo" Davis said DeSoto County is a key County in this census.

Supervisor Tommy Lewis said if the County could get a well organized volunteer, that would be great. Supervisor Eugene Thach said the cities should become involved in this census count. DeSoto County resident, Ms. Jo Buck asked the Board of Supervisors if this was a paid position. Supervisor Thach, and Supervisor Lewis replied, no. Supervisor Thach said Ms. Sue Sodermeister of the state will be in DeSoto County on November 23rd, 1998, to answer any questions in connection with this census. Supervisor Tommy Lewis suggested meeting with the Mayors to possibly head up census in each city. Chancery Clerk/Interim County Administrator W. E. "Sluggo" Davis asked Jim Flanagan to help the County with a Census Contact through the Governmental Affairs Committee.

This item was held over. ****See Exhibit F.2.****

3. Civic Center - Approval of Loan Agreement

Board Attorney, Bill Austin notified the Board of Supervisors he had given Rex Haynes a copy of the Loan Agreement for the Civic Center for the CVB's approval.

Supervisor Tommy Lewis asked Chancery Clerk/Interim County Administrator, W.E. "Sluggo" Davis to speak with Mr. Haynes and see if he could meet with the Board on November 4th, 1998 in connection with the approval of the loan agreement.

This item was held over. ****See Exhibit F.3****

ITEM F.4, CONTINUED,

4. City Wide Tax Equity Study

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This item was held over until November 16th, 1998. ****See Exhibit F.4****

5. DEQ Regulations

Chancery Clerk/Interim County Administrator, W.E. "Sluggo" Davis notified the Board of Supervisors he had received a telephone call from Mr. T. Leach, a resident of Olive Branch, Mississippi, stating he would like to serve on the committee for the DEQ Regulations.

Supervisor Eugene Thach suggested getting someone from each district to research and bring recommendations before the Board of Supervisors. Supervisor Tommy Lewis suggested the Board appointing one person from each district to start. Supervisor Eugene Thach suggested apparently one person from the city and one person from the county. Supervisor Tommy Lewis stated this committee needs to be in place by December 1st, 1998. Supervisor John Caldwell recommended one (1) person from each district and two (2) at large.

This item was held over until November 16th, 1998. ****See Exhibit F.5****

6. Inventory Control

a. Location of Tank and Approval of Disposition

Inventory Control Clerk, Ms. Bonnie Gatlin notified the Board of Supervisors the 3,000 gallon fuel tank is located on the back lot at Central Maintenance and is presently being used as a storage tank. Ms. Gatlin said this item will remain on the inventory list.

b. Inventory Supplies

Ms. Bonnie Gatlin appeared before the Board of Supervisors requesting a budget amendment to order inventory labels. Ms. Gatlin said approximately 250 items were added to the inventory list last year.

Ms. Gatlin also stated she can order inventory labels at a cost of \$ 0.25 each with no minimum order, however, there will be a \$ 45.00 one time set up fee. Ms. Gatlin said these labels would be self-adhesive, with the inventory control number and bar code in place.

Supervisor Tommy Lewis made the motion, and Supervisor Jessie Medlin seconded the motion, to amend the budget for inventory supplies in the amount of \$ 300.00 out of the contingency fund. Ms. Gatlin was instructed to order inventory labels. The **motion passed** by a unanimous vote.

****See Exhibit F.6.b.****

c. Inventory Dispositions

Ms. Bonnie Gatlin presented a inventory disposition of stolen property on October 27th, 1998. Ms. Gatlin stated the stolen property consisted of a 2-row harrow.

Supervisor Eugene Thach made the motion, and Supervisor John Caldwell seconded the motion to accept the Inventory Disposition Report. The **motion passed** by a unanimous vote.

****See Exhibit F.6.c.****

ITEM F.7, CONTINUED,

7. Brick Mailboxes - State Roadways

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The County Engineer, Daniel Murphy, and Road Manager, Kenny Gunn came before the Board of Supervisors in connection with brick mailboxes along state roadways.

Mr. Murphy asked for clarification on the clear zone. Mr. Murphy states a 10' clear zone is defined as a flat area, or recovery area with no obstruction.

Supervisor Jessie Medlin asked Mr. Gunn how many of the mailboxes have been removed. Mr. Gunn replied, not many. Mr. Murphy, the County Engineer said the State Aid Inspection has written reprimands on DeSoto County for the last three (3) years regarding brick mailboxes.

Supervisor Eugene Thach said this issue is up to the Board before sanctions are taken against DeSoto County homeowners. Supervisor Jessie Medlin suggested Kenny Gunn, the Road Manager, to research this issue to see exactly how many of the brick mailboxes have been removed.

Supervisor Tommy Lewis asked Mr. Gunn to return on November 4th, 1998 with a current list of brick mailboxes remaining on state roadways.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion for the County to offer to tear down the brick mailboxes at the homeowners' request.

This item was held over until November 4th, 1998.

G. NEW BUSINESS

1. Dale Thompson, Comptroller

a. Claims Docket

(1) Allen & Hoshall - Courthouse Renovation/Administration Bldg

(2) Universal Steel Bldg - Allied Enterprises

(3) Panola Construction

Dale Thompson, Comptroller of the DeSoto County presented the claims docket. Bills in connection with the Courthouse Renovation, the DeSoto County Administration Building, and the Allied Building were presented by copy to each supervisor. In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the claims docket and to authorize

the Chancery Clerk to pay the bills as presented by the Comptroller. The **motion passed** by unanimous vote. ****SEE EXHIBIT G.1.a.(1).(2).(3)***
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b. Budget Amendments

- (1) Tax Collector**
- (2) Chancery Clerk**
- (3) Sheriff Department**
- (4) EMS**

ITEM G.b.(1), CONTINUED,

(1) Tax Collector

Supervisor John Caldwell said if the Board does not pull the salaries in the Tax Collector’s budget back out, the Tax Collector can give their increase at a rate in excess of what the Board of Supervisors approved for County employees. Supervisor Caldwell said there are eighteen (18) salaries affected. Supervisor John Caldwell made a motion to approve a budget amendment for the Tax Collector’s office in accordance with the provisions of Mississippi Code 1972 annotated Section 19-11-11 as follows: ****See Exhibit G.b.(1)****

Lower	001-104-402	Deputy Collector Salaries	\$ 5,600.00
Lower	001-104-465	Retirement	\$ 546.00
Lower	001-104-466	Social Security	\$ 428.00
Increase	001-901-999	General Fund Balance	\$ 6,574.00

The Board of Supervisors discussed this issue. The Comptroller, Dale Thompson said that approval of this budget amendment gives employees on the payroll as of 9/1/98 their FY98 salaries plus 5%.

The Tax Collector, Joey Treadway, said that the Tax Collector’s office is over loaded and may not be able to go all year without a bookkeeper being added. Mr. Treadway said he is trying to build a quality staff in the Tax Collector’s office. Mr. Treadway said it is getting harder and harder to hire good people in at \$ 14,400.00. Supervisor John Caldwell said he agrees that the Tax Collector needs to get those people’s salaries up. Supervisor Caldwell said that the Board believes in merit raises and salary adjustments, but no across the board raises. Joey Treadway said that he has worked on getting the salaries up to where we can keep people. Mr. Treadway said that the ladies in his office see every person in this County.

Supervisor Tommy Lewis said that the people who deserve more than a 5% raise in his office should be dealt with on an individual basis. Supervisor Lewis asked if Mr. Treadway could give some 6% and some 4%, but across the board they should average 5%. Supervisor Lewis said

that if Mr. Treadway has exceptions, the Board will look at those. Supervisor John Caldwell with drew his motion. Joey Treadway said that his office did a study of the salaries of different office personnel and would like to share his office's status with the Board, because this involved naming salaries and personnel, a closed determination was called. See Executive Session.

(2) Chancery Clerk

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, 1998, and ending September 30, 1999. At the recommendation of the Comptroller, Dale Thompson, Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to accept the budget amendments under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19. The **motion passed** by a unanimous vote.

****See Exhibit G.b.(2)****

Lower	001-101-451	Homestead Exemption	\$ 169.00
Increase	001-101-450	Copying Tax Rolls	\$ 169.00

ITEM G.b.(3), CONTINUED,

(3) Sheriff 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, 1998, and ending September 30, 1999. At the recommendation of the Comptroller, Dale Thompson, Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to accept the budget amendments under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19. The **motion passed** by a unanimous vote.

****See Exhibit G.b.(3)****

Lower	001-202-403	Investigator Salary	\$ 21,496.00
Lower	001-202-433	County Patrolmen	\$ 36,590.00
Increase	001-202-404	Clerical	\$ 21,496.00
Increase	001-202-412	Bailiff	\$ 36,590.00

(4) EMS

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, 1998, and ending September 30, 1999. At the recommendation of the Comptroller, Dale Thompson, Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to accept the budget amendments under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19. The **motion passed** by a unanimous vote.

****See Exhibit G.b.(4)****

Lower	001-240-480		\$ 4,000.00
Increase	001-240-603	Office Supplies	\$ 1,000.00
Increase	001-240-542	Repairs Vehicles	\$ 1,000.00
Increase	001-240-545	Rescue	\$ 2,000.00

c. 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 Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve the investment of surplus funds to First American 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>
10/28/98	FIRST AMERICAN	\$ 2,000,000.00	5.000
10/28/98	FIRST AMERICAN	\$ 4,000,000.00	5.050

The **motion passed** by unanimous vote. ****SEE EXHIBIT G.c****

ITEM G.2, CONTINUED,

2. Old Magnolia Street - Closing Of

Supervisor Tommy Lewis made the motion, and Supervisor John Caldwell seconded the motion to advertise for a public hearing to close a portion of the road known as Old Highway 51 South. The **motion passed** by a unanimous vote.

3. Kenny Gunn - Central Maintenance

a. Road Report & Work Schedule

Supervisor Jake Pearson made the motion and Supervisor John Caldwell seconded the motion to accept the Road Report for October, 1998 and Work Schedule for November, 1998, pursuant to Section 65-17-7 of the Mississippi Code of 1972, annotated. The **motion passed** by a unanimous vote. ****SEE EXHIBIT G.3.a****

b. 1999 Equipment Purchase

No motions nor votes were taken on this issue. ****See Exhibit G.3.b****

4. Chancery Court - Allowances

Allowances for the Chancery Court Clerk were presented to the Board of Supervisors for the October, 1998, term in the amount of \$ 2,156.66. Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve the Chancery Clerk Allowances pursuant to Section 25-7-9 of the Mississippi Code of 1972, Annotated. The **motion passed** by a unanimous vote. ****SEE EXHIBIT G.4.****

5. Bailiff Pay

Pursuant to Section 25-7-27, Section 1, paragraph (e) which allows for Constables working as Bailiffs to be paid as provided under Section 25-3-69, of Mississippi Code of 1973, Annotated, Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to pay Tommy Carr the amount of \$ 200.00 for the month of October, 1998; to pay Joe Holmes the amount of \$200.00 for the month of October, 1998; to pay Jerry Easley the amount of \$

80.00 for the month of October, 1998, for their service as bailiff for DeSoto County Justice Court. The **motion passed** by a unanimous vote.

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

6. Justice Court Report

Justice Court Clerk Linda Aldridge presented the Justice Court Report to the Board of Supervisors for the month of October.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to accept the Justice Court Report as presented by Linda Aldridge, for the month of October, 1998, pursuant to Section 9-11-19 of the Mississippi Code of 1972, Annotated. The **motion passed** by a unanimous vote. ****SEE EXHIBIT G.6****

7. Sheriff Department - "Employee Report"

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to acknowledge receipt of the Sheriff's Department Employee Reports for the month of October, 1998. The report is attached and made a part of the minutes in Exhibit G.7. The **motion passed** by a unanimous vote. **** SEE EXHIBIT G.7****

ITEM G.8, CONTINUED,

8.Publication of Board Proceeding

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the publication of Board Proceedings in connection with Section 19-3-33 of the Mississippi Code which states that the Board of Supervisors may have its proceedings published in some newspaper in the county, and cause the same to be paid for out of the county treasury. The **motion passed** by a unanimous vote.

9. Approval of Travel

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 November 2, 1998 to December 1, 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 Eugene Thach made the motion to authorize travel for all officials and employees of DeSoto County for the period of November 2, 1998 to December 1, 1998. Supervisor John Caldwell seconded the motion. The **motion passed** by a unanimous vote.

10. Hernando Civic Center - Request for assistance

Supervisor Tommy Lewis presented a letter from the Hernando Civic Center requesting the same commitment from the County as last year, and requesting assistance in the clearing of twelve (12) undeveloped acres on the north end of the property.

Supervisor Tommy Lewis made the motion, and Supervisor John Caldwell seconded the motion to renew the same commitment of \$ 12,000.00 as last year and instructed Mr. Kenny Gunn, the Road Manager to investigate the clearing of twelve (12) acres on the north end of the property and bring his recommendations before the Board of Supervisors. The **motion passed** by a unanimous vote. ****See Exhibit G.10****

11. Resolution - Establishing Coldwater River Watershed

The Board of Supervisors discussed the expansion of the YMD. Board Attorney, William Austin explained the effort to establish the Coldwater River Watershed district.

Supervisor Tommy Lewis asked how far is the expansion. Mr. Austin presented a map to the Board of Supervisors in connection with the expansion and stated the committee is also requesting the Board of Supervisors to appoint two (2) citizens to serve as representatives on the council.

Mr. Austin stated the YMD Joint Water Management District is asking the Board of Supervisors to adopt the proposed Resolution.

Supervisor Eugene Thach asked Mr. Austin if Commissioner Harry Flowers and Commissioner Dick Flowers were related. Mr. Austin replied, he did not know, as this would not present a legal problem even if the gentlemen were related.

Supervisor John Caldwell said the map presented a sub dividing base. Mr. Austin responded, the YMD Joint Water Management District is trying to go into other areas.

ITEM G.11, CONTINUED,

Supervisor Eugene Thach asked if there were any taxes for the district. The Board Attorney, William Austin there were none that he knew of. Mr. Austin reminded the Board of Supervisors, DeSoto County has no drainage tax going into the project. Chancery Clerk/County Administrator W.E. "Sluggo" Davis said that DeSoto County is part of the YMD.

Bill Bayne of the Commercial Appeal asked the how Marshall County got left out of the YMD. Mr. Austin said he had considered that point as well, but the YMD's area is limited. Mr. Austin said that any representatives appointed to this committee could take that message and began to make the change to include Marshall County.

Supervisor Eugene Thach suggested that Supervisor John Caldwell and Supervisor Jake Pearson make the appointments to this district.

Supervisor Eugene Thach asked Board Attorney, William Austin if the appointees had to live in the area. Mr. Austin replied, he did not think so. Mr. Austin said the Board of Supervisors need to have appointees in place by November 16th, 1998.

This item was held over until November 16th, 1998. ****See Exhibit G.11****

12. Information System - Update of Plans for 2000 Conversion

Interim County Administrator, W.E. "Sluggo" Davis presented a update on Y2K conversion from Mike Wood of Data Systems Management in connection with the contract for assessment approved by the Board of Supervisors on August 17th, 1998.

This item was held over until November 16th, 1998.

13. Mainstreet Chamber of Commerce request the use of the Courthouse for pictures With Santa, November 8th, 1998, 1 p.m. til 5 p.m.

Vanessa Lynchard presented a request to the Board of Supervisors from the Mainstreet Chamber of Commerce requesting the use of the Courthouse for pictures with Santa on November 8th, 1998 from 1 p.m. til 5 p.m.

Supervisor Jake Pearson made the motion, and Supervisor John Caldwell seconded the motion to approve Mainstreet Chamber of Commerce the use of the Courthouse for pictures with Santa, on

November 8th, 1998, from 1 p.m. until 5 p.m. The **motion passed** by a unanimous vote.

14. EMS - Approval for County EMS to reimburse Southaven Fire Department for Hepatitis Shots

Fire Director, Bobby Storey presented a request to the Board of Supervisors to reimburse the City of Southaven for Hepatitis shots for their fireman and EMS personnel. Mr. Storey notified the Board of Supervisors, money is in the budget to cover the cost of the Hepatitis shots.

Supervisor Jake Pearson made the motion, and Supervisor Eugene Thach seconded the motion to approve reimbursement to the City of Southaven for Hepatitis shots for fireman and EMS personnel and to authorize the clerk to write the check. The **motion passed** by a unanimous vote. ****See Exhibit G.14****

ITEM G.15, CONTINUED,

15. Update of the Project with NRCS for Dean Road, College Road, & Bright Road, Making documents part of the minutes

Vanessa Lynchard notified the Board of Supervisors that the contract documents have been completed between NRCS and DeSoto County for work on Dean Road, College Road, and Brights Road and are being made a part of these minutes.

Vanessa Lynchard said according to Wade Carter the bids should go out in December and the work completed in the spring of 1999.

No motions nor votes were taken on this issue.

16. Jim Flanagan - Washington Trip in February

Mr. Jim Flanagan of the DeSoto Council notified the Board of Supervisors, the trip to Washington, D.C., is set for February 9th through 14th, 1999. Mr. Flanagan said by scheduling the trip earlier in the week, the Board of Supervisors will have time to visit with the Representatives before they depart from Capitol Hill. Mr. Flanagan is requesting a tentative list of Board members who are contemplating the trip to Washington, D.C.

H. EXECUTIVE SESSION

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

I. OTHER ISSUES

1. Jim Flanagan - DeSoto Council

Interim County Administrator W.E. "Sluggo" Davis asked Jim Flanagan with the DeSoto Council if he could recommend an appointee for the 2000 Census Contact. Mr. Flanagan responded to Mr. Davis, they would meet for a short conference after the Board meeting to discuss a possible appointee.

1. Linda Alridge - Night Court

Supervisor Eugene Thach asked Linda Alridge if the issues with night court have been

resolved. Ms. Aldridge responded, night court will began Friday, December 4th, 1998. Ms. Aldridge said employees will use be allowed to use extra time as comp time.

1. Bond Money

Supervisor John Caldwell asked Comptroller, Dale Thompson if bond money could be spent. The Road Manager, Kenny Gunn, said he could spend the bond money on the overlay project instead of this money being spent out of the Road and Bridge line item. Supervisor Tommy Lewis asked Board Attorney, William Austin to research this issue for legalities and return his recommendations to the Board of Supervisors.

ITEM I.4, CONTINUED,

1. Tobacco Grant

The Comptroller, Dale Thompson, notified the Board of Supervisors, she has received \$ 17,637.54 as the first (1st) part of the Tobacco Grant from the state. Ms. Thompson said these funds will be placed in a separate account, and Ms. Thompson is requesting approval to receive and accept grant funds.

Supervisor Eugene Thach made the motion, and Supervisor Jessie Medlin seconded the motion to approve the Comptroller, Dale Thompson to receive and accept grant funds. The **motion passed** by a unanimous vote.

5. Jim Bearden - Nesbit Fire Department

Director Jim Bearden of Operations and Maintenance appeared before the Board of Supervisors to offer a part of Nesbit Fire Department, Station #1 to T.H. Walker, Director of the Civil Defense, for their headquarters in exchange for utilities which are running \$ 150.00 per month. Mr. Bearden said the Sheriff agrees and the space includes a 60' x 40' building plus office space. Mr. Bearden said Mr. Walker has looked at the building and stated it would work.

Supervisor Tommy Lewis made the motion, and Supervisor Eugene Thach seconded the motion to approve a contract between the Nesbit Fire Department, Station #1 and the Civil Defense for a permanent headquarters in exchange for utilities only. The **motion passed** by a unanimous vote.

Supervisor Tommy Lewis made the motion, and Supervisor John Caldwell seconded the motion to recess until 1:15 p.m. for lunch. The **motion passed** by a unanimous vote.

6. Bobby Storey - Billing EMS

Bobby Storey appeared before the Board of Supervisors to discuss billing for the EMS facilities. Mr. Storey said Mid-America Contemporary presented a proposal in connection with billing for the EMS facilities. Mr. Storey said Mid-America Contemporary is located in Memphis and would charge 10% of the collected fee. Supervisor John Caldwell asked Mr. Storey approximately how much DeSoto County is collecting. Mr. Storey replied approximately \$ 250,000 to \$ 300,000. Supervisor John Caldwell said he would prefer a billing company.

Mr. Storey said Lisa Bockhold has been transferred from accounting to the EMS department to maintain the billing for these services. Mr. Storey is concerned if Ms. Bockhold is out, the work will become back logged.

Supervisor Tommy Lewis said he thought all billing and funds were to be transferred into one (1) centralized office. Mr. Storey recommended meeting all County purchase requirements as the state requires. Mr. Storey said money is presently being collected by each individual EMS department. Mr. Storey said this money is deposited and then used for supplies, and vehicle maintenance as needed. Mr. Storey said if money is turned into one centralized location, this will place a hardship on himself as well as the Comptroller, Dale Thompson.

Supervisor John Caldwell asked Mr. Storey whose account money was being deposited into. Mr. Storey said each individual EMS department has an account. Supervisor Caldwell recommended the EMS departments collecting money, however, check or money order being made payable to DeSoto County. Supervisor Caldwell said then any supplies will need to go through the purchasing department of the County. Mr. Storey said employees are afraid this will lead to privatizing. Supervisor John Caldwell asked who gets the money. Mr. Storey replied, Walls EMS, etc.

ITEM I.6, CONTINUED,

Supervisor Eugene Thach said he understood with the transferring of Lisa Bockhold, this issue would be resolved. Mr. Storey replied, at the present time, I have no place to put this employee. Supervisor Tommy Lewis suggested to leave the system as is, send money to DeSoto County, and deputize someone to write purchase order requisitions. Mr. Storey asked the Board of Supervisors, what shall he do with the new employee. Supervisor Jessie Medlin suggested returning this employee to Dale Thompson in accounting.

Supervisor Eugene Thach explained to the Dale Thompson, Comptroller, who joined the meeting that Mr. Storey did not have a place for the new employee. Ms. Thompson said she could not bill separate for the EMS services due to state law. Ms. Thompson said an inventory would have to be done. Supervisor John Caldwell recommended retaining this employee until a final decision is made.

The Board of Supervisors instructed Mr. Storey to return with his recommendations on November 16th, 1998.

7. Allison Road & Charles Road

Supervisor Tommy Lewis said the above two (2) roads are already listed on County maps. The Road Manager, Kenny Gunn said there are conflicting County maps.

Supervisor Tommy Lewis instructed Kenny Gunn to investigate these roads, using his best judgement and return with his recommendation as to where the road ends.

Supervisor Eugene Thach made the motion, and Supervisor Jessie Medlin seconded the motion, to accept Allison Road & Charles Road as County Roads, if they are not on the road system, and to have the Road Manager inspect. This **motion passed** by a unanimous vote.

8. Swinnea Road North of Mt. Pleasant

Supervisor Tommy Lewis instructed Kenny Gunn to review Swinnea Road North of Mt. Pleasant to see perhaps if road repairs can be done without Hot Mix overlay.

9. Getwell Road to Bolin Road

Supervisor Jake Pearson made the motion, and Supervisor John Caldwell seconded the motion, to approve getting the County Engineer, Daniel Murphy to write up right of ways, and do the horizontal and vertical profile as needed by the Road Manager on the following Roads: Dean Road, Mabry to Baldwin; Airways South of Starlanding to Bankston: Getwell/Bolin to

Cleveland: Baldwin Road from Starlanding to Highway 301; and Popular Corner Road from Nail to Cleveland Road. The **motion passed** by a unanimous vote.

10. Sandidge Road

Supervisor Eugene Thach stated he had received a request from the Mayor of Olive Branch for Sandidge Road to be paved.

Supervisor Eugene Thach made the motion, and Supervisor Tommy Lewis seconded the motion to DBST Sandidge Road from the rubbish pit if the City of Olive Branch get the right of way. The **motion passed** by a unanimous vote.

ITEM I.11, CONTINUED,

11. Getwell Road South of Slocum

Supervisor Tommy Lewis said there is a hill on Getwell Road South of Slocum which needs to be reduced and this section of road needs to be DBST.

Supervisor Tommy Lewis is requesting Getwell Road South of Slocum be placed on the request list for road improvements.

12. Shamrock Subdivision at Old Pidgeon Roost Road

The Road Manager, Kenny Gunn recommended to the Board of Supervisors that 850' of Old Pidgeon Roost Road be re-worked to add a turn around and commence procedures to abandon a portion of this road.

Supervisor Jake Pearson made the motion, and Supervisor John Caldwell seconded the motion to approve 850' of Old Pidgeon Roost Road be re-worked to add a turn around and commence procedures to abandon a portion of this road. The **motion passed** by a unanimous vote.

13. Shoulder Gravel Work

Supervisor Tommy Lewis asked Road Manager, Kenny Gunn if bids were received for shoulder gravel work on roads. Kenny Gunn responded, bids went out, however, the County received no bids back in for this project. Supervisor Lewis asked Mr. Gunn to begin the shoulder gravel work as soon as possible.

14. Brights Road

Supervisor Tommy Lewis said the eastern leg of Brights Road did not get DBST. The Road Manger Kenny Gunn said they are working on that now.

15. Highway 301 & Sullivan Road

Supervisor Jake Pearson asked the Road Manager to add Highway 301 & Sullivan Road to the work schedule. Supervisor Jake Pearson made the motion, and Supervisor John Caldwell seconded the motion to approve adding Highway 301 & Sullivan Road to the work schedule. The **motion passed** by a unanimous vote.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to

recess until Wednesday, November 4, 1998 at 9:00 a.m. The **motion passed** by a unanimous vote.

THIS the 2nd day of November, 1998, these minutes have been read and approved by the DeSoto County Board of Supervisors.

TOMMY LEWIS, President
DeSoto County Board of Supervisors

T.L.