

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

**JESSIE L. MEDLIN, PRESIDENT, PRESIDING**

**January 25, 1999**

**A. CALL TO ORDER**

The January 25, 1999, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie Medlin of DeSoto County.

Sheriff James Albert Riley of DeSoto County was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

- Jessie Medlin-----District 1
- Eugene C. Thach-----District 2
- James D. Pearson-----District 3, Absent
- John Caldwell-----District 4
- Tommy Lewis-----District 5
- W. E. "Sluggo" Davis-----Chancery Clerk/County Administrator
- James Albert Riley-----Sheriff of DeSoto County
- Bill Austin-----Board Attorney

**B. INVOCATION**

The invocation was presented by Supervisor John Caldwell.

**C. EXECUTIVE SESSION**

This "Executive Session" was intended to be called for the sale and acquisition of property. However, the Board of Supervisors determined the business could be handled in open session. **\*\*See Exhibit C\*\***

**D. OLD BUSINESS**

**1. Bids Under Advisement**

**a. Motor Grader**

At the recommendation of the Road Manager, Kenny Gunn, and with approval of the Board Attorney, Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the low bid from Thompson Machinery in connection with bid file #99-156-006 for One (1) Motor Grader at a low bid of \$ 153,033.71 with a Bonded Guaranteed Buy Back of \$ 90,286.00. 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 D.1.a\*\***

**ITEM D.1.b., CONTINUED,**

**b. Backhoe/Loader**

At the recommendation of the Road Manager, Kenny Gunn, and with approval of the Board Attorney, Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to approve the low bid from Contractors Equipment in connection with bid file #99-156-005 for One (1) Backhoe/Loader at a low bid of \$ 63,760.00. 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 D.1.b\*\***

Supervisor Tommy Lewis made the motion, and Supervisor John Caldwell seconded the motion to authorize bidding for lease purchase for twenty-four (24) months. 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 D.1.b\*\***

**c. Dirt Pan**

Supervisor Jessie Medlin asked if the machine would be used a lot. Kenny Gunn said yes. At the recommendation of the Road Manager, Kenny Gunn, and with the approval of the Board Attorney, Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the low bid from Heartland Equipment in connection with bid file #99-156-004 for One (1) Dirt Pan at a low bid of \$ 32,586.00. 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 D.1.c\*\***

**ITEM D.1.d, CONTINUED,**

**d. General Purpose Tractor**

Kenny Gunn said the only bid to meet specifications was the one from Blackton Equipment. At the recommendation of the Road Manager, Kenny Gunn, Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion, with the Board Attorneys approval, to approve the bid from Blackton Equipment in connection with bid file #99-156-003 for One (1) General Purpose Tractor at a low bid of \$ 27,291.76. 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 D.1.d\*\***

**e. Four Wheel Drive Tractor**

At the recommendation of the Road Manager, Kenny Gunn, Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion contingent on the Board Attorneys approval to approve the low bid from Memphis New Holland in connection with bid file #99-156-007 for One (1) Four Wheel Drive Tractor at a low bid of \$ 99,550.00, with optional drum and to authorize financing. 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 D.1.e\*\***

**2. Insurance - Ginger Allison**

Ginger Allison presented recommendations to the Board of Supervisors in connection with Health and Dental benefits for DeSoto County.

Supervisor Jessie Medlin asked Ms. Allison what cost would be involved. Ms. Allison said the new budget has allowed an increase for administration fees. Ms. Allison said the new increase in administration fees result in an increase of \$ 1.50 per employee. Ms. Allison said this is an increase of \$ 18.00 per year.

Supervisor Tommy Lewis asked the cost paid per employee for medical and dental coverage. Ms. Allison replied, the County pays \$ 41.56 per employee for medical and \$ 14.12 per employee for dental. Supervisor Jessie Medlin asked if the dental plan is self funded. Ms. Allison replied, yes.

**ITEM D.2, CONTINUED,**

Ms. Allison said medical nor dental benefits have been increased in the last eight (8) years. Ms. Allison recommended adding the following benefits:

- 1) Tubal Litigation & Vasectomy
- 2) Newborn Well Baby Care
- 3) Second, Fourth, and Sixth month immunizations for newborn children
- 4) \$ 1,000 Accidental Injury Benefit
- 5) \$ 1,5000.00 annual maximum on dental
- 6) Major services at 75% under dental

At the recommendation of Ginger Allison, the Board of Supervisors agreed to add items 1-6 as an option to present benefit plan, as previously approved at the January 19<sup>th</sup>, 1999 Board meeting. **\*\*See Exhibit D.2\*\***

**E. NEW BUSINESS**

**1. Tire Disposal - Jim Bearden**

Mr. Jim Bearden notified the Board of Supervisors at the present time, DeSoto County has a contract with Mac's Recycling Tire. Mr. Bearden said the County's trailer is not acceptable to Mac's Recycling Tire, therefore the County has transported tires for disposal. Mr. Bearden said it is costing the County approximately \$ 1.37 per tire for disposal.

Mr. Bearden said Tire Disposal has approached the County for disposal of tires. Mr. Bearden said Tire Disposal has offered the following services:

- 1) Pickup and Load Tires from the BFI Rubbish Pit and Central Maintenance
- 2) Tire Disposal is State approved

Mr. Bearden said Tire Disposal will charge the County \$ .75 per passenger tire; \$ 3.50 per truck tire; and \$ 25.00 per over the road tire. Mr. Bearden said he is recommending Tire Disposal, as they will furnish labor and equipment for disposal of these tires.

Supervisor Tommy Lewis asked Mr. Bearden if the County has a contract with Mac's Tire. Mr. Bearden replied, yes, but it is about to expire.

At the recommendation of Jim Bearden, Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion to approve the contract with Tire Disposal contingent upon approval by the Board Attorney. 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 E.1\*\***

**ITEM E.2.a, CONTINUED,**

**2. Dale Thompson - Budget Amendments**

**a. Youth Services - Chester Beasley**

This item was held over. **\*\*See Exhibit E.2.a\*\***

**b. Sheriff's 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 Jake Pearson made the motion and Supervisor John Caldwell seconded the motion to accept the budget amendments for the Sheriff's Department under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Decrease	001-220-432	jailors & guards	\$
		1,738.00	
Increase	001-220-403	jail lt. salary	\$
		1,738.00	
Increase	001-200-571	dues & subscriptions	\$
		1,200.00	
Decrease	001-220-615	other professional supplies jail	\$
		1,200.00	
Decrease	001-222-696	drugs & medicine	\$
		1,750.00	
Increase	001-222-618	medical supplies	\$
		1,750.00	
Decrease	001-201-935	other machine & equipment	\$
		5,000.00	
Increase	001-201-501	postage	\$
		200.00	
Increase	001-201-545	other repairs	\$
		4,500.00	
Increase	001-201-681	repair parts	\$
		300.00	

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 E.2.b\*\***

**c. Family & Children Services - Varrie Richmond**

Varrie Richmond of Family & Children Services appeared before the Board of Supervisors requesting use of savings that was budgeted for replacement of carpet in FY99. Ms. Richmond said Family & Children Services are in need of filing cabinets and window treatments.

Supervisor Tommy Lewis asked Ms. Richmond if the department had an urgent need for these items today. Ms. Richmond replied, not today.

**ITEM E.2.c, CONTINUED,**

Vanessa Lynchard verified with Ms. Richmond the County does receive a reimbursement on line item 900.

This item was held over pending contract approval by the Board Attorney, William Austin for the reimbursement of expenses for rent through the state. **\*\*See Exhibit E.2.c\*\***

**d. Tax Assessor**

Comptroller Dale Thompson reminded the Board of Supervisors the Tax Assessor presented a letter to the Board of Supervisors in September stating his budget was likely to go over in certain areas.

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 Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to accept the budget amendments for the Tax Assessor under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Increase	001-103-501	postage mailing homestead exemption	\$ 3,650.00
Decrease	001-901-999	general fund cash balance	\$ 3,650.00

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 E.2.d\*\***

**e. Board Attorney - William Austin**

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 Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to accept the budget amendments for the Board Attorney under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Increase	001-130-550	legal fees	\$ 11,693.00
Decrease	001-901-999	general fund cash balance	\$ 11,693.00

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 E.2.e\*\***

**ITEM E.2.f, CONTINUED,**

**f. Justice Court - Linda Aldridge**

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 Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to accept the budget amendments for the Justice Court under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Increase	001-166-934	\$ 800.00
Decrease	001-166-933	\$ 800.00

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 E.2.f\*\***

**3. Garden Study Club - request the use of the Courthouse for annual daffodil show**  
**March 26, 1999, Friday 5 PM to 9 PM**  
**March 27, 1999, Saturday 7 AM to 5 PM**  
**March 28, 1999, Sunday 1 PM to 6 PM**

Vanessa Lynchard presented a request to the Board of Supervisors from the Garden Study Club of Hernando requesting the use of the Courthouse for the annual daffodil show on March 26<sup>th</sup>, 1999, Friday 5 PM to 9 PM; March 27<sup>th</sup>, 1999, Saturday 7 AM to 5 PM; and March 28<sup>th</sup>, 1999, Sunday 1 PM to 6 PM.

Supervisor Eugene Thach made the motion, and Supervisor Tommy Lewis seconded the motion to approve the Garden Study Club of Hernando the use of the Courthouse for the annual daffodil show on March 26<sup>th</sup>, 1999, Friday 5 PM to 9 PM; March 27<sup>th</sup>, 1999, Saturday 7AM to 5 PM; and March 28<sup>th</sup>, 1999, Sunday 1 PM to 6 PM. 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 E.3\*\***

**ITEM E.4, CONTINUED,**

**4. Request to Advertise County Resources - Sherrye Hawkes -  
Blue Demon All Star Cheerleaders - February 17<sup>th</sup> & 28<sup>th</sup>, 1999, Dallas, Texas**

Supervisor Jessie Medlin presented a letter from Sherrye E. Hawkes representing the Blue Demon All-Star Cheerleaders, who will be traveling to Dallas, Texas on February 27<sup>th</sup> and 28<sup>th</sup>, 1999, to participate in a National Championship. She requested any donations or contributions to help with expenses of this trip. Supervisor Jessie Medlin made the motion, and Supervisor John Caldwell seconded the motion to advertise the County's Resources and sponsor The Blue Demon All-Star Cheerleaders for out of state travel in the amount of \$ 250.00, in accordance with Section 17-3-3, of the Mississippi Code of 1972. The Board of Supervisors noted that a banner must be placed at the site, advertising the resources of DeSoto County. 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 E.4\*\***

**5. Amended Animal control Ordinance**

This item was held over at the Board of Supervisor's request to allow the Board Attorney to outline the changes.. **\*\*See Exhibit E.5\*\***

**6. Bill Austin - House Bill No. 1259**

Board Attorney, William Austin notified the Board of Supervisors of House Bill No. 1259. Mr. Austin stated the House Bill No. 1259 is an amendment to a bill which allows the County to set up financing for GIS.

Mr. Austin said according to the open records act, until the debt is retired, the County can charge companies for information regarding GIS.

At the recommendation of the Board Attorney, William Austin, Supervisor Eugene Thach made the motion, and Supervisor Tommy Lewis seconded the motion to approve a Resolution in support of the House Bill No. 1259. 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 E.6\*\***

**ITEM E.7, CONTINUED,**

**7. Approval of Mobile Home Rolls**

At the recommendation of Chancery Clerk W. E. "Sluggo" Davis, Supervisor Eugene Thach made the motion, and Supervisor Jessie Medlin seconded the motion to approve the Mobile Home Rolls. 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 E.7\*\***

**8. Address Corrections - Merritt Powell**

Mr. Merritt Powell notified the Board of Supervisors that the Planning Commission is working closely with Mr. Jessie Kennedy of E-911 in connection with the address changes for the 2000 Census.

Mr. Powell said he would talk with Mr. Robert Jamison of the Census Bureau, to verify addresses, would not conflict with the Census.

Supervisor Tommy Lewis said it is most important that DeSoto County get an accurate Census Count.

**F. EXECUTIVE SESSION**

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

called "Executive Session.

**G. OTHER ISSUES**

**1. MPO - TIP - Merritt Powell**

Merritt Powell of the Planning Commission notified the Board of Supervisors that Horn Lake and Southaven had requested road improvements to be placed on the books with MPO and TIP.

Mr. Powell said the road improvements for Southaven was placed on the MPO list, however, the widening of Nail Road for Horn Lake was not placed on the TIP list.

**2. GIS Grant Opportunity**

Chancery Clerk/County Administrator, W. E. "Sluggo" Davis notified the Board of an

opportunity for a grant for GIS. Mr. Davis said that Vic Young of Fisher & Arnold had notified him that grant money is available for GIS, and suggested DeSoto County apply for the maximum \$ 100,000.00 grant.

Mr. Davis said that he has spoken with Sam Russell, the DeSoto County Deputy Planning Director and he will be able to submit the necessary paperwork if the Board would like to do so.

**ITEM G.2, CONTINUED,**

At the recommendation of the Chancery Clerk/County Administrator, W. E. "Sluggo" Davis, Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion to authorize Sam Russell, the DeSoto County Deputy Planning Director to submit the grant application for GIS. 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 G.2\*\***

**3. Sale & Acquisition of Property - Justice Court Building**

Mr. Jim Brown notified the Board of Supervisors he is requesting an extension of the closing date on the Justice Court Building to March 31<sup>st</sup>, 1999. At the recommendation of Mr. Jim Brown, Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion to extend the closing of the Justice Court Building until March 31<sup>st</sup>, 1999. 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 G.3\*\***

**4. Central Maintenance - Declare Surplus**

Road Manager, Kenny Gunn asked the Board of Supervisors if equipment at Central Maintenance at been declared surplus for the auction. Supervisor Eugene Thach asked Mr. Gunn if he would have enough equipment perhaps to hold a auction for Central Maintenance. Mr. Gunn replied, at the present time, Central Maintenance only has one (1) van on the lot, and it is burned out. Mr. Gunn said this vehicle should go for scrap metal only.

**5. Proceeds from Vending**

Chancery Clerk, W. E. "Sluggo" Davis notified the Board of Supervisors that it is legal to give proceeds from the vending machine sales to the blind.

**ITEM G.6, CONTINUED,**

**6. Travel - Sewer Study**

At the recommendation of Supervisor Tommy Lewis, Supervisor Eugene Thach made the motion, and Supervisor John Caldwell seconded the motion to allow the Board Attorney to travel to Atlanta to meet with the EPA in connection with the sewer study in February. 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

**7. Travel - Board of Supervisors**

Supervisor Eugene Thach made the motion, and Supervisor John Caldwell seconded the motion to reimburse travel to Board of Supervisors and officials who traveled to the Legislative Session in Jackson on January 19<sup>th</sup> and 20<sup>th</sup>. 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

**8. Hernando Saddle Club**

Supervisor Tommy Lewis made the motion, and Supervisor John Caldwell seconded the motion to allocate \$ 5,000.00 to the Hernando Saddle Club for improvements from the District 5 Park Fund, contingent upon proof of tax exempt status. 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

**9. Fair Building**

Supervisor Tommy Lewis made the motion, and Supervisor John Caldwell seconded the motion to purchase ten (10) tables for the Fair Building in Hernando from the District 5 Park Fund. 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

Supervisor Eugene Thach said there should be guidelines for the use of county buildings. Supervisor Tommy Lewis agreed there needs to be a policy. The Board of Supervisors agreed.

**ITEM G.10, CONTINUED,**

**10. Dress Code for County Employees**

Supervisor Jessie Medlin said he has received complaints about inappropriate dress of some county employees. The Board of Supervisors discussed the personnel manual and how it addresses this issue. Chancery Clerk, W. E. “Sluggo” Davis said he talked to Jane Heidleburg before Christmas and encouraged her to get the personnel manual to DeSoto County.

Supervisor Jessie Medlin made the motion, and Supervisor Tommy Lewis seconded the motion to authorize the County Administrator, W. E. “Sluggo” Davis to send a letter to all county offices and elected officials reminding them about the dress code for county employees. 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

**11. County Wide Clean Up**

Supervisor Eugene Thach made the motion, and Supervisor John Caldwell seconded the motion, to declare Saturday, April 24<sup>th</sup>, 1999; Saturday, May 1<sup>st</sup>, 1999, as County Wide Clean Up days for the residents of DeSoto County, and to adopt Saturday, April 17<sup>th</sup>, 1999, as County Wide Clean up for hazardous chemicals as requested by DEQ. 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

**12. Hall Road - Juanita Acres - Linda House**

Ms. Linda House who resides on Hall Road in Juanita Acres appeared before the Board of Supervisors requesting assistance in the clean up limestone placed on Hall Road by Central Maintenance. Ms. House presented photographs of Hall Road to the Board of Supervisors.

Ms. House notified the Board of Supervisors the BFI truck could not turnaround at the end of Hall Road, therefore BFI was using her drive as a turnaround.

Ms. House said she called the Planning Commission regarding the situation, and was referred to Kenny Gunn at Central Maintenance. Ms. House said she spoke with Mr. Gunn, in connection with the limestone strewn onto her property. Ms. House said she was told by Mr. Gunn the county had the right of way and he would not agree to examine

the situation. Ms. House said Mr. Gunn was very rude.

Supervisor John Caldwell asked Ms. House if she requested the turnaround for BFI. Supervisor Tommy Lewis said he asked Jim Bearden to call Kenny Gunn as BFI was damaging the private driveway. Jim Bearden said he requested Kenny Gunn to provide a turnaround area for BFI.

**ITEM G.12, CONTINUED,**

After further discussion, the Board of Supervisors summoned Kenny Gunn to the Board meeting. Supervisor Jessie Medlin told Ms. House, we will ask Kenny Gunn to examine this area. Supervisor John Caldwell apologized for the rudeness of a county employee, and stating there is no excuse for rudeness.

**13. Bids - Lawn Care**

Supervisor Jessie Medlin asked Jim Bearden if the Board of Supervisors extended the current contract with Bryant Scott Walker for the lawn care. Mr. Bearden replied, yes.

Vanessa Lynchard said the Board of Supervisors extended the present contract until March,1999, in order for Mr. Walker to receive payment in line with his bid, as the terms advertised in the bid were April 1<sup>st</sup>, 1998 through March 31<sup>st</sup>, 1999.

Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion to accept the retraction of the 1999 bid from DeSoto County Lawn & Tree Service into the minutes, and to take lawn care 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

**\*\*See Exhibit G.13\*\***

**14. Emergency Declaration**

Road Manager, Kenny Gunn asked what is the Board's policy in a state of emergency. Supervisor Eugene Thach asked Mr. Gunn, what would Central Maintenance be doing. Kenny Gunn explained ways Central Maintenance could help with the clean up. Supervisor Eugene Thach said first, the Board would need to declare an emergency. Supervisor John Caldwell recommended the Board declaring an emergency, as this would enhance clean up.

Supervisor Jessie Medlin asked where the damage is located. Road Manager, Kenny Gunn replied, south of Nail Road. Supervisor Eugene Thach asked if the County should get involved and how this would effect residents with insurance. Supervisor John Caldwell suggested if Central Maintenance will be involved in the pickup at the curb, Kenny Gunn could look at the situation now and make recommendations to the Board for debris removal and remove the debris from the yard if necessary.

Mr. Gunn said the County has equipment to help in the debris cleanup, however, at this time Central Maintenance has not been asked for assistance. Supervisor Jessie Medlin said if the County is responsible for removal of debris, he recommends checking with Horn Lake to see if assistance is needed for debris removal.

Supervisor Eugene Thach stated if the County assist in the removal of one (1) tree on private property, then all taxpayers in the County will request the same consideration. Supervisor Tommy Lewis asked if the County is involved in the pickup at the curb for the removal of debris from a contractor. Kenny Gunn said no. Supervisor John Caldwell said this situation is not like writing a blank check to Kenny Gunn.

**ITEM G.14, CONTINUED,**

Supervisor Tommy Lewis asked if the County is obligated to pickup debris. Supervisor John Caldwell said yes, if debris is in the ditch.

Supervisor Jessie Medlin said the Road Manager, Kenny Gunn in the future, should contact the Board President for direction. Supervisor Tommy Lewis said or contact the County Administrator, as he will poll the Board of Supervisors, and will advise recommendations.

Supervisor Eugene Thach said at the present time, no one has appeared before the Board of Supervisors requesting assistance. Supervisor John Caldwell replied, as a private citizen, he is asking for assistance. Supervisor Jessie Medlin said he would like to discuss this issue with Civil Defense Director, T. H. Walker. County Administrator, W. E. "Sluggo" Davis said he had spoken with T. H. Walker, and stated a confirmed tornado touched down in this area. The Board of Supervisors summoned Civil Defense Director, T. H. Walker.

T. H. Walker, Director of Civil Defense, appeared before the Board of Supervisors to discuss damage in DeSoto County. Mr. Walker suggested the City of Horn Lake is to declare a state of emergency in connection with the tornado touching down in the area at Tulane and Nail Road. Mr. Walker also stated it would be advantageous in the clean up process to utilize County equipment and employees on private property.

The Board of Supervisors asked if Mr. Walker would agree a state of emergency exists. T. H. Walker said yes. Supervisor Tommy Lewis asked Mr. Walker, if the problem is serious enough that he recommends placing County equipment and employees on private property. Mr. Walker replied, no, not at this time, as he has not received damage reports in the County, only in the city. Supervisor John Caldwell said, Mr. Walker appears before the Board and two (2) Board members talked him to saying no in connection with declaring a state of emergency.

Supervisor John Caldwell said all citizens are county residents. Supervisor Jessie Medlin said any city or county with damage needs assistance. Mr. Walker said based on information he has received, the southwest corner of Tulane and Nail Road suffered extensive damage. Supervisor John Caldwell said that is in the county. Mr. Walker said he was not aware the southwest corner of Tulane and Nail Road was in the County. Supervisor Eugene Thach said the Board has procedures in place to declare a state of emergency. Mr. Walker based on information received today, he would recommend the Board of Supervisors declaring a state of emergency for the entire County of DeSoto.

At the recommendation of the Civil Defense Director, T. H. Walker, Supervisor John Caldwell made the motion, and Supervisor Jessie Medlin seconded the motion to declare a state of emergency for the entire County of DeSoto. 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

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to adjourn until Monday, February 1, 1999 at 9:00 a.m.

THIS the 25th day of January, 1999, these minutes have been read and approved by the DeSoto County Board of Supervisors.

---

JESSIE L. MEDLIN, President  
DeSoto County Board of Supervisors