

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

JESSIE L. MEDLIN, PRESIDENT, PRESIDING

February 1, 1999

A. CALL TO ORDER

The February 1, 1999, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie L. Medlin 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, Absent
- William Austin-----Board Attorney

B. INVOCATION

The invocation was presented by County Administrator W. E. “Sluggo” Davis.

C. APPROVAL OF JANUARY MINUTES

The official minutes of the Board of Supervisors were read for the month of December, 1998, pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated. Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to accept the minutes of the Board of Supervisor’s for January, 1999 subject to the revisions given to Vanessa Lynchard previously by the Board of Supervisors. 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

ITEM D, CONTINUED,

D. OLD BUSINESS

C. ANNOUNCEMENT - VALERIA ROBERTSON - CANDIDACY IN COURTROOM

F. NEW BUSINESS

1. Bill Bryant - Tax Assessor's Office - Time Warner 1997 Taxes

Bill Bryant of the Tax Assessor's office notified the Board of Supervisors, the Assessor's office has received a solid asset listing from Time Warner in connection with the 1997 taxes.

Mr. Bryant reminded the Board of Supervisors, in August, 1998 Time Warner paid the 1997 Taxes under protest. Mr. Bryant said in July and August 1998, when Time Warner filed a Tax Protest, the Assessor's office could not recommend a reduction in the 1997 taxes without the proper asset listing. Mr. Bryant said Time Warner would not or could not produce a solid asset listing for the Assessor's office, only a rendition. Mr. Bryant said since that time, Time Warner had ensued a lawsuit against the County in connection with the protest of the 1997 taxes.

Mr. Bryant said Bob Moss, Director/General Manager of the Mid South Division for Time Warner Communications, Memphis, Tennessee, contacted him in connection with the 1997 taxes paid under protest. Mr. Bryant said he explained to Mr. Moss in order for the Tax Assessor's office to recommend a reduction of taxes, the Assessor's office had requested a solid asset listing from Time Warner. Mr. Bryant said after further discussion, Mr. Moss was not aware of the lawsuit filed against DeSoto County in connection with the 1997 Tax protest.

Mr. Moss, Attorney for Time Warner said after speaking with Mr. Bryant of the Tax Assessor's office and collectively after approximately eight (8) hours of research, he was able to supply Mr. Bryant with all asset listings requested.

Supervisor Eugene Thach conveyed to Mr. Bryant, the Board of Supervisors supported the Tax Assessor's office when a reduction of taxes were denied. Supervisor John Caldwell asked Mr. Bryant what information the Assessor's office received that is so different than previously submitted.

Mr. Bryant replied, Mr. Moss of Time Warner has given the Assessor's office a complete, documented asset listing.

Mr. Bryant reminded the Board of Supervisors, the Assessor's office based the 1997 taxes on a price per subscriber. Mr. Bryant said he felt the Assessor's office might be a little high, however, without proper documentation, he could not recommend a reduction in the 1997 taxes for Time Warner.

Supervisor Jessie Medlin asked Mr. Bryant if Time Warner filed the tax protest on time. Mr. Bryant replied, yes. Mr. Bryant reminded the Board of Supervisors the rendition which was received from Time Warner originally did not contain sufficient information to recommend a reduction of taxes.

Supervisor Jessie Medlin asked Mr. Bryant if upgrades to the cable system were done after the 1997 asset listing. Mr. Bryant responded yes.

Supervisor John Caldwell asked Mr. Bryant approximately how much revenue will the County lose. Mr. Bryant replied, approximately \$ 70,000.00. Supervisor Eugene Thach asked Mr. Bryant if he recommended a reduction in the 1997 taxes. Mr. Bryant responded, he did, as he has received a complete documented asset listing, and recommended accepting a reduction in taxes.

ITEM F.1, CONTINUED,

Mr. Bryant said Time Warner agreed to take a credit against the 1999 taxes due, instead of receiving a refund for the 1997 taxes paid under protest. Mr. Bryant said he has spoken with Joey Treadway of the Tax Collector's office, and Mr. Treadway recommended refunding taxes due.

Tax Collector, Joey Treadway notified the Board of Supervisors refunding Time Warner for the 1997 Taxes would be advantageous for the County versus a tax credit for 1999. The Board of Supervisors agreed.

At the recommendation of Bill Bryant of the Tax Assessor's Office, Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion to approve a reduction of taxes for the year 1997 for Time Warner and to refund tax due contingent upon dismissal of lawsuit, and to instruct the Tax Assessor's office to supply the numbers. The **motion passed** by a unanimous vote. ****See Exhibit F.1****

Supervisor Eugene Thach asked Mr. Moss if a Mississippi Television station would be available for DeSoto County in the near future. Mr. Moss responded, at the present time, WLAV in Oxford, Mississippi is the only station operable.

2. Request for Special Election to fill Vacancy of Election Commissioners For District 3 & District 5

Vanessa Lynchard reminded the Board of Supervisors of the resignation of Nell McCormack, Commissioner of District 3 and the resignation of Carl Payne, Election Commissioner of District 5. Whereas, Section 23-15-839 of the Mississippi Code Annotated requires that the Board of Supervisors of the county shall make an order, in writing, directed to the commissioners of election, requesting an election to be held on the next regular special election day to fill the vacancy.

Supervisor Tommy Lewis made the motion, and Supervisor Eugene Thach seconded the motion to notify the Secretary of State of the vacancies in District 3 and District 5 office and to send a request to the Election Commission to hold a special election for the vacancy of District 3 and District 5 for the office of Election Commission. The **motion passed** by a unanimous vote. ****See Exhibit F.2****

3. Dale Thompson, Comptroller

a. Claims Docket

Dale Thompson, Comptroller of DeSoto County presented the claims docket.

(1) Panola Construction - DeSoto County Jail

Bills in connection with the DeSoto County Jail were presented by copy to each supervisor.
****See Exhibit F.3.a.(1)****

(2) Panola Construction - Administration Building

Bills in connection with the
DeSoto County
Administration Building
were presented by copy to
each supervisor. ****See
Exhibit F.3.a.(2)****

(3) Universal Steel Buildings - Allied Enterprises

Bills in connection with the Allied Building were presented by copy to each supervisor.
****See Exhibit F.3.a.(3)****

ITEM F.3.a. (4), CONTINUED,

(4) Johnson Bailey Henderson McNeel - Civic Center

Bills in connection with the Civic Center were presented by copy to each supervisor.
****See Exhibit F.3.a.(4)****

(5) Waggoner Engineering - GIS Needs Assessment

Bills in connection with the DeSoto County GIS Needs Assessment were presented by copy to each supervisor. Vanessa Lynchard and Dale Thompson said they received three (3) more invoices from Waggoner for the Wastewater Project just before the meeting and presented them for approval subject to review of the contract. ****See Exhibit F.3.a.(5)****

(6) E-911 Bond Issue - Cost of Issuance

Bills in connection with the DeSoto County E-911 Bond Issue were presented by copy to each supervisor. ****See Exhibit F.3.a.(6)****

(7) Refund Seized Funds to Willie E. Cowans

Bills in connection with the refund from seized funds to Willie E. Cowans were presented by copy to each supervisor. ****See Exhibit F.3.a.(7)****

(8) Invoice from Jim Terrell

Bills in connection with Jim Terrell for right of ways on Church Road were presented by copy to each supervisor. ****See Exhibit F.3.a.(8)****

(9) Authorized Travel - Carl Ray Furr - Washington Trip

Bills in connection with Carl Ray Furr for authorized travel to Washington, D.C., in connection with the sewer study were presented by copy to each supervisor.
****See Exhibit F.3.a.(9)****

(10) Allen & Hoshall - Administration Building & Courthouse Renovation

Bills in connection with DeSoto County Administration Building and Courthouse Renovation were presented by copy to each supervisor.

Vanessa Lynchard asked this bill be held over. She explained the architect's fee percentage exceeds the contractors. She has been working with Allen & Hoshall to resolve the issue and just before the meeting David Nicholson agreed they should resubmit the bill and omit that charge until their draws are in line with Panola. ****See Exhibit F.3.a.(10)****

In addition the following items were discussed on the claims docket.

1) Supervisor John Caldwell asked the Comptroller, Dale Thompson to follow up on medical bills for prisoners and bring findings before the Board of Supervisors.

2) The Comptroller, Dale Thompson stated procedures for EMS are being followed as instructed by the State Auditor, Kelly McGee. Among topics of discussion concerning purchasing law violations, were purchase of gas. The Board of Supervisors instructed the County Administrator to get the details from purchasing on the Fuelman. Further the Board of Supervisors instructed Bobby Storey and Dale Thompson to get all bills from EMS that did not go through the proper purchasing process together and give them to the

Board Attorney for approval through Circuit Court.

ITEM F.3.a.(10), CONTINUED,

3) Supervisor John Caldwell asked the Comptroller, Dale Thompson how much revenue was left in the road bond money. Ms. Thompson replied, approximately \$ 785,000.00 remains in bond money. Supervisor John Caldwell asked the Comptroller, Dale Thompson to remind the Road Manager, Kenny Gunn to spend out of the road bond money rather than the county budget when the expenditure is appropriate.

4) Supervisor John Caldwell asked the Comptroller, Dale Thompson who hired the consultant firm in connection with the E-911 Bonds. Ms. Thompson replied, she did not know. Supervisor John Caldwell said if the Board did not hire the consultant firm for the E-911 Bond issue, then the County should not be responsible for invoices in the amount of \$ 46,000.00. The Board discussed this issue and agreed that when the bonds are approved, the appropriate professionals have to be hired to handle the issuance.

Supervisor Tommy Lewis said the Board of Supervisors approved issuance of the E-911 Bonds. The Comptroller, Dale Thompson asked the Board of Supervisors if a different consultant firm could be used. Supervisor Eugene Thach said the Board of Supervisors issued the bonds and E-911 does not have the authority to hire a consultant firm.

Supervisor Tommy Lewis made the motion, and Supervisor Eugene Thach seconded the motion to approve the claims docket; three (3) invoices from Waggoner Engineer contingent upon them supplying receipts for reimbursable expenses, and to approve a budget amendment as follows for the reimbursable travel expense in connection with the Waggoner Engineering invoices for the Wastewater Plan, and to hold the invoice for Allen & Hoshall in the amount of \$ 36,836.25.

Lower	001-901-999	\$ 2279.18
Increase	001-107-596	\$ 2279.18

Supervisor Jake Pearson made the motion, and Supervisor Tommy Lewis seconded the motion to approve the claims docket except for the bill from Allen & Hoshall. 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 G.3.a.(1).(2).(3).(4).(5).(6).(7).(8).(9).(10)****

4. Dale Thompson - Budget Amendments

a. Summershill Fire Department

The Comptroller, Dale Thompson notified the Board of Supervisors she is in receipt of \$ 50,000.00 from the State of Mississippi for the Fire Truck for Summershill Fire Department. Ms. Thompson said the Summershill Fire Department has already paid for the fire truck. Dale Thomson said she has already discussed.

In accordance with Section 27-1-32 of the Mississippi Code of 1972, which states the Board of Supervisors shall, approve allocation of \$ 50,000.00 to the Summershill Fire Department for reimbursement of the purchase of the Fire Truck.

ITEM F.4.a, CONTINUED,

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 Jessie Medlin seconded the motion to approve the budget amendment for the Summershill Fire Department under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Lower	001-101-930	purchase of truck	\$ 50,000.00
Increase	001-101-759	allocation to Fire Department	\$ 50,000.00

Supervisor Eugene Thach made the motion, and Supervisor Jessie Medlin seconded the motion to approve the allocation of \$ 50,000.00 to the Summershill Fire Department for reimbursement of the purchase of a Fire Truck. The **motion passed** by a unanimous vote. ****See Exhibit F.4.a****

b. Wastewater Management Plan

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 John Caldwell seconded the motion to accept the budget amendment for Wastewater Management to pay the invoice from Carl Ray Furr as presented on the claims docket under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Lower	001-901-999	general fund balance	\$ 996.84
Increase	001-107-596	sewer study & gis account	\$ 996.84

The **motion passed** by a unanimous vote. ****See Exhibit F.4.b.****

c. Board Attorney

Dale Thompson notified the Board of Supervisors the budget amendment approved on Monday, January 25th, 1999 for \$ 11,693.00 was in error, as payment of \$ 14,185.20 was due to Bridgeforth & Buntin for the Memphis/Ms annexation that was charged to that account in error.

The Comptroller, Dale Thompson notified the Board of Supervisors the new budget amendment requested in the amount of \$ 335.82 will only cover expenses through February 1, 1999. Ms. Thompson notified the Board of Supervisors the Board Attorney's expenses for previous fiscal years were as follows:

1996 - \$ 27,872.00	1997 - \$ 28,601.00	1998 - \$ 33,000.00
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Ms. Thompson recommended a budget amendment of \$ 21,000.00 for the Board Attorney, as this should cover expenses through the Fiscal Year 1999 according to Bobby Chamberlain.

ITEM F.4.c, CONTINUED,

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 amendment for the Board Attorney under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Lower	001-901-999	general fund cash balance	\$	
				21,000.00
Increase	001-130-550	board attorney legal fees		\$ 21,000.00

The **motion passed** by a unanimous vote. ****See Exhibit F.4.c.****

d. Youth Service (old business)

Chester Beasley of Youth Service came before the Board of Supervisors to discuss the budget amendment for Youth Service.

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 approve the budget amendment for the Youth Service under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Lower	001-164-502	telephone	\$	
				500.00
Increase	001-164-603	office supply		\$ 500.00
Lower	001-901-999	general fund balance	\$	
				1,024.00
Increase	001-164-934	furniture		\$ 1,024.00

The **motion passed** by a unanimous vote. ****See Exhibit F.4.d.****

5. Transfer - Seized Funds to Metro Narcotics Forfeitures

At the recommendation of the Comptroller, Dale Thompson, Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to authorize and instruct the Chancery Clerk of the Board of Supervisors, pursuant to Section 41-29-185 of the Mississippi Code of 1972, as amended, to transfer the Seized Funds to the Metro Narcotics Forfeitures.

From	105-000-388	Metro Narcotics Seized	\$ 250.00
To	123-900-950	Metro Narcotics Forfeitures	\$ 250.00

****See Exhibit F.5****

ITEM F.6, CONTINUED,

6. Kenny Gunn - Central Maintenance

a. Road Report & Work Schedule

Kenny Gunn appeared before the Board of Supervisors to present the Road Report. Supervisor John Caldwell asked why the Road Department does not take up the posts when road signs are put up. After discussion, the Board of Supervisors instructed the Road Department to begin to take up the posts and to clean up those standing now during road maintenance.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to accept the Road Report for January, 1999 and Work Schedule for February, 1999, pursuant to Section 65-17-7 of the Mississippi Code of 1972, annotated. The **motion passed** by a unanimous vote. ****See Exhibit F.6.a****

7. Bids under Advisement

a. Vending Machine Service

Supervisor Eugene Thach stated the present vendors servicing DeSoto County has had a lot of personnel problems.

County Administrator, W. E. "Sluggo" Davis said MDRS has a program where the blind is trained to service the vending machines, however, the blind is paired with a helper.

Supervisor Jessie Medlin asked Vanessa Lynchard how many bids were mailed out. Vanessa replied, five (5) bids were mailed out, however, the County only received two (2) bid returns.

After further discussion, Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion to take the Vending Machine Service bid under advisement and to holdover this issue pending the recommendations of the County Administrator on Wednesday, February 3rd, 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----- No

****See Exhibit F.7.a.****

8. Authorization for County Administrator to open Bids on February 5, 1999

a. Construction of Equipment Storage Shed - 10 a.m.

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to authorize the County Administrator W. E. "Sluggo" Davis or his designee to open bids for the Construction of Equipment Storage Shed on February 5th, 1999 at 10:00 A.M. The **motion passed** by a unanimous vote. ****See Exhibit F.8.a.****

ITEM F.9, CONTINUED,

9. Chancery Court - Allowances

Allowances for the Chancery Court Clerk were presented to the Board of Supervisors for the January, 1999, term in the amount of \$ 1,856.66. Supervisor John Caldwell made the motion and Supervisor Tommy Lewis 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 vote as follows:

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

****SEE EXHIBIT F.9****

10. Circuit Clerk - Allowances and Records Preservation

On this date, County Administrator W. E. "Sluggo" Davis, presented on behalf of the Circuit Court Clerk Jeanette Martin, an Order of Allowances to the Board of Supervisors for the Circuit Court for the December, 1998, term, in the amount of \$ 2,488.00, and Record Preservation for in the amount of \$ 500.00. Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to approve these payments, pursuant to Sections 25-7-13, and Section 25-7-13 of the Mississippi code of 1972, Annotated. 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 F.10****

11. 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 Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to pay Tommy Carr the amount of \$ 200.00 for the month of January, 1999; to pay Jerry Easley the amount of \$ 360.00 for the month of January, 1999, for their service as bailiff for DeSoto County Justice Court. 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 F.11****

ITEM F.12, CONTINUED,

12. Justice Court Report

Justice Court Clerk Linda Aldridge presented the Justice Court Report to the Board of Supervisors for the month of January. Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to accept the Justice Court Report as presented by Linda Aldridge, for the month of January, 1999, pursuant to Section 9-11-19 of the Mississippi Code of 1972, Annotated. 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 F.12****

13. Sheriff Department - "Employee Report"

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to accept the Sheriff's Department Employee Report for the month of January, 1999, into the minutes. The report is attached and made a part of the minutes in Exhibit F.13. 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 F.13****

14. Publication of Board Proceeding

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach 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 vote as follows:

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

ITEM F.15, CONTINUED,

15. 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 February 1, 1999 to March 1, 1999, 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 Tommy Lewis made the motion to authorize travel for all officials and employees of DeSoto County for the period of February 1, 1999 to March 1, 1999. Supervisor John Caldwell seconded the motion. 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

16. Bill Austin - House Bill No. 869

Board Attorney, William Austin notified the Board of Supervisors of House Bill No. 869. Mr. Austin stated the House Bill No. 869 is an amendment to a bill which allows the Treatment of Mentally Ill Patients in a Facility other than the Admitting Institution; to Amend Section 41-21-79, Mississippi code of 1972, to provide that if a Mentally Ill Patient is indigent, the costs incurred by the interim facility, the attending physician at the interim facility and the costs of commitment shall be paid from funds of the Mississippi Department of Mental Health; and for related purposes.

At the recommendation of the Board Attorney, William Austin, to send a Resolution of Support in connection with House Bill No. 869, Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion to approve a Resolution in support of the House Bill No. 869. 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 F.16****

17. Secretary of State - Proclaimed Holiday - Monday, February 15th, 1999

The Board of Supervisors acknowledges Monday, February 15th, 1999, as a County holiday as proclaimed by the Governor, and accepted the order into the minutes. The Chancery Clerk said previous Board Order allows the County to take all state holidays. The Board clarified that only holidays listed at the discretion should come before the Board of Supervisors for approval. ****See Exhibit F.17****

ITEM F.18, CONTINUED,

18. Request to Advertise County Resources - Wayne Keenum - Sponsorship of Miss North Mississippi/Miss Magnolia Pageant

Ms. Dawn Keenum-Gaines presented a request to the Board of Supervisors for support for the Miss North Mississippi/Miss Magnolia Scholarship Program to be held at 7:00 p.m., Saturday, March 20th, 1999 at the Olive Branch Auditorium. Ms. Keenum-Gaines requested any donations or contributions to help with expenses of this pageant. Supervisor Eugene Thach made the motion, and Supervisor Jessie Medlin seconded the motion to advertise DeSoto County Resources by contributing \$ 150.00 to the Miss North Mississippi/Miss Magnolia Pageant Scholarship Program and authorize the Chancery Clerk to write the check.

In accordance with Section 17-3-3, of the Mississippi Code of 1972, the Board of Supervisors did make a determination that the above request would advertise the resources and possibilities of DeSoto County and thereby advance the moral, financial and other interests of DeSoto County. 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 unanimous vote. ****See Exhibit F.18****

19. Rainbow Drive - Bennie Watson

This item was held over as Bennie Watson was not present at the meeting.

20. Travel Reimbursement - Supervisor John Caldwell

At the recommendation of the Comptroller, Dale Thompson, Supervisor Eugene Thach made the motion, and Supervisor Tommy Lewis seconded the motion to approve travel reimbursement for Supervisor John Caldwell on January 26th, 1999 to Jackson, Mississippi. 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 F.20****

21. Approval of Resolution - Eric Lockley

The DeSoto County Board of Supervisors has suffered a great detriment with the death of Eric Lockley who served the citizens of DeSoto County in the Tax Assessor's Office from September 16, 1996 until his death on January 25, 1999, Supervisor Tommy Lewis made the motion, and Supervisor John Caldwell seconded the motion to send a Resolution of Gratitude to the family of Eric Lockley for his service and devotion to the citizens of DeSoto County as the DeSoto County Mapper in the Office of the DeSoto County Tax Assessor and condolences to the Lockley family for their great loss. The **motion passed** by a vote as follows:

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

****EXHIBIT F.21****

ITEM F.22, CONTINUED,

22. Accepting Continuation of Lease for FSA into the minutes

Vanessa Lynchard presented a request from the FSA stating this office is not being relocated to Tate County, and further wishes to continue its leased space in DeSoto County Agricultural Center.

Supervisor John Caldwell made the motion, and Supervisor Tommy Lewis seconded the motion to approve the request for the FSA office to remain in the DeSoto County Agricultural Center and continuing the original lease. 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 F.22****

23. Extension of Solid Waste Grant

In accordance with Section 17-17-65 Mississippi Code of 1972, Supervisor John Caldwell made the motion, and Supervisor Tommy Lewis seconded the motion, to accept the extension of the Solid Waste Grant in the amount \$ 15,750.00. 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 F.23****

G. EXECUTIVE SESSION

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

G. OTHER ISSUES

1. Homestead Exemptions

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to approve the petition to adjust homestead exemption supplemental roll as presented and recommended by the Chancery Clerk. The **motion passed** by a unanimous vote. ****See Exhibit H.1****

ITEM H.2, CONTINUED,

2. Tire Repair - Central Maintenance

The Road Manager, Kenny Gunn notified the Board of Supervisors, presently American Tire repairs tires for Central Maintenance, however the cost is approximately \$ 3,000.00 per year. Mr. Gunn said Central Maintenance could purchase a tire repair machine for approximately \$ 7,200.00. Mr. Gunn said this machine would also handle the larger size tires.

Supervisor John Caldwell asked Mr. Gunn if American Tire is providing good service. Mr. Gunn replied, yes.

Supervisor Jessie Medlin asked Mr. Gunn if the cost is running approximately \$ 3,000.00 per year for tire repair, could Central Maintenance repair these tires by hand. Supervisor Tommy Lewis asked Mr. Gunn if Central Maintenance has spare tires on hand at all times. Mr. Gunn replied, we have four (4) to five (5) front and rear spare tires on hand and Central Maintenance does not have enough manpower to repair tires by hand.

Supervisor John Caldwell stated \$ 3,000.00 per year for tire repair is not bad. Mr. Gunn replied, this purchase of a tire repair machine is only an option.

3. Mower - Central Maintenance Tractor

The Road Manager, Kenny Gunn notified the Board of Supervisors a mower would need to be ordered for the new Central Maintenance Tractor. Mr. Gunn said the mower would not have to go out for bid, as the approximate cost of the mower would be \$ 9,000.00.

Supervisor Jessie Medlin instructed Kenny Gunn to follow procedure for the ordering the mower deck for the Central Maintenance tractor.

4. Lawn Care Requirements

Vanessa Lynchard has contacted the Department of Agriculture in Jackson in connection with receiving lawn care requirements in connection with the Lawn Care Bids. Vanessa will verify state requirements and present findings to the Board of Supervisors on Wednesday, February 3rd, 1999.

5. Hall Road - Central Maintenance

The Road Manager, Kenny Gunn notified the Board of Supervisors that Mr. Ivy has spoken with Linda House resident in Juanita Acres on Hall Road in connection with the turnaround for BFI. Mr. Gunn conveyed to the Board of Supervisors Mr. Ivy's meeting with Ms. House was not productive. Supervisor Jessie Medlin asked Mr. Gunn if Mr. Ivy explained the land platt to Ms. House. Mr. Gunn said Ms. House remarked to Mr. Ivy, her attorney would be in touch.

Mr. Gunn said he had spoken with Jim Bearden in connection with the turnaround situation. Mr. Gunn said Mr. Bearden is under the impression, the damage to Ms. House's property could have been done by the propane company.

ITEM H.6, CONTINUED,

6. Emergency Declaration

The Road Manager, Kenny Gunn requested the Board of Supervisors to extend the Emergency Declaration for seven (7) days with a expiration of February 8th, 1999.

Mr. Gunn said damage was also sustained in the Twin Lakes area. Mr. Gunn said at present the extension of the Emergency Declaration will allow Central Maintenance to complete debris removal in the areas of Tulane and Nail, and the Twin Lakes area. Mr. Gunn said rain prevented finalizing the clean up during the previous week.

At the recommendation of the Road Manager, Kenny Gunn, Supervisor Jake Pearson made the motion, and Supervisor John Caldwell seconded the motion to extend the Emergency Declaration for seven (7) days of Emergency. The **motion passed** by a unanimous vote.

7. Church Road Update

Supervisor Eugene Thach asked Board Attorney, William Austin for an update on the right of ways on Church Road.

Board Attorney, William Austin, responded, to date ten (10) right of ways have been recorded. Mr. Austin said he has been notified of a possible large donation of right of way along Church Road, however, negotiations have not been finalized.

Supervisor Jessie Medlin asked Mr. Austin approximately how many right of ways are needed. Mr. Austin replied, approximately twenty (20) more right of ways are needed on the west side of Church Road.

8. Starlanding Rail Road Crossing

Supervisor John Caldwell notified the Board of Supervisors he has spoken with the County Engineer, Daniel Murphy in connection with the Starlanding Rail Road Crossing. Supervisor John Caldwell said at this time Mr. Murphy could not engineer the project at Starlanding Rail Road Crossing, therefore he is recommending the hiring of Carl Ray Furr to engineer this project.

Supervisor John Caldwell made the motion, and Supervisor Tommy Lewis seconded the motion to instruct the County Administrator to contact Carl Ray Furr to negotiate the final engineering project for the Starlanding Rail Road Crossing. The **motion passed** by vote as follows:

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

9. Board of Supervisors Convention - Tunica, Mississippi

County Administrator, W. E. "Sluggo" Davis notified the Board of Supervisors of the Board of Supervisors Convention to be held at the Grand Casino, Tunica, Mississippi, on June 14th, 1999 through June 18th, 1999.

The County Administrator, W. E. "Sluggo" Davis asked each individual Board member if they requested registration and/or reservations for this convention. After further discussion, the Board of Supervisors agreed unanimously to be registered for the convention only.

ITEM H.10, CONTINUED,

10. Fire Insurance Rate

Supervisor Eugene Thach asked Joey Treadway and Bill Bryant if the 2 mills for the fire insurance has been taken off inside municipalities. Joey Treadway and Bill Bryant said yes. Supervisor Eugene Thach asked if the 1 mill outside municipalities is still being collected. Joey Treadway said yes. Supervisor Eugene Thach asked how to get that removed. Joey Treadway said he thinks the Board of Supervisors has to take that off.

Mr. Bill Scott said if the remaining city mill is removed, the county fire departments state statutory still require them to provide fire protection in their district, but their funding would make that impossible. Mr. Scott said 25% of the people in the Summershill fire district live outside municipalities. Mr. Scott said even if their coverage is reduced, their debt is not.

Board Attorney, William Austin said first the people request a fire protection district and then cities annex these areas creating double taxation.

11. Roads - I-55 and Nail Road

Supervisor John Caldwell made the motion, and Supervisor Jake Pearson seconded the motion to support the Resolution in Support of an Interchange at Interstate 55/Nail Road. The **motion passed** by a unanimous vote. ****See Exhibit H.10****

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to recess until Wednesday, February 3, 1999 at 9:00 a.m. The **motion passed** by a unanimous vote.

THIS the 1st day of February, 1999, these minutes have been read and approved by the DeSoto County Board of Supervisors.

MEDLIN, President
Supervisors

JESSIE L.
DeSoto County Board of
Supervisors