

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

JESSIE L. MEDLIN, PRESIDENT, PRESIDING

May 10, 1999

A. CALL TO ORDER

The May 10, 1999, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie Medlin, Board President.

Deputy 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
- Vacant-----District 3
- John Caldwell-----District 4
- Tommy Lewis-----District 5
- W. E. “Sluggo” Davis-----Chancery Clerk
- David Armstrong-----County Administrator
- Charlie Brown----- Deputy Sheriff of DeSoto County
- William H. Austin, Jr.-----Board Attorney

B. INVOCATION

The invocation was presented by Chancery Clerk, W. E. “Sluggo” Davis.

C. OLD BUSINESS

1. Appointment

a. Horn Lake Library Board - District 3

Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion to hold this issue over until May 17th, 1999. The **motion passed** by a vote as follows:

- Jessie Medlin-----Yes
- Eugene C. Thach-----Yes
- District 3-----Vacant
- John Caldwell-----Yes
- Tommy Lewis----- Yes

****See Exhibit C.1****

ITEM C.1.b, CONTINUED,

b. Civic Center - District 3

Supervisor John Caldwell made the motion, and Supervisor Tommy Lewis seconded the motion to hold this issue over until May 17th, 1999. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
District 3-----Vacant
John Caldwell-----Yes
Tommy Lewis----- Yes

****See Exhibit C.1.b****

c. Team DeSoto - District 3 & District 4

Supervisor John Caldwell made the motion, and Supervisor Tommy Lewis seconded the motion to hold this issue over until May 17th, 1999. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
District 3-----Vacant
John Caldwell-----Yes
Tommy Lewis----- Yes

****See Exhibit C.1.c****

2. Old Cub Lake Road

This issue was held over until May 17th, 1999. ****See Exhibit C.2****

3. Personnel Manual

Supervisor Jessie Medlin reminded the Board of Supervisors of a prior discussion of the dress code for County Employees and said the Personnel manual did not address the dress code effectively. The Board of Supervisors agreed the manual should be changed on the issue.

Supervisor John Caldwell said the Board of Supervisors needs a time frame and cost to complete the manual.

Then Board Attorney, William Austin suggested organizing a committee to recommend a dress code for county employees. This issue was held over until May 17th, 1999.

****See Exhibit C.3****

4. Insurance DeSoto County Soil & Water Employee

The County Administrator, David Armstrong notified the Board of Supervisors he has met with Board Attorney, William Austin, Dale Thompson, and Vanessa Lynchard regarding health insurance coverage for County Soil and Water Employee Alice Renfrew. Mr. Armstrong said he was recommending Alice Renfrew be added to the insurance plan effective July 1st, 1999.

ITEM C.4, CONTINUED,

David Armstrong said Attorney, William Austin has determined it is legal to pay

insurance for Horn Lake Interceptor Sewer and E-911 employees under the current arrangement. However, payment for the S.W.C.D. employee cannot begin until 7/1/99 as authorized by recent legislation. David Armstrong said he does not recommend adding other employees unless specifically authorized by the legislature.

At the recommendation of Mr. Armstrong, Supervisor Tommy Lewis made the motion, and Supervisor John Caldwell seconded the motion, authorizing the County Soil and Water employee Alice Renfrew added to the insurance coverage after July 1, 1999, and authorize taking the insurance payment from the S.W.C.D. allocation. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
District 3-----Vacant
John Caldwell-----Yes
Tommy Lewis----- Yes

****See Exhibit C.4****

5. Inventory Disposition

Bonnie Gatlin said Scott Rhodes, the State Inventory Auditor sent the list of inventory problems for her to work on until his return. Bonnie said the inventory audit was conducted knowing that she would have thirty (30) days to fix any findings.

David Armstrong said most of the excess items are things that were thrown away. Mr. Armstrong said he and Bonnie Gatlin worked on the list over the weekend and he is comfortable that it is correct now.

Supervisor Jessie Medlin said to get a memo out to tell the elected officials and department heads notifying them they are responsible for inventory.

Supervisor Eugene Thach said the auditor is doing a 100% inventory.

Bonnie Gatlin said Josh moved all the computers and did not do any disposals. Vanessa Lynchard said we were given trade in credit, but IBM did not want the computers. Bonnie Gatlin said the computers were lined up in the hallway and said Jim Bearden took them to the landfill. Supervisor John Caldwell asked when this happened. Jim Bearden said last summer. Supervisor John Caldwell asked why this was not corrected at the last inventory.

Inventory Clerk, Bonnie Gatlin and County Administrator, David Armstrong presented a inventory disposition for Data Processing. Ms. Gatlin said Mr. Bearden disposed of the obsolete computers from Data Processing. At the recommendation of Ms. Gatlin and Mr. Armstrong, Supervisor Eugene Thach made the motion, and Supervisor Jessie Medlin seconded the motion to approve the inventory disposition of Data Processing. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
District 3-----Vacant
John Caldwell-----No
Tommy Lewis----- Absent

****See Exhibit C.5****

ITEM C.5, CONTINUED,

Supervisor Tommy Lewis made the motion, and Supervisor Eugene Thach seconded the motion, to approve the inventory disposition of Tax Assessor, Parker Pickle. The **motion**

passed by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
District 3-----Vacant
John Caldwell-----No
Tommy Lewis----- Yes

****See Exhibit C.5****

Bonnie Gatlin said the radios listed in Civil Defense should be removed as they were never county inventory.

Supervisor Eugene Thach made the motion, and Supervisor Tommy Lewis seconded the motion, to approve the inventory disposition of Civil Defense. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
District 3-----Vacant
John Caldwell-----No
Tommy Lewis----- Yes

****See Exhibit C.5****

Supervisor Eugene Thach made the motion, and Supervisor Tommy Lewis seconded the motion, to approve the inventory disposition of Circuit Clerk Jeannette Martin. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
District 3-----Vacant
John Caldwell-----No
Tommy Lewis----- Yes

****See Exhibit C.5****

Bonnie Gatlin presented a inventory disposition for the Sheriff’s department. Ms. Gatlin said attached is a letter from Captain Doss showing the equipment was thrown away. Board Attorney, William Austin recommended Randy Doss sign a affidavit. Supervisor John Caldwell asked why the radios were listed on inventory for the last two (2) years if they were not their’s. Bonnie Gatlin said an assistant Inventory Clerk told her she had seen the radios when she obviously had not. Supervisor Jessie Medlin said we need to stress someone needs to take any remaining radios to the landfill.

Bonnie Gatlin said Fasttrack sent a letter stating they would replace a broken piece of equipment rather than repair it as the cost to repair is too much.

Supervisor Tommy Lewis made the motion, and Supervisor Eugene Thach seconded the motion, to approve the inventory disposition of the Sheriff’s Department.

ITEM C.5, CONTINUED,

The **motion passed** by a vote as follows:

Jessie Medlin-----Yes

Eugene C. Thach-----Yes
District 3-----Vacant
John Caldwell-----No
Tommy Lewis----- Yes

****See Exhibit C.5****

Bonnie Gatlin told the Board of Supervisors that Central Maintenance equipment was auctioned for scrap metal. Supervisor Eugene Thach asked if the value should be listed. Bonnie Gatlin said no.

Supervisor Tommy Lewis made the motion, and Supervisor Eugene Thach seconded the motion, to approve the inventory disposition and property affidavit from Road Manager, Kenny Gunn of Central Maintenance. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
District 3-----Vacant
John Caldwell-----No
Tommy Lewis----- Yes

****See Exhibit C.5****

Supervisor Tommy Lewis made the motion, and Supervisor Eugene Thach seconded the motion, to approve the disposition in connection with the compressor. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
District 3-----Vacant
John Caldwell-----No
Tommy Lewis----- Yes

****See Exhibit C.5****

Bonnie Gatlin said Gary Smith does not know where the missing inventory went as they were disposed of in one of the prior commanders tenure. Supervisor John Caldwell said he understood that there have been several changes in Metro Commanders, but asked how many inventory clerks there have been. Bonnie Gatlin said she was the only one. Supervisor John Caldwell asked why the discrepancies were not found on a previous yearly inventory. Supervisor Tommy Lewis asked who the assistant inventory clerk in Metro is. Bonnie Gatlin said there is not an assistant in Metro. Bonnie Gatlin said Metro did not give her any paperwork.

The Board Attorney recommended getting an affidavit signed as the status of the missing inventory. Supervisor Jessie Medlin asked if Bonnie Gatlin has gone back to Metro since she was given the list to correct the items. Bonnie Gatlin said no.

Supervisor Eugene Thach made the motion, and Supervisor Tommy Lewis seconded the motion to hold Metro Narcotics inventory disposition, and the Sheriff's Department inventory disposition in connection with radios over until May 17th, 1999.

ITEM C.5, CONTINUED,

The **motion passed** by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes

District 3-----Vacant
John Caldwell-----No
Tommy Lewis----- Yes

****See Exhibit C.5****

D. NEW BUSINESS

1. Procedure for the Adoption of County Roads

Merritt Powell presented legislation requiring the adoption of a road map and probably a road register.

Merritt Powell of the Planning Commission notified the Board of Supervisors a County Road Map has been adopted, but the public hearing was omitted. Mr. Powell said he recommends combining the road lists into one list, and developing a road register before holding a public hearing within the next two (2) months.

Supervisor John Caldwell asked Mr. Powell to advise the Board of Supervisors if roads which were in incorporated areas, villages, or even within city limits would be shown on this map. Supervisor Tommy Lewis asked how the state law read. Mr. Powell replied, the law states all public roads in the county system shall be shown on the county road map. Supervisor John Caldwell said all maps need to be consistent. The Board of Supervisors agreed to list county and state aid roads.

At the recommendation of Mr. Powell, Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion, authorizing a public hearing to be held in connection with the Adoption of County Roads, and authorize Merritt Powell to work with Daniel Murphy and Kenny Gunn to devise a plan to carry out the legislation. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
District 3-----Vacant
John Caldwell-----Yes
Tommy Lewis----- Yes

****See Exhibit D.1****

2. Tax Assessor - Approval of Dedication of Unfinished Area

Vanessa presented a request from the Tax Assessor, Parker Pickle to request the unfinished area in the Administration Building connected to the Tax Assessor’s office to be dedicated to the Tax Assessor’s department. Vanessa said Mr. Pickle has also requested a doorway be placed between his office and the unfinished area, so his department may use this area for file cabinets.

Supervisor John Caldwell said he had rather not dedicate this area, as this unfinished area maybe needed by someone other than the Tax Assessor. Supervisor Eugene Thach agreed with Supervisor Caldwell stating professionals have projected adequate space required for each department for coming year.

ITEM D.2, CONTINUED,

Supervisor John Caldwell made the motion to authorize a change order for door way with no action to dedicate the unfinished area to the Tax Assessor’s office. Supervisor John Caldwell withdrew his motion.

Supervisor Tommy Lewis made the motion, and Supervisor John Caldwell seconded the

motion authorizing Vanessa to inquire about the cost of a door to be placed between the Tax Assessor's office and the unfinished area and holding this issue over until May 17th, 1999. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
District 3-----Vacant
John Caldwell-----Yes
Tommy Lewis----- Yes

****See Exhibit D.2****

3. Workforce Investment Act

The County Administrator, David Armstrong presented the Workforce Investment Act from Governor Kirk Fordice. Mr. Armstrong said DeSoto County has been designated Area 4, and the State is requesting counties acknowledge acceptance of this designation.

Vivian Berryhill, the County Representative on this committee, said she will be speaking with the representatives for DeSoto County in connection with a centralized area for meetings. Ms. Berryhill said Batesville or Oxford would be an accessible area for meetings to be held.

Supervisor Eugene Thach made the motion, and Supervisor John Caldwell seconded the motion to approve DeSoto County as designated area 4, and to forward approval. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
District 3-----Vacant
John Caldwell-----Yes
Tommy Lewis----- Yes

****See Exhibit D.3****

4. Making Finally Executed Lease Documents for 7 Ambulances Part of the Minutes

Vanessa presented the final executed Lease Documents for Seven (7) Ambulances from First Continental Leasing to be made part of the minutes.

Supervisor Tommy Lewis made the motion, and Supervisor Eugene Thach seconded the motion to make the final executed Lease Documents for Seven (7) Ambulances from First Continental Leasing a part of the minutes. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
District 3-----Vacant
John Caldwell-----Yes
Tommy Lewis----- Yes

****See Exhibit D.4****

ITEM D.5, CONTINUED,

5. Investment of Surplus Funds

In accordance with Section 19-2-29 of the Mississippi Code, which states that whenever any county shall have on hand any bond and interest funds, any funds derived from the sale of bonds, special funds, or any other funds in excess of the sums which will be required to meet the current needs and demands of no more than seven (7) business

days, the Board of Supervisors of such county shall invest such excess funds.

At the recommendation of the Comptroller, Dale Thompson, Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to approve the investment of surplus funds to First American Bank, and Trustmark 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>	<u>DAYS</u>
05/07/99	Trustmark	\$ 1,300,000.00	4.749	146
05/07/99	First American	\$ 6,290,000.00	4.80	95
05/07/99	First American	\$ 3,000,000.00	4.75	34

The **motion passed** by a vote as follows:

Jessie Medlin-----Yes
 Eugene C. Thach-----Yes
 District 3-----Vacant
 John Caldwell-----Yes
 Tommy Lewis----- Yes

****See Exhibit D.5****

A. EXECUTIVE SESSION

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

A. OTHER ISSUES

1. McGee Trucking - Late Bill

Peggy Darnell of the Accounting Department appeared before the Board of Supervisors with a late bill from McGee Trucking in connection with hauling gravel for Central Maintenance. Ms. Darnell requested holding this invoice for payment until the first of June on the claims docket. Ms. Darnell said the accounting department discourages payment of invoices in the middle of each month.

The Board of Supervisors instructed Ms. Darnell to hold this invoice until the June claims docket. The Board of Supervisors agreed that this would set a precedent for payment of bills.

ITEM F.2, CONTINUED,

2. Firearm Ordinance

Supervisor Tommy Lewis asked if a Firearm Ordinance has been drafted for the approval by the Board of Supervisors. County Administrator, David Armstrong presented a working draft for comments and recommendations.

Supervisor John Caldwell said he has received a couple complaints regarding firearms. Supervisor Tommy Lewis remarked the working draft does not mention a particular lot

size. Supervisor Tommy Lewis asked if a resident sold four (4) ten (10) acre tracts of land, would this be considered a subdivision. Board Attorney, William Austin replied, if a resident has 1,000 acres and sells 1 acre, the resident must file a 1 lot subdivision, but, if the resident has 10 acres and sells 1 acre, then the resident must file a 2 lot subdivision.

Supervisor Tommy Lewis made the motion, and Supervisor Eugene Thach seconded the motion to set a public hearing to be held June 9th, 1999 in connection with a Firearm Ordinance for the County. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
District 3-----Vacant
John Caldwell-----Yes
Tommy Lewis----- Yes

3. Legends Subdivision - Danny Rutherford

Mr. Danny Rutherford appeared before the Board of Supervisors to discuss the relocation of the lagoon for the Legends Subdivision. Mr. Rutherford said he has offered the landowner Mr. Commodore free sewer connection.

Mr. Rutherford said the relocation of the lagoon is 150 feet from Lester Road and 100 feet from the property line of Mr. Commodore. Mr. Rutherford said he is only requesting the lagoon be set back another 75 feet which will allow one (1) extra lot for Mr. Mike Bailey.

Mr. Rutherford said the lagoon should not be visible from the road and the levee will not be taller than 2 to 3 feet maximum. Supervisor Tommy Lewis asked Mr. Rutherford about plans for a plant screen. Mr. Rutherford replied along with the six foot (6') chain link fence, there will be a 50 foot section of vegetation.

Supervisor Tommy Lewis made the motion, and Supervisor Jessie Medlin seconded the motion, to approve the relocation of the lagoon for the Legends subdivision with the stipulation of seventy to eighty feet (70' to 80') of good screen to restrict view from the road and free sewer connection for Mr. Commodore, adjoining landowner. The **motion passed** for the developer to offer to provide a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
District 3-----Vacant
John Caldwell-----Absent
Tommy Lewis----- Yes

ITEM F.4, CONTINUED,

4. Appointment - District 3 Supervisor

Supervisor John Caldwell asked the Board if procedures have been set forth to appoint a Supervisor for District 3, the Board of Supervisors said, those interested have been instructed to call the Supervisors individually. DeSoto County resident Vivian Berryhill asked if a criteria has been set forth in the appointment for the District 3 Supervisor. Supervisor John Caldwell replied, the candidate should live in the 3rd District and should not be on the ballot for the upcoming election.

Supervisor John Caldwell asked the Board Attorney if there is an established procedure they should use. William Austin said no. Ellen Meacham asked the Board of Supervisors if they were using the telephone to circumvent the open meeting laws. Supervisor Eugene Thach said no.

Ms. Berryhill asked the Board of Supervisors if a time frame has been set. Supervisor Jessie Medlin said hopefully by the first (1st) of June a candidate will be appointed. Ms. Berryhill asked if a list of potential candidates for the appointment would be posted. Supervisor Eugene Thach replied, no as some candidates did not want their names posted, and the Supervisor's are keeping in touch by telephone of the potential candidates.

Ms. Berryhill suggested keeping the selection fair and clean for the interim position, and recommended potential candidates appearing before the Board of Supervisors to interview for the District 3 position.

Ms. Berryhill and Ms. Nell McCormack stated they are interested in the position of District 3 Supervisor. Ms. Berryhill asked if she should submit a resume.

No motions were made nor votes were taken on this issue.

5. Confederate Park

Supervisor John Caldwell notified the Board of Supervisors the City of Memphis may dismantle their Confederate Park and suggested the Board of Supervisors see if there is any statues or memorials available.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to recess until Monday, May 17th, 1999, at 9:00 a.m. The **motion passed** by a vote as follows:

Jessie Medlin-----Yes
Eugene C. Thach-----Yes
District 3-----Vacant
John Caldwell-----Yes
Tommy Lewis----- Yes

This the 10th day of May, 1999, these minutes have been read and approved by the DeSoto County Board of Supervisors.

JESSIE L. MEDLIN, President
DeSoto County Board of Supervisors