

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

JESSIE L. MEDLIN, PRESIDENT, PRESIDING

June 7, 1999

A. CALL TO ORDER

The June 7, 1999, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie L. Medlin of DeSoto County.

Chief 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:

Supervisor Jessie Medlin-----District 1
Supervisor Eugene C. Thach-----District 2
Supervisor Jimmy James-----District 3
Supervisor John Caldwell-----District 4
Supervisor Tommy Lewis-----District 5
W. E. "Sluggo" Davis-----Chancery Clerk
David Armstrong-----County Administrator
Charlie Brow-----Deputy Sheriff of DeSoto County
William Austin-----Board Attorney

B. INVOCATION

The invocation was presented by Supervisor Eugene Thach.

C. RECESS

After the business relating to item E.1 was complete, Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion to recess until approximately 10:00 a.m. The motion passed by a unanimous vote.

C. APPROVAL OF MAY MINUTES

The official minutes of the Board of Supervisors were read for the month of May, 1999, pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated. Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to accept the minutes of the Board of Supervisor's for May, 1999. The **motion passed** by a unanimous vote.

ITEM E, CONTINUED,

E. OLD BUSINESS

1. Burial Request - Planning Commission

On May 17th, 1999, the DeSoto County Board of Supervisors was requested to approve a conditional use to allow the Smith family to bury a family member at 4720 Byhalia Road, in DeSoto County, Mississippi. The family had developed the ten (10) acre site with the intention of burying Mr. & Mrs. Smith on the property. However, they were unaware this would require a conditional use to be approved through the DeSoto County Planning Commission. In keeping with the requirements of the DeSoto County zoning ordinance, a public hearing was called for this date.

The public hearing was called. Sam Russell of the Planning Commission presented a formal request from Sharon Smith for approval of a burial site for two (2) cemetery plots secured by fencing and maintained by the family, located at 4720 Byhalia Road. Mr. Russell stated the Smith family has agreed to all conditions as set forth by the Board of Supervisors.

Mr. Russell reminded the Board, this is a unusual request, and normal protocol would be for this matter to be heard by the Board of Adjustments first. However, with the untimely death of Mr. Shelly Smith on May 14th, 1999, the family is asking for consideration from the Board of Supervisors. Mr. Russell said this request has been legally advertised and the burial site would be located on the back of the acreage overlooking the pond.

Supervisor Jessie Medlin asked if there was any opposition to this burial site. Ms. Houston, a county resident stated she had no objections, however, she would like to know exactly where this burial site would be located. Mr. Russell presented a map and designated the exact location of the cemetery.

Supervisor Jessie Medlin asked if any Supervisor has received opposition calls in connection with the public hearing. Supervisor John Caldwell stated he has received one (1) call asking if this is allowed, would it be for all county residents. Supervisor John Caldwell said if this request is approved for one, then all county residents should be afforded the same consideration. Supervisor Eugene Thach said zoning A and AR is subject to a conditional use and should be heard by the Board of Adjustments not the Board of Supervisors.

Ms. Sana Spears, a county resident and adjoining landowner stated she is opposed to this request as she felt this could blossom into something else. Another resident and landowner, Tina Spearman stated opposition to the proposed cemetery.

Ms. Melissa Lewis, daughter of the deceased Mr. Smith, stated there are six (6) children, eight (8) grandchildren, and the family will maintain this family cemetery with the home place to remain in the family.

Supervisor Eugene Thach said during his term of seven (7) years, the Board has never received a request of this type and approval of this cemetery would set a criteria for other county residents. Mr. Donald Yount, a close and personal friend of the Smith's said he understood the position of the Board. However, Mr. Yount said with this being the only petition presented in so many years for a private burial site, it is possible the Board may not have a similar request for another seven (7) to eight (8) years. Sam Russell of the Planning Commission interjected and said the Planning Commission has been approached by yet another county resident requesting a private burial site. Supervisor Eugene Thach said the Board looks at what is best for all of the county.

ITEM E.1, CONTINUED,

Mr. Yount said he understands the position of the Board with family plots being neglected, burial sites grown up, land being sold, but the Smith family has agreed to all rules as set forth by the Board in connection with a private burial site. Mr. Yount said the family is also prepared to have yearly inspections of the burial site if the Board of Supervisors so stipulates. Supervisor Tommy Lewis said this is an emotional time and a hard decision to make. Ms. Lewis said the burial site is located on the back of the land overlooking the pond and cannot be seen from the road nor by the adjoining residents due to the wooded area. Ms. Lewis asked the Board what objections they have to a private burial site.

Supervisor John Caldwell said sometimes families do not stay together resulting in divorces and land being sold. Supervisor Caldwell said he would have a hard time denying a petition for someone else and approving this one.

Mr. Yount said if the Board could have personally known the couple, the improvements they made to the land and see where this burial site would be located, they would know this is a beautiful and serene setting. Supervisor Tommy Lewis asked Mr. Yount if a time frame is being requested. Mr. Yount replied, a time frame has not been mentioned, but if the land was sold, the burial site would be moved elsewhere.

Supervisor Jimmy James made the motion, and Supervisor John Caldwell seconded the motion, to deny the request for a private burial site located at 4720 Byhalia Road. The **motion passed** by a vote as follows:

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

Supervisor Jessie Medlin explained to the Smith family they can appeal to the courts.

2. Wastewater Recommendations - Waggoner Engineer/EAI

County Administrator, David Armstrong said he and Waggoner Engineer/EAI is prepared to make a recommendation to the Board of Supervisors for Wastewater.

Supervisor Eugene Thach stated possible funding can be secured from the new power plant for wastewater.

Joe Waggoner of Waggoner Engineering briefly revisited the past discussion stating the Board of Supervisors have been successful in obtaining funds from Congress to begin the wastewater project. Mr. Waggoner said the first (1st) grant is in place with funds ready for disbursement. Mr. Waggoner said with the support of the DeSoto County Board of Supervisors, these funds have been ear marked for DeSoto County for funding.

Mr. Waggoner said to summarize, he recommends moving forward with the EPA application which will include a schedule consisting of eight (8) calendar quarters or approximately two (2) years. Mr. Waggoner said Mr. Demery Grubbs can advance funds to DeSoto County to begin the project, with DeSoto County researching other criteria for funding of the wastewater project.

Mr. David Armstrong asked if the budget will be submitted with the EPA application. Mr. Waggoner replied, EPA will review all criteria before choosing issues to participate in.

Supervisor Eugene Thach asked if a meeting had been held to discuss this issue with E-911 and the cities. David Armstrong replied, the meeting went well resulting in DeSoto County receiving a Resolution of Support from E-911 in support of GIS.

ITEM E.2, CONTINUED,

Mr. Carl Ray Fur, of EAI, suggested integrating the tax mapping into the EPA application to insure further funding. Mr. Fur said he is working closely with Senator Cochran's office to insure the waiver of documents. Mr. Armstrong asked Mr. Fur if another grant became available, would it require the same procedure. Supervisor Jessie Medlin asked Mr. Fur if he had a set time limit. Mr. Fur said by the end of September, 1999, application must be in place.

David Armstrong discussed the breakdown of the proposed \$ 400,000.00 project. Mr. Armstrong asked Mr. Waggoner if Waggoner Engineer would be notifying the State Tax Commission of the date change on the aerial photography. Mr. Waggoner said yes, Waggoner Engineer would be responsible for supplying this information to the State Tax Commission.

Supervisor Eugene Thach asked why DeSoto County needs a second flyover. Mr. Waggoner replied, laser is less costly and you cannot place both photo and laser in the same aircraft. Supervisor John Caldwell asked what would be the price difference of photo compared to laser. Mr. Waggoner replied, approximately 25% to 30% less in cost.

Mr. Armstrong asked Mr. Waggoner what time frame is involved in completing the EPA application. Mr. Waggoner said a draft of the EPA application would be ready for review within the next week and submitted to Atlanta by the middle of June.

Supervisor Jessie Medlin asked if Jimmy Palmer could help with the stream monitoring. Mr. Waggoner said under the new structure, anything less than 100,000 gallons EPA will not accept. Mr. Waggoner said rapid bio assessment for all creeks, watersheds will be allowed. Mr. Waggoner suggested waiting until the fall of the year to test the streams, to support higher oxygen levels, as high temperatures decrease oxygen levels. Mr. Fur said he has requested through special appropriations the DeSoto County receive 1 million in funding.

Supervisor John Caldwell asked the difference between the EPA application and the NEPA Document. Mr. Waggoner replied, NEPA Documents usually must be presented before you can get approved, as this presents a comprehensive look for DeSoto County. Mr. Waggoner said DeSoto County is unique in receiving funds from pre construction funds. Supervisor John Caldwell asked Mr. Waggoner what time frame is involved. Mr. Waggoner replied, approximately nine (9) months, as the NEPA Document is a massive contract.

Mr. Armstrong asked Mr. Waggoner who would actually administrate the EPA grant. Mr. Waggoner replied, this call is made by the Board of Supervisors. Mr. Fur said his firm has administrated several large EPA projects. Mr. Fur said with grant audits, a specialist team will review every penny spent. Mr. Armstrong asked if an administrative fee is built into the EPA application. Mr. Waggoner said no, but typically the county inserts an administrative fee into which can or cannot be activated.

Mr. Fur said record management is very detailed and categorized. Mr. Fur said his firm can do the overall management with a staff member being appointed from the County Administrator's office for support in retaining records.

Supervisor Tommy Lewis asked where initial startup funds will come from. David Armstrong replied, he is counting on Demery Grubbs to present recommendations. Mr. Fur said in passing Mr. Grubbs stated he is working on funding for DeSoto County.

At the recommendation of the County Administrator, David Armstrong, Supervisor Tommy Lewis made the motion, and Supervisor John Caldwell seconded the motion, authorizing David Armstrong to negotiate a contract with Waggoner/EAI to move forward with the EPA application as presented. Supervisor John Caldwell made the motion, and Supervisor Tommy Lewis seconded the motion to authorize the Austin Law Firm to handle the legal documents as necessary in the Wastewater program. The **motion passed** by a unanimous vote.

****See Exhibit E.2****

ITEM E.3, CONTINUED,

3. Animal Shelter

Board Attorney, William Austin notified the Board of Supervisors he has spoken with Dr. Watson, the State Veterinary, in connection with the proposed Animal Shelter. Mr. Austin said the County needs to acquire a firm understanding of square footage, time frame, and health standards of the facility.

Supervisor Eugene Thach asked if the county should draft an interlocal agreement. Board Attorney, William Austin replied, yes, if the Board of Supervisors agree to establish a animal shelter.

Supervisor Tommy Lewis said the animal shelter would require at least 600 to 800 square feet. Supervisor John Caldwell asked if the building would need to be remodeled to accommodate a animal shelter. Supervisor Tommy Lewis said he is not prepared to spend money in remodeling fees at this time. Supervisor Jessie Medlin asked if this would be a temporary situation. Supervisor Tommy Lewis said until the end of this year.

Supervisor Tommy Lewis made the motion, and Supervisor Eugene Thach seconded the motion, authorizing Austin Law Firm to draft an interlocal agreement between DeSoto County and the Animal Shelter until the end of the calendar year for approval by the Board of Supervisors. The **motion passed** by a unanimous vote.

4. Request for Assistance - Horn Lake Middle School - Flashing school zone lights

This item was held over until June 9th, 1999. ****See Exhibit E.4****

5. Appointment - Walls Sewer

Supervisor Jimmy James made the motion, and Supervisor John Caldwell seconded the motion to appoint Susan McCracken to the Walls Sewer for District 3. The **motion passed** by a unanimous vote. ****See Exhibit E.5****

F. NEW BUSINESS

1. Jail Inspection

In accordance with Section 19-5-1 of the Mississippi Code Annotated of 1972, which states that a least annually, and as often as it may think proper, the Board of Supervisors, or a competent person authorized by the Board of Supervisors, shall examine into the state and condition of the jail, in regard to its safety, sufficiency and accommodation of the prisoners, and from time to time take such legal measures as may best tend to secure the prisoners against escape, sickness and infection, and have the jail cleansed.

Having completed such inspection, Supervisor Tommy Lewis made the motion, and Supervisor Jimmy James seconded the motion to acknowledge the inspection of the DeSoto County jail by the Board of Supervisors as outlined in Section 19-5-1 of the Mississippi Code Annotated. The **motion passed** by a unanimous vote.

**Supervisor
Eugen
e
Tomm
y
Lewis
made
the
motion
, and**

**Super
visor
Eugen
e
Thach
second
ed the
motion
to
recess
until
1:15
p.m.
The
motion
passed
by a
unani
mous
vote.**

ITEM F.2, CONTINUED,

2. Dale Thompson, Comptroller

a. Claims Docket

Stephanie Hanks of the Accounting Department of DeSoto County presented the claims docket and late bills to the Board of Supervisors for approval. The claims docket included various county bills including the following:

(1) Panola Construction - Administration Building

Bills in connection with Administration Building were presented by copy to each Supervisor.
****See Exhibit F.2.a.(1)****

(2) Waggoner Engineering - GIS Needs Assessment & Implementation

Bills in connection with the GIS Needs Assessment & Implementation were presented by copy to each Supervisor. ****See Exhibit F.2.a.(2)****

(3) MAI Realty Valuation

Bills in connection with improvements to Polk Lane were presented by copy to each Supervisor.
****See Exhibit F.2.a.(3)****

(4) Civic Center

Bills in connection with the Civic Center were presented by copy to each Supervisor.
****See Exhibit F.2.a.(4)****

(5) Allen & Hoshall - Administration Building

Bills in connection with the Administration Building were presented by copy to each Supervisor.
****See Exhibit F.2.a.(5)****

(6) Chip Barton - Garbage Collections & Disposal

Bills in connection with the Garbage Collections & Disposal were presented by copy to each Supervisor. ****See Exhibit F.2.a.(6)****

(7) Mardis Tank Company

Bills in connection with the Mardis Tank Company were presented by copy to each Supervisor.
****See Exhibit F.2.a.(7)****

(8) Brown & Haynes - Insurance

Bills in connection with Brown & Haynes Insurance were presented by copy to each Supervisor.
****See Exhibit F.2.a.(8)****

ITEM F.2.a.(8), CONTINUED,

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

1) County Administrator, David Armstrong asked Dale Thompson if she would verify the county has received reimbursement from the City of Southaven in connection with the medical bills for prisoner Johnny Goode.

2) County Administrator, David Armstrong asked Dale Thompson how closely are the Civic Center bills reviewed before being submitted to the Board of Supervisors for approval. Ms. Thompson replied, the secretary and committee review the bills, then they are submitted to the Board for approval. Ms. Thompson notified the Board of Supervisors, the Civic Center Secretary, has resigned.

Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion to approve the claims docket for claim #4990-#5392, and to include Mardis Tank Company, and the Brown & Haynes Insurance bill. The **motion passed** by a vote as follows:

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

****See Exhibit F.2.a.(1).(2).(3).(4).(5).(6).(7).(8)****

b. Budget Amendment

(1). Tobacco Grant Funds

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 Jimmy James made the motion, and Supervisor John Caldwell seconded the motion to approve the budget amendment for the Tobacco Grant Funds under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Increase	116-000-268	revenue from state	8,819.00	\$
Increase	116-228-502	phone		\$ 1,500.00
Increase	116-228-603	learning material supplies		\$ 2,179.00
Increase	116-228-615	other supplies	1,500.00	\$
Increase	116-228-680	tires	300.00	\$
Increase	116-228-935	other equipment		\$ 2,820.00
Increase	116-228-937	radios	520.00	\$

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

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

****See Exhibit F.2.b.(1) ****

ITEM F.3, CONTINUED,

3. Road Report & Work Schedule - Kenny Gunn

Kenny Gunn presented the Road Report and Work Schedule to the Board of Supervisors for approval.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to accept the Road Report for May, 1999 and Work Schedule for June, 1999, pursuant to Section 65-17-7 of the Mississippi Code of 1972, annotated. The **motion passed** by a unanimous vote. ****See Exhibit F.3.****

4. Chancery Court - Allowances

Allowances for the Chancery Court Clerk were presented to the Board of Supervisors for the May, 1999, term in the amount of \$ 2,066.66. Supervisor Eugene Thach 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 F.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 Tommy Lewis seconded the motion to pay Joe Holmes the amount of \$ 80.00 for the month of May, 1999.

The **motion passed** by a unanimous vote. ****See Exhibit F.5.****

6. Justice Court Report

Justice Court Clerk Linda Aldridge presented the Justice Court Report to the Board of Supervisors for the month of May. Supervisor Tommy Lewis 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 May, 1999, pursuant to Section 9-11-19 of the Mississippi Code of 1972, Annotated. The **motion passed** by a unanimous vote.

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

7. Publication of Board Proceeding

Supervisor John Caldwell 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 unanimous vote.

8. 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 June 7, 1999 to July 6, 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 John Caldwell made the motion to authorize travel for all officials and employees of DeSoto County for the period of June 7, 1999 to July 6, 1999. Supervisor Eugene Thach seconded the motion. The **motion passed** by a unanimous vote.

ITEM F.9, CONTINUED,

9. Approval for Olive Branch to locate Emergency Siren on County Property

Civil Defense Director, T. H. Walker, and Fire Chief Jimmy Hartsfield of the City of Olive Branch presented a request to locate an outdoor emergency siren on county property within the city limits of Olive Branch.

Chief Hartsfield stated the ideal location for this emergency siren would be in Chateau Ridge Park, however, the Chateau Ridge Park is located on county property. Chief Hartsfield said this siren would be mounted on a 55 foot high pole at the Northeast corner of the property. Chief Hartsfield said the county would incur no cost for placement of this emergency siren.

Supervisor Jessie Medlin made the motion, and Supervisor Tommy Lewis seconded the motion, authorizing the placement of the outdoor emergency siren at the Northeast corner of Chateau Ridge Park located on county property within the city limits of Olive Branch. The **motion passed** by a unanimous vote. ****See Exhibit F.9****

10. Making final acceptance by the State Tax Commission - Ad Valorem Exemption Part of the Minutes

a. Quebecor Printing

Supervisor Eugene Thach made the motion, and Supervisor John Caldwell seconded the motion to approve a Resolution to accept the State Tax Commission's approval of the Ad Valorem Exemption for Quebecor Printing. The **motion passed** by a unanimous vote.

****See Exhibit F.10.a****

b. American National Can Company

Supervisor Eugene Thach made the motion, and Supervisor John Caldwell seconded the motion to approve a Resolution to accept the State Tax Commission's approval of the Ad Valorem Exemption for American National Can Company. The **motion passed** by a unanimous vote. ****See Exhibit F.10.b****

11. Approval of MOU - Working County Employees on State Highways

The Board Attorney, William Austin explained to the Board of Supervisors the Memorandum of Understanding in connection with working County Employees on State Highways with picking up trash.

Supervisor Jessie Medlin stated he does not mind inmates being used to pickup trash off the state highways, however, DeSoto County roads should be first priority.

Supervisor Jimmy James made the motion, and Supervisor Eugene Thach seconded the motion to hold this issue over until June 9th, 1999. ****See Exhibit F.11****

12. Love Fire Department - Request to Apply for Grant for Fire Truck

Supervisor Tommy Lewis made the motion, and Supervisor Jimmy James seconded the motion, authorizing Love Fire Department to apply for a grant for a Fire Truck. The **motion passed** by a unanimous vote.

ITEM F.13, CONTINUED,

13. Allen & Hoshall - Administration Building - Furniture & Update on Project

David Nicholson and Courtney Fussell of Allen & Hoshall presented a revised furniture budget recommendation. Mr. Nicholson said Allen & Hoshall has met again with all department heads to see exactly what furniture could be used in the new administration building.

Mr. Nicholson said some of the furniture being relocated into the administration building, has resulted in a savings of approximately \$ 13,000.00. Mr. Nicholson said Allen & Hoshall are still in the process of reviewing this list of optional furniture and feel confident there will be further savings.

Mr. Nicholson said at this time, Allen & Hoshall are requesting a budget be established and that the Board of Supervisors authorize Allen & Hoshall to prepare a bid package; and authorization to go out for bid as this will ensure a delivery date to coincide with the completion of the administration building.

Supervisor Jessie Medlin asked David Nicholson, if the previous list presented to the Board of Supervisors included all new furniture for the administration building. Mr. Nicholson said yes, the previous list was for all new furnishings, however, Allen & Hoshall has determined some furniture can be used from the Courthouse. Supervisor Jessie Medlin asked Mr. Nicholson in his opinion, with the usage of old and new furniture, will the administration building be something DeSoto County can be proud of. Mr. Nicholson replied, yes.

Vanessa Lynchard said she has met with Department Heads on the further reduction of furniture from the optional list. That list has been further reduced. Vanessa Lynchard said to

utilize an existing desk in the Tax Assessor's office it will be necessary to budget one (1) additional desk in his office at an approximate cost of \$ 1,000.00. However, the alternative would be to budget two (2) systems units at \$ 3,800.00 each.

Supervisor John Caldwell said the Board is aware of problems with the location of the Comptroller's office and furniture. Supervisor Caldwell stated if Allen & Hoshall cannot work out details in placing the Comptroller's desk as Ms. Thompson has requested, then Allen & Hoshall should take responsibility to replace the desk and/or furniture to appease Ms. Thompson.

Vanessa Lynchard said that some departments have requested taking their existing chairs. David Nicholson said the bid authorization to bid for all the chairs does not obligate the county to purchase the entire list. If the Board of Supervisors chooses to do so, they can allow departments to carry their own chairs and purchase that many less on the bid. Vanessa Lynchard said both Accounting and the Tax Collector are in need of one (1) additional chair. The Board of Supervisors considered restricting future purchases to the chair in the bid.

Supervisor Eugene Thach asked David Armstrong where the funds for furniture would come from. Ms. Thompson said funding for furnishings would need to come from the contingency fund. Supervisor John Caldwell asked if funding could possibly come from the bond issue. Supervisor Tommy Lewis asked the Board Attorney, William Austin if funding could come from a bond issue. Mr. Austin replied, yes.

Supervisor Tommy Lewis made the motion, and Supervisor Jimmy James seconded the motion, to authorize Allen & Hoshall to go out for bids for furniture for the administration building to establish a furniture budget at \$ 355,023.00. The **motion passed** by a unanimous vote. ****See Exhibit F.13****

ITEM F.14, CONTINUED,

14. Approval for Entergy to relocate two (2) poles - Dean Road

Vanessa Lynchard said under the NCRS agreement, the County has obligated itself to relocate power poles as necessary.

Supervisor John Caldwell made the motion, and Supervisor Tommy Lewis seconded the motion, authorizing Entergy to relocate two (2) poles on Dean Road at a cost of \$ 2,555.00 for relocation of both poles. The **motion passed** by a unanimous vote.

****See Exhibit F.14****

15. BFI Waste Disposal Agreement

County Administrator, David Armstrong presented a request from BFI in connection with the Waste Disposal Agreement. Mr. Armstrong said BFI has received the 180 day notice of termination for the collection contract which does include the operation of the trash pit.

Mr. Armstrong said BFI has made a counter offer with the following stipulations. Mr. Armstrong said in negotiating the terms of the current disposal agreement, BFI states they will adjust the current rate of disposal down to \$ 26.50 per ton at the South Shelby landfill effective 8/15/99 to remain in effect until the original agreement terminates on July 1, 2001 in exchange for a four and a half year contract extension to the existing agreement. Mr. Armstrong said this could result in a savings for the county in the amount of approximately \$ 131,000.00.

Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion, to reject the counter offer by BFI in connection with the Waste Disposal Agreement, instructing the County Administrator to negotiate for a better offer resulting in a lower price

or less extension of contract. The **motion passed** by a vote as follows:

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

****See Exhibit F.15****

G. EXECUTIVE SESSION

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

H. OTHER ISSUES

1. Disposition of Unclaimed Body of Christopher House

Vanessa Lynchard presented a letter from Coroner Jeffrey Pounders in connection with the drowning accident of Christopher House on May 19th, 1999. Vanessa said Mr. House was cremated by the Memphis Service Center located at 4923 Summer Avenue, Memphis, Tennessee at a cost of \$ 350.00, as the coroner could not find a family member or other party to claim the body for burial.

ITEM H.1, CONTINUED,

Supervisor Eugene Thach made the motion, and Supervisor John Caldwell seconded the motion in declaring Christopher House a pauper in accordance with Section 41-39-5 of the Mississippi Code, which states it shall be the duty of the board of supervisors to make arrangements for the preservation of the same until burial or above provided, and the expenses of such preservation shall be borne as hereinabove provided with respect to the expense of burial or cremation. The **motion passed** by a vote as follows:

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

****See Exhibit H.1.****

2. Time/Stress Management Seminar

County Administrator, David Armstrong notified the Board of Supervisors there would be a Time/Stress Management Seminar held on Tuesday, June 8th, 1999, from 9 a.m. until 3 p.m. Mr. Armstrong said this seminar would be no cost to the County and invited the Board of Supervisors to attend.

3. Review of the Claims Docket - Dale Thompson

The Comptroller, Dale Thompson suggested the Board of Supervisors meet with her one on one to review the claims docket before the board meetings. Ms. Thompson said she realizes how time consuming it is for the Board of Supervisors to review the claims docket during the

board meeting.

Supervisor Tommy Lewis agreed it is a waste of time to review the claims docket during the board meetings. Supervisor John Caldwell asked how many other counties review their claims docket as DeSoto County. Ms. Thompson replied, she did not know.

Supervisor John Caldwell suggested the claims docket be mailed out in the same procedure as the agenda, and minutes for review.

No motions were made nor votes taken on this issue.

4. Apple Creek Drive & Red Oaks Drive

Supervisor John Caldwell notified the Board of Supervisors he has received complaints from residents on Apple Creek and Red Oaks Roads in connection with gravel trucks taking short cuts through the subdivisions.

At the recommendation of the Road Manager, Kenny Gunn, Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion, authorizing the Road Manager to post "No Truck Route" on Apple Creek Drive at the entrance from Jonathan Drive, and at Red Oaks Drive at Austin Road. The **motion passed** by a unanimous vote.

5. Kentwood Park

The Road Manager, Kenny Gunn notified the Board of Supervisors, a culvert and/or trailer ramps will be placed across the ditch to allow the county access to the park for cutting.

Mr. Gunn said the developer has promised to correct all problems by the end of the week.

No motions were made nor votes taken on this issue.

ITEM H.6, CONTINUED,

6. Getwell Road

Supervisor Tommy Lewis asked the Road Manager, Kenny Gunn if the section of Getwell Road where the knoll was removed will be on the DBST list for this year. Mr. Gunn replied, it is possible as he will look at the situation.

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

7. Parks/Developers

Supervisor John Caldwell said in connection with parks and developers, the county should require a bond for parks as they do for the roads. Supervisor John Caldwell said many developers are leaving parks unfinished.

Supervisor Jessie Medlin asked who would be required to sign off for the parks to reduce the bond. Supervisor John Caldwell replied, Jim Ivy.

This issue was held over pending recommendations from the Board Attorney, William Austin and Merritt Powell, Director of Planning.

8. Bass Landing

The Road Manager, Kenny Gunn and Supervisor Jimmy James notified the Board of Supervisors they have reviewed the 1987 agreement between DeSoto County, Department of Wildlife, Levy Board, and the Gaming & Fish Commission.

Mr. Gunn said the Levy Board built Bass Landing with the county agreeing to maintain the road. Mr. Gunn said during extreme low water, the boat ramps drop off like a cliff, and this

poses a safety concern. Mr. Gunn said he has scheduled a meeting with all parties concerned. Mr. Gunn said the Levy Board schedules quarterly inspections with allowing a three (3) month time frame to correct all addressed problems.

Supervisor Jimmy James reminded the Board of Supervisors that Bass Landing is the only public access to the Mississippi River in DeSoto County.

No motions were made nor votes taken on this issue.

9. Homestead Exemptions

Chancery Clerk, W. E. "Sluggo" Davis presented a list of disallowed Homestead exemptions and his response to accept the disallowance or object to the disallowance of the Homestead exemptions received from the State. Mr. Davis said the exemptions accepted by the State would be forwarded to the Tax Collector's office for collection of back funds. Mr. Davis said one set of exemptions would be returned to the State with a formal objection.

Supervisor Jimmy James made the motion, and Supervisor John Caldwell seconded the motion, to approve the disbursement of the Homestead Exemptions as recommended by the Chancery Clerk, W. E. "Sluggo" Davis. The **motion passed** by a vote as follows:

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

****See Exhibit H.9****

Supervisor Jimmy James made the motion and Supervisor Eugene Thach seconded the motion to recess until Wednesday, June 9, 1999 at 9:00 a.m. The **motion passed** by a vote as follows:

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

THIS the 7th day June, 1999, these minutes have been read and approved by the DeSoto County Board of Supervisors.

JESSIE L. MEDLIN,
President
DeSoto County Board of
Supervisors