

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

JESSIE L. MEDLIN, PRESIDENT, PRESIDING

August 2, 1999

A. CALL TO ORDER

The August 2, 1999, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie L. Medlin of DeSoto County.

Sheriff James Albert Riley, the DeSoto County Sheriff, 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
- James Albert Riley-----Sheriff of DeSoto County
- William Austin-----Board Attorney

B. INVOCATION

The invocation was presented by Supervisor Eugene Thach.

C. APPROVAL OF JULY MINUTES

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

D. PUBLIC HEARING - TAX ASSESSMENT

The Board President, Supervisor Jessie Medlin, called for a public hearing on the subject of tax assessments as approved by this Board of Supervisors on July 6, 1999. No person came forward to address the Board.

The DeSoto County Tax Assessor, Parker Pickle, appeared before the Board of Supervisors to present the Tax Assessments to the Board of Supervisors in the amount of \$ 643,634,587.00 as the total assessed value.

Supervisor Jimmy James made the motion and Supervisor Tommy Lewis seconded the motion to accept the final rolls as presented by the Tax Assessor, Parker Pickle in the amount of \$ 643,634,587.00 as the total assessed value, and that the said assessment rolls, and the assessments therein contained, be and they are hereby accepted, approved and made final, and that the final recapitulation of said assessment rolls be certified to the State Tax Commission, on blanks furnished by it, within ten days after the adjournment of this meeting as provided by

ITEM D, CONTINUED,

Section 9799, Mississippi Code of 1942, and as required by law.” The **motion passed** by a vote as follows. ****See Exhibit D.****

- Supervisor Jessie Medlin-----Yes
- Supervisor Eugene Thach-----Yes
- Supervisor James Pearson-----Yes
- Supervisor John Caldwell-----No
- Supervisor Tommy Lewis-----Yes

Supervisor Eugene Thach asked if the old mall property is still zoned agricultural. Tax Assessor Parker Pickle said it is. Supervisor Eugene Thach said he is opposed to that area of the assessment. He, however, will vote on all other aspects of the rolls.

Supervisor John Caldwell said the county has various parcels that the Board of Supervisors has authorized appraisals. Supervisor Caldwell said we should be communicating those as currently there is a missing loop in the process. Supervisor Caldwell said he is not questioning the Tax Assessor’s office but is the Board of Supervisor’s office for not sending the Tax Assessor’s office that information.

E. OLD BUSINESS

1. Consideration of a 4 Way Stop - Itasca & Victoria Intersection - Bridgetown

At the recommendation of the Road Manager, Kenny Gunn, Supervisor Jimmy James made the motion, and Supervisor Tommy Lewis seconded the motion to approve the 4 Way Stop at the intersection of Itasca & Victoria in Bridgetown. The **motion passed** by a unanimous vote. ****See Exhibit E.1****

F. NEW BUSINESS

1. Dale Thompson, Comptroller

a. Claims Docket

Stephanie Hanks and Peggy Darnell 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) Waggoner Engineering - EPA Grant Application

Bills in connection with the DeSoto EPA Grant Application were presented by copy to each Supervisor. ****See Exhibit F.1.a.(1)****

(2) Edward T. Davis & Association - CDBG (2)

Bills in connection with the CDBG Nesbit Water were presented by copy to each Supervisor. ****See Exhibit F.1.a.(2)****

(3) Panola Construction - Administration Building

Bills in connection with DeSoto County Administration Building were presented by copy to each Supervisor. ****See Exhibit F.1.a.(3)****

(4) Panola Construction - DeSoto County Jail

ITEM F.1.a, CONTINUED,

Bills in connection with the DeSoto County Jail were presented by copy to each Supervisor.
****See Exhibit F.1.a.(4)****

County Administrator, David Armstrong asked Stephanie Hanks of Accounting if the county has received funds from the City of Southaven in connection with the expenses of prisoner/medical. Stephanie replied, yes, and said she would verify the reimbursed amount.

The Board of Supervisors agreed to change the name of line item #001-520-913 from Civic Center to Recreational District.

Vanessa Lynchard said she was notified by Burt Poletti of Allen & Hoshall there is a problem with the windows for the Administration Building. Therefore, it is the recommendation of Jim Bearden and Burt Poletti to reduce the payment to Panola Construction by \$ 66,906.00 until this issue is resolved. Supervisor Eugene Thach made the motion, and Supervisor Jimmy James seconded the motion to reduce the payment to Panola Construction by \$ 66,906.00 until this issue is resolved. The **motion passed** by a unanimous vote. ****See Exhibit F.1.a.(3)****

Supervisor Eugene Thach made the motion, and Supervisor John Caldwell seconded the motion to approve the claims docket for claim #6127- #6504 with the approved deduction of \$66,906.00 from the Panola Construction bill on the Administrative Building and authorized the clerk to write the check. The **motion passed** by a unanimous vote. ****See Exhibit F.1.a.(1).(2).(3).(4)**

b. Budget Amendment

(1) EMS Rescue

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 Jimmy James seconded the motion to approve the budget amendment for the EMS Rescue under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Decrease	001-241-617	first aid oxygen	\$	
			950.00	
Increase	001-241-935	other equipment		\$ 950.00

The **motion passed** by a unanimous vote. ****See Exhibit F.1.b.(1)****

(2) EMS

In accordance with the provisions set forth in Section 19-11-11 of the Mississippi Code, the Board of Supervisors did discuss an amendment to the budget for the Fiscal year beginning October 1, 1998, and ending September 30, 1999. At the recommendation of the Comptroller, Dale Thompson, Supervisor John Caldwell made the motion, and Supervisor Jimmy James seconded the motion to approve the budget amendment for EMS under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Increase	001-240-545	other repairs	\$	
			2,000.00	
Increase	001-240-936	computers		\$ 3,000.00
Increase	new	appliances		\$ 1,500.00
Increase	new	air conditioners		\$ 2,000.00

Increase	001-240-935	other equipment	\$ 5,000.00
Decrease	001-240-480	Walls, Eudora, Lewisburg	\$13,500.00

The **motion passed** by a unanimous vote. ****See Exhibit F.1.b.(2)****

ITEM F.1.b., CONTINUED,

(3) Circuit Court

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

Decrease	001-161-456	clerks indigent	\$	
				500.00
Increase	001-161-466	social security	\$	500.00
Increase	001-161-501	postage	\$	500.00
Decrease	001-161-556	appeals	\$	
				500.00
Decrease	001-161-521	legal adv	\$	100.00
Increase	001-161-523	contract printing	\$	100.00
Decrease	001-161-574	grand jury	\$	1,500.00
Increase	001-161-936	computer	\$	1,500.00
Decrease	001-161-607	other cost	\$	1,000.00
Increase	001-161-600	record books	\$	1,000.00

The **motion passed** by a unanimous vote. ****See Exhibit F.1.b.(3)****

(4) IS

County Administrator, David Armstrong explained that Larry Woods projects a \$ 29,000.00 overage in account 001-152-443. According to Larry Woods, the Tax Collector's office needs \$19,700.00 for computer equipment in his office and recommends using his projected overage to fund the Tax Collector's computer needs.

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 John Caldwell made the motion, and Supervisor Tommy Lewis seconded the motion to approve the budget amendment for the IS Department under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Decrease	001-152-443	Asst. Programer Salary	\$	
				19,700.00
Increase	001-152-936	Computer Hardware	\$	18,700.00
Increase	001-152-946	Computer Software	\$	1,000.00

The **motion passed** by a unanimous vote. ****See Exhibit F.1.b.(4)****

c. Investment of Surplus Funds

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

At the recommendation of the Comptroller, Dale Thompson, Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the investment of surplus funds to First American Bank, who was the high bidder that placed their bid as follows:

ITEM F.1.c., CONTINUED,

DATE OF		INVESTMENT		DAYS
		<u>BANK</u> <u>AMOUNT</u>	<u>RATE</u>	
07/07/99	First American	\$ 1,083,000.00		4.93

The **motion passed** by a unanimous vote. ****See Exhibit F.1.c****

Supervisor Tommy Lewis requested Accounting make sure the county's money is adequately collateralized. Peggy Darnell and Stephanie Hanks say they verify collateralization regularly. Board Attorney Bill Austin asked of the collateralization in the Tax Collector's office is okay. Sluggo Davis said it is.

d. Transfer of Metro Narcotics Seized to Metro Narcotics Forfeitures

At the recommendation of the Comptroller, Dale Thompson, Supervisor Tommy Lewis made the motion and Supervisor Jimmy James 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, and pursuant to the attached Declaration of Forfeiture signed by Stacey Spriggs, Attorney to transfer the following forfeited funds that were seized by Metro Narcotics.

Kenny H. White	seized 5/08/99	\$ 407.00
Victor M. Smith	seized 6/04/99	\$ 2,776.00
Darryl K. Hearn	seized 7/18/99	\$ 221.00
Tracy J. White	seized 5/08/99	\$ 303.00
	Vinod Sharma seized	
	11/12/98	\$ 820.00
Transfer From 123-900-950	Metro Narcotics Seized	\$ 4,527.00
Transfer To 105-000-388	Metro Narcotics Forfeitures	\$ 4,527.00

The **motion passed** by a unanimous vote. ****See Exhibit F.1.d****

e. Receipt of Refund - Arkabutla Road

Supervisor John Caldwell presented a refund check in the amount of \$ 46,119.40 from the Corp Of Engineers in connection with the Arkabutla Road Project. Supervisor Caldwell said this refund check is based on the \$ 100,000.00 DeSoto County contributed to the Arkabutla Road Project, as this project came in under budget.

Supervisor John Caldwell made the motion, and Supervisor Jimmy James seconded the motion to accept a refund check from the Corp of Engineers in the amount of \$ 46,119.40, in connection with the Arkabutla Road Project and instructed the Comptroller to return the funds to the account from which they were taken, unless inappropriate. The **motion passed** by a unanimous vote. ****See Exhibit F.1.e****

2. Interstate I-69 - Supervisor Eugene Thach

Supervisor Eugene Thach presented an update to the Board of Supervisors in connection with the I-69 Interstate. Supervisor Thach said by the end of the year or the 1st of January 2000, recommendations will be in place for the Interstate I-69.

Supervisor Eugene Thach said the project has moved up the environmental study. We should know by January where they will enter the state from Memphis into Mississippi and out of Memphis into Arkansas. Once they get that established, it should speed up finding the path across the state.

ITEM F.2, CONTINUED,

Supervisor Eugene Thach made the motion, and Supervisor John Caldwell seconded the motion to fund the coalition in the amount of \$ 5,400.00 based on receipt of letter, with the county receiving \$ 500.00 from each city as reimbursement and to authorize the travel reimbursement for Supervisor Eugene Thach for his trip to Washington. The **motion passed** by a unanimous vote.

3. Chancery Court - Allowances

Allowances for the Chancery Court Clerk were presented to the Board of Supervisors for the July, 1999, term in the amount of \$ 2,396.66. Supervisor John Caldwell made the motion and Supervisor Eugene Thach 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.3.****

4. 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 Tommy Carr the amount of \$ 200.00 for the month of July, 1999, and to pay Jerry Easley the amount of \$ 320.00 for the month of July, 1999. The **motion passed** by a unanimous vote. ****See Exhibit F.4.****

5. Publication of Board Proceeding

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis 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.

6. 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 August 2, 1999 to September 7, 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 Eugene Thach made the motion to authorize travel for all officials and employees of DeSoto County for the period of August 2, 1999 to September 7, 1999. Supervisor John Caldwell seconded the motion. The **motion passed** by a unanimous vote.

7. DeSoto County Regional Utility Authority Wastewater District - Bill Austin

The Board Attorney, Bill Austin presented a letter from the Department of Justice authorizing DeSoto County to proceed with the Regional Utility Authority Wastewater

District. Attorney Bill Austin said with this approval, the project is ready to move to the next step. Mr. Austin said we need to set up a committee process. Supervisor John Caldwell asked if this gives authority for G. O. bonds. Mr. Austin said not without the Board of Supervisors authorizing it, however, they can do revenue bonds. Supervisor John Caldwell made the motion and Supervisor Jimmy James seconded the motion to accept the U.S. Department of Justice letter in connection with the Regional Utility Authority Wastewater District into the minutes. The **motion passed** by a unanimous vote. ***See Exhibit F.7.****

ITEM F.8, CONTINUED

8. Olive Branch Day Camp - Request for Donation to Literacy Program

Supervisor Jessie Medlin presented a donation request from Olive Branch Day Camp in connection with the Literacy Program they provide to children in the county. In accordance with Section 19-5-93 of the Mississippi Code regarding donations for certain patriotic and charitable uses, which states, “(p) The board of supervisors of any county in this state is hereby authorized and empowered, in its discretion, may donate out of the general fund of the county such sum of money as the board deems reasonable to any literacy program being conducted within the county.” Supervisor Jessie Medlin made the motion, and Supervisor Eugene Thach seconded the motion to approve the donation request in the amount of \$ 6,000.00 to the Olive Branch Day Camp due to its efforts to improve literacy in DeSoto County. The **motion passed** by a unanimous vote. ****See Exhibit F.8****

9. Approval of Equipment Repair - Central Maintenance

The Road Manager Kenny Gunn requested approval of equipment repair for Central Maintenance. Mr. Gunn is in need of a transmission repair on a parts truck at an approximate cost of \$ 750.00 to \$ 1,000.00. Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion approving the repair of a transmission in a parts truck for Central Maintenance. The **motion passed** by a unanimous vote.

G. EXECUTIVE SESSION

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

H. OTHER ISSUES

1. Petition to adjust - approval of Homestead Exemptions

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

2. Voting Precincts

Supervisor Jimmy James requested the Road Manager, Kenny Gunn to place gravel at the Walls Fire Station to provide ample parking for the voting precinct.

Supervisor John Caldwell asked if Johnny on the Jobs were available at the voting precincts where needed. Mr. Gunn replied, Safety Lights can provide facilities needed for the voting precincts. The Board of Supervisors agreed Millers; Oak Grove; Walls Fire Department; and Horn Lake Interceptor Sewer Building will need facilities.

3. Bright Road

Supervisor Tommy Lewis notified the Board of Supervisors that an area along the right side of Bright Road may be in need of a guard rail. Supervisor Lewis recommended the County Engineer, Daniel Murphy reviewing this section of Bright Road for possible installation of a guard rail.

ITEM H.4, CONTINUED,

4. Change Order - 1999 Asphalt Overlay - Daniel Murphy

The County Engineer, Daniel Murphy notified the Board of a change order in connection with the 1999 Asphalt Overlay. Mr. Murphy said this contract is complete and came in under bid price at \$ 57,667.00.

Supervisor John Caldwell made the motion, and Supervisor Tommy Lewis seconded the motion to accept the change order for the 1999 Asphalt Overlay as being complete and under bid price in the amount of \$ 57,667.00. The **motion passed** by a unanimous vote.

5. Horn Lake Road - Widening - Daniel Murphy

At the recommendation of the County Engineer, Daniel Murphy, Supervisor Tommy Lewis made the motion, and Supervisor Jimmy James seconded the motion, to accept the widening of Horn Lake Road as being complete and under contract price in the amount of \$ 6,445.19. The **motion passed** by a unanimous vote.

6. Pratt Road - Daniel Murphy

At the recommendation of the County Engineer, Daniel Murphy, and Dan Toler, Supervisor John Caldwell made the motion, and Supervisor Jimmy James seconded the motion authorizing final acceptance of State Contract #STP1964AB. The **motion passed** by a unanimous vote.

7. Publication - Project BR 1946(3)B; Project SAP 17(3)M; Project LSBP 17(2)

At the recommendation of the County Engineer, Daniel Murphy, Supervisor John Caldwell made the motion, and Supervisor Tommy Lewis seconded the motion authorizing publication of final acceptance of payment in the amount of \$ 14,307.61 for Project BR 1946(3)B; authorizing publication of final acceptance of payment in the amount of \$ 62,750.22 for Project SAP 17(3)M; and authorizing publication of final acceptance of payment in the amount of \$ 25,683.44 for Project LSBP 17(2). The **motion passed** by a unanimous vote. ****See Exhibit H.7****

8. Estate - Bill Austin

Board Attorney, Bill Austin said an insolvent estate was closed and there is now a person that has an interest in the estate. The estate must be reopened as there has been a claim filed against the estate. All claims were not paid because of the lack of assets. An additional piece of property has been identified. The Board Attorney, Bill Austin notified the Board of Supervisors the state statute section 89-11-1 and section 89-11-3 requests the Board of Supervisors to appoint a local representative and the statute provides that the County Administrator or the Sheriff be appointed to serve in this capacity.

At the recommendation of the Board Attorney, Bill Austin, Supervisor John Caldwell made the motion, and Supervisor Eugene Thach seconded the motion to appoint the County Administrator, David Armstrong as the representative of the county in this estate. The **motion passed** by a unanimous vote.

9. Budget

In accordance with Section 19-11-7 of the Mississippi Code, which states, "The county administrator of each county of the State of Mississippi shall prepare and submit to the board of supervisors at its August meeting of each year a complete budget of revenues, expenses and a working cash balance estimated for the next fiscal year, which shall be based

ITEM H.9, CONTINUED,

on the aggregate funds estimated to be available for the ensuing fiscal year for each fund, from which the budget of the sheriff's department which shall be prepared by the sheriff."

The County Administrator, David Armstrong notified the Board of Supervisors the preliminary budget is ready for review. At the recommendation of Mr. Armstrong, Supervisor Eugene Thach made the motion, and Supervisor Jimmy James seconded the motion to receive the preliminary budget and to carry the budget review over until Wednesday, August 4th, 1999 and to authorize a public hearing for the FY2000. The **motion passed** by a unanimous vote.

10. Nail Road

Supervisor Eugene Thach asked why Nail Road was not finished. County Engineer, Daniel Murphy said more dirt has to be added and they were asked to hold off.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to recess until Wednesday, August 4, 1999 at 9:00 a.m. The **motion passed** by a unanimous vote.

THIS the 2nd day of August, 1999, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Supervisors

JESSIE L. MEDLIN, President
DeSoto County Board of