

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

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

**December 8, 1999**

**A. CALL TO ORDER**

The December 8, 1999, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie L. Medlin of DeSoto County.

Chief Deputy Charles 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  
William Austin-----Board Attorney

**B. INVOCATION**

The invocation was presented by Chancery Clerk Sluggo Davis.

**C. PLANNING COMMISSION**

The Planning Commission brought several items before the Board of Supervisors as evidenced by the portion of the minutes submitted by the Planning Commission.  
**\*\*See Exhibit C\*\***

**D. OLD BUSINESS**

**1. Roads - Request to Take in Road North of Goodman Road**

This item was held over until December 23, 1999.

**2. Petition to Abandon Stacey Drive**

This item was held over until December 23, 1999.

**3. Allen Hoshall Bills**

- a. DeSoto County Administration Building**
- b. DeSoto County Jail**

Merritt Powell, Director of the Planning Commission informed the Board of Supervisors that  
**ITEM D.3, CONTINUED,**

Don Duncan went to inspect the Administration Building and will prepare a report of the

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inspection and have it at the next meeting.

Vanessa Lynchard said she talked to Dave Nicholson of Allen and Hoshall about the Administration Building, the Jail Renovations, and the Courthouse Renovations. Vanessa said that he will be here Monday, December 13, 1999 to meet with County employees or any or all of the Supervisors. Vanessa said that a list will be compiled to address the construction problems and then they will meet with Panola Construction. Vanessa said that Dave Nicholson sent a memo regarding the telephone conversation that they had and said a copy is in the folders. She said that representatives of Allen and Hoshall will be at the meeting on December 23, 1999.

Jim Bearden, Director of Operations and Maintenance, said that Bill Burnett, Bert Poletti, and Kenny Evans met and walked through the jail yesterday and made a list of 26 items that needed to be addressed regarding the jail renovations. Mr. Bearden said that most of the items were minor problems but that there is a major problem with the roof. Mr. Bearden said that the problems are being addressed. County Administrator David Armstrong asked about a leak the Sheriff had mentioned. Mr. Bearden said there was a leak during the heavy rain over the past weekend and that they cannot determine where the leak is until it rains again, but they think it blew in. Supervisor Jessie Medlin asked the Board Attorney to look at the penalty clause in jail renovation contract. This item was held until December 23, 1999. **\*\*See Exhibit D.3.a and D.3.b.\*\***

Supervisor John Caldwell and Supervisor Tommy Lewis said they will attend the meeting.

**4. Budget Amendment - Sanitation and Waste**

County Administrator David Armstrong informed the Board of Supervisors that this budget amendment is to cover Chip Barton’s consultation services on the solid waste contracts. Mr. Armstrong said that Mr. Barton had worked 37 ½ hours on this project and he recommended that he be paid for the amount requested. Supervisor John Caldwell said that he thought that there was a \$2,000.00 cap on Mr. Barton’s services. Mr. Armstrong said the cap was only for the initial services and on August 16, 1999 the Board voted to pay Mr. Barton \$100.00 an hour to extend his contract. Jim Bearden, Director of Operations and Maintenance, also recommended that the Board pay Mr. Barton the amount requested.

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, 1999, and ending September 30, 2000. Supervisor Jimmy James made the motion and Supervisor John Caldwell seconded the motion to approve the bill from Chip Barton in connection with his help in the contract negotiation for Solid Waste and to authorize the Clerk to write the check, and to approve the budget amendment for Sanitation and Waste under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Decrease	112-340-582	\$3,312.33
Increase	112-340-554	\$3,312.33

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

- Supervisor Jessie Medlin-----YES
- Supervisor Eugene Thach-----ABSENT
- Supervisor Jimmy James-----YES
- Supervisor John Caldwell-----YES
- Supervisor Tommy Lewis-----ABSENT

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

**ITEM D.5, CONTINUED,**

**5. Annual Road Condition Report**

Board Attorney Bill Austin informed the Board of Supervisors that the four year road plan is

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due on or before February 1, 2000. Mr. Austin said that the deadline will be hard to meet unless the Board gets started soon. Mr. Austin said that he felt the Board could wait until the first part of January 2000 to start on the report but no later than that. Mr. Austin said that per Section 65-7-117 of the Mississippi Code, the Road Condition Report is to be used to prepare the four year Road Plan. Bill Bayne of the *Commercial Appeal* asked if the report includes State Aid roads. Mr. Austin said that it includes all roads except for the interstates.

**E. 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 Jimmy James made the motion and Supervisor John Caldwell 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 vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Eugene Thach-----ABSENT  
Supervisor Jimmy James-----YES  
Supervisor John Caldwell-----YES  
Supervisor Tommy Lewis-----ABSENT

**2. CDBG Grant Writer**

**a. Approval of 2000 CDBG Agreement**

County Administrator David Armstrong asked for the Board to approve the resolution with Gouras and Associates to apply for grant funds. Supervisor John Caldwell made the motion and Supervisor Jimmy James seconded the motion to approve the resolution with Gouras and Associates for consulting services for 2000 Community Development Block Grant funds and authorized the Board President to sign the agreement. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Eugene Thach-----ABSENT  
Supervisor Jimmy James-----YES  
Supervisor John Caldwell-----YES  
Supervisor Tommy Lewis-----ABSENT

**\*\*See Exhibit E.2.a\*\***

County Administrator David Armstrong asked for authorization for the Board President to sign the agreement to make application to DECD for Gouras and Associates to apply for CDBG grants for the County. Mr. Armstrong said the document states that DeSoto County is not obligated to use only Gouras and Associates and that the County does not have to apply for all

**ITEM E.2, CONTINUED,**

grants brought to them by Gouras and Associates. Supervisor Jimmy James made a motion and Supervisor John Caldwell seconded the motion to authorize the Board President to sign the agreement to make application to DECD for Gouras and Associates to apply for CDBG grants

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for the County. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Eugene Thach-----ABSENT  
Supervisor Jimmy James-----YES  
Supervisor John Caldwell-----YES  
Supervisor Tommy Lewis-----ABSENT

**\*\*See Exhibit E.2.a\*\***

**b. Approval of Notice of Public Hearing for CDBG Application**

Supervisor John Caldwell made a motion and Supervisor Jimmy James seconded the motion to authorize for a public hearing to be held on January 18, 1999 at 11:30 a.m. to advertise for applications for CDBG funds. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Eugene Thach-----ABSENT  
Supervisor Jimmy James-----YES  
Supervisor John Caldwell-----YES  
Supervisor Tommy Lewis-----ABSENT

**3. Budget Amendment - Sheriff's Department**

Vanessa Lynchard notified the Board of Supervisors that a budget amendment for the Sheriff's Department is necessary to cover the three officers awarded in the COPS grant. Vanessa said that the budget amendment will only cover this year's portion but that the three positions were awarded for three years. She said that the federal government will reimburse the County in the amount of \$77,310.00 for the three positions and that the County portion that will have to come out of the General Fund is \$13,644.00.

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, 1999, and ending September 30, 2000. Supervisor John Caldwell made the motion and Supervisor Jimmy James seconded the motion to approve the budget amendment for the Sheriff's Department under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Decrease	001-901-999	General County Fund	\$13,644.00
Increase	001-202-433	Patrol Salary	\$68,832.00
Increase	001-202-465	Retirement	\$ 6,711.00
Increase	001-202-466	Social Security	\$ 5,266.00
Increase	001-202-467	Worker's Comp	\$ 905.00
Increase	001-202-468	Group Insurance	\$ 9,240.00
Increase in Revenues	001-000-253		\$77,310.00

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

Supervisor Jessie Medlin-----YES  
Supervisor Eugene Thach-----ABSENT  
Supervisor Jimmy James-----YES

**ITEM E.3, CONTINUED,**

Supervisor John Caldwell-----YES  
Supervisor Tommy Lewis-----ABSENT

**\*\*See Exhibit E.3\*\***

**4. Approval of Late Bill - William Bryant**

Supervisor John Caldwell made a motion and Supervisor Jimmy James seconded the motion to approve the late bill for William Bryant in the amount of \$5,000.00 for work performed in November 1999 under the terms of his contract that was inadvertently omitted from the Claims Docket. The **motion passed** by a vote as follows:

- Supervisor Jessie Medlin-----YES
- Supervisor Eugene Thach-----ABSENT
- Supervisor Jimmy James-----YES
- Supervisor John Caldwell-----YES
- Supervisor Tommy Lewis-----ABSENT

**\*\*See Exhibit E.4\*\***

**5. Approval to Bid Worker’s Comp Insurance**

Personnel Director Ginger Allison notified the Board of Supervisors that the Worker’s Compensation Insurance contract expires December 31, 1999. Supervisor Jessie Medlin asked how long DeSoto County had been with the current carrier. Ms. Allison said that the County has been with CNA for two years. She said that the County has earned a \$35,000.00 dividend with CNA for this year and the dividend will go back into the general county fund.

Supervisor Medlin asked if the contract could be extended or if the county had to ask for proposals. Board Attorney Bill Austin said that the county can extend the current contract without getting proposals. Supervisor Medlin asked what the cost of the worker’s comp insurance is. Ms. Allison said that the insurance cost is based on the number of employees.

The Board asked Ms. Allison what she recommended. Ms. Allison said she recommended staying with CNA. Supervisor Medlin said that he has received a letter from another insurance carrier that is interested in serving the County. Supervisor Medlin said that they could ask for proposals from other companies but can stay with CNA if they want.

Supervisor John Caldwell made a motion and Supervisor Jimmy James seconded the motion to authorize the County Administrator and the Personnel Director to take proposals for Worker’s Compensation Insurance or negotiate a new contract with CNA and to present a recommendation to the Board on December 23, 1999. The **motion passed** by a vote as follows:

- Supervisor Jessie Medlin-----YES
- Supervisor Eugene Thach-----ABSENT
- Supervisor Jimmy James-----YES
- Supervisor John Caldwell-----YES
- Supervisor Tommy Lewis-----ABSENT

**6. Accepting State Tax Commission Approval of Tax Exemption for Midland Container Corporation**

**ITEM E.6, CONTINUED,**

Supervisor John Caldwell made the motion and Supervisor Jimmy James seconded the motion to approve a Resolution to accept the State Tax Commission’s approval of the Ad Valorem Exemption for Midland Container Corporation into the minutes and complete the documents on the tax exemption according to State law. The **motion passed** by a unanimous vote. **\*\*See Exhibit E.6\*\***

**A. EXECUTIVE SESSION**

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

**B. OTHER ISSUES**

**1. Workforce Investment Act**

Supervisor Eugene Thach informed the Board of Supervisors that the DeSoto Council and the Olive Branch Chamber of Commerce recommended that Joann Jones Donati be appointed as the business representative for DeSoto County on the Workforce Investment Act Board. Supervisor Eugene Thach made a motion and Tommy Lewis seconded the motion to appoint Joann Jones Donati as the business representative for DeSoto County on the Workforce Investment Act Board, as recommended by the DeSoto Council and Olive Branch Chamber of Commerce. The **motion passed** by a unanimous vote.

**2. DeSoto County Jail Expansion**

Supervisor John Caldwell asked if funds are in the FY00 budget for the DeSoto County Jail expansion. County Administrator David Armstrong said that funds are included in the budget for architectural fees for the jail expansion but not for the construction costs. Bill Bayne of the Commercial Appeal asked how much of an expansion is anticipated. Supervisor Caldwell said that they do not have enough information to determine that. Supervisor Jessie Medlin said that they will follow Federal guidelines. Supervisor Caldwell made a motion and Supervisor Jimmy James seconded the motion to advertise for proposals for an architect for the DeSoto County Jail expansion. The motion passed by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Eugene Thach-----ABSENT  
Supervisor Jimmy James-----YES  
Supervisor John Caldwell-----YES  
Supervisor Tommy Lewis-----ABSENT

**3. Authorization for Public Hearing on DeSoto County Regional Utility Authority**

Supervisor Tommy Lewis asked for authorization to advertise for a public hearing on January 4, 2000 at 11:00 a.m. on the DeSoto County Regional Utility Authority. Supervisor Tommy Lewis made a motion and Supervisor John Caldwell seconded the motion to advertise for a public hearing on January 4, 2000 at 11:00 a.m. on the DeSoto County Regional Utility Authority. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Eugene Thach-----ABSENT  
Supervisor Jimmy James-----YES  
Supervisor John Caldwell-----YES  
Supervisor Tommy Lewis-----YES

**ITEM G.4, CONTINUED,**

**4. DeSoto County Employee Insurance**

Supervisor Jessie Medlin asked Personnel Director Ginger Allison when DeSoto County employee insurance other than worker's compensation expires. Ms. Allison said that all of the other insurance for county employees is due by March 1, 2000. Supervisor John Caldwell made a motion and Supervisor Jimmy James seconded the motion to authorize the Personnel Director to request proposals for insurance for DeSoto County employees. The **motion passed** by a vote as follows:

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Supervisor Jessie Medlin-----YES  
Supervisor Eugene Thach-----ABSENT  
Supervisor Jimmy James-----YES  
Supervisor John Caldwell-----YES  
Supervisor Tommy Lewis-----ABSENT

Supervisor Jimmy James made the motion and Supervisor John Caldwell seconded the motion to recess until December 23, 1999 at 8:00 a.m. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES  
Supervisor Eugene Thach-----ABSENT  
Supervisor Jimmy James-----YES  
Supervisor John Caldwell-----YES  
Supervisor Tommy Lewis-----ABSENT

THIS the 8<sup>th</sup> day of December, 1999, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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Jessie L. Medlin, President  
DeSoto County Board of Supervisors