

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

JESSIE L. MEDLIN, PRESIDENT, PRESIDING

December 23, 1999

A. CALL TO ORDER

The December 23, 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 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 Supervisor John Caldwell.

C. OLD BUSINESS

1. DeSoto County Administration Building

a. Bill - Allen & Hoshall

County Administrator, David Armstrong reported to the Board of Supervisors that Allen & Hoshall has been working on the Administration Building during the past couple of weeks they have done substantial work to get the project back on track. Supervisors Tommy Lewis made the motion and Supervisor Jimmy James seconded the motion to approve the outstanding bills from Allen & Hoshall for the Administration Building for October in the amount of \$3,000.00 and for November in the amount of \$12,778.75. 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

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

ITEM C.1.b, CONTINUED,

b. Approval of Change Order for Sprinkler

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Jim Bearden, Director of Operations & Maintenance notified the Board of Supervisors that the Administration Building was designed by Health Department standards to have a single flow-back flow valve. However, the Health Department has recently changed their standards to require a double-back flow valve with a pit. Mr. Bearden explained that Allen & Hoshall got a price from the current contractor, who was the low bidder on this project, but does not recommend accepting the price as he feels it is too high. Mr. Bearden said he got another estimate that results in a net \$5,000.00 increase in the sprinkler system.

David Nicholson of Allen & Hoshall explained that Allen & Hoshall is negotiating with the current Contractor to make sure that the former bid is his best bid and would request additional time to make that determination. Supervisor Tommy Lewis made the motion and Supervisor Jimmy James seconded the motion to authorize a change in the contract up to \$5,000.00 and/or to enter into a contract with an additional low bidder to install the single flow-back flow valve and pit in the sprinkler system in the DeSoto County Administration Building. These charges are to be paid through the Administration Building bond money. 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

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

2. DeSoto County Jail

a. Bill - Allen & Hoshall

County Administrator, David Armstrong reported to the Board of Supervisors that Allen & Hoshall has worked with the jail construction on the final problems of the project. Mr. Armstrong reported that the job is scheduled to be completed on January 5th. Supervisor Tommy Lewis made the motion and Supervisor Jimmy James seconded the motion to approve payment of the bill to Allen & Hoshall for the jail renovation. 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

****See Exhibit C.2.a****

b. Bill - Panola Construction

County Administrator, David Armstrong suggested waiting to approve the bill to Panola Construction on the jail renovation as certain items are still left to be done on the project. Supervisor Jimmy James made the motion and Supervisor Tommy Lewis seconded the motion to continue to hold the bill from Panola Construction for the DeSoto County jail renovation. The **motion passed** by a vote as follows:

ITEM C.2.b, CONTINUED,

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

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****See Exhibit C.2.b****

c. Presentation of Punch List and Estimated Completion Date

County Administrator, David Armstrong notified the Board of Supervisors that Panola Construction is working to complete the third floor of the Administration Building and hopes to complete all the items on the recent punch list soon. Supervisor Jessie Medlin asked if the County will go back through after the punch list items are completed to review the third floor again. David Nicholson of Allen & Hoshall said that they will. Mr. Nicholson said that the estimated completion date on the Administration Building is March 1st, although the contractor feels that the job will be complete before that date.

3. Courthouse Renovation Bids

County Administrator, David Armstrong notified the Board of Supervisors that eight bids were received on the Courthouse Renovation project and the lowest bid was \$200,000.00 lower than the next lowest bid. The low bid was received from Seiler Building Corporation at \$2,255,000.00. Mr. Armstrong explained that the contract was originally set to start sixty days from the bid opening date, which was November 4, 1999. David Armstrong said that because the Administration Building is not complete, the County is looking at holding the bids another sixty days before issuing a notice to proceed. Mr. Armstrong said that Seiler Building Corporation is willing to wait on the contract, however, the increased time will increase their cost and they are asking a change order to be approved at \$32,200.00. David Nicholson said that Allen & Hoshall is concerned that if the project is re-bid, the bids would come in much higher than in the previous bid. Mr. Nicholson said that Seiler Building Corporation wants the contract and are willing to take the contract at the current estimated date of March 1st. Allen & Hoshall recommends accepting the contract and approving the change order on the contract.

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to approve the low bid from Seiler Building Corporation in connection with bid file #00-360-001 at \$ 2,557,000.00, and to approve the alternate #1 on the bid at \$29,000.00, for a total bid price of \$2,586,000.00. 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

Supervisor John Caldwell made the motion and Supervisor Jimmy James seconded the motion to authorize a change order to the contract to allow the start date to be moved out to around March 1st to approve consideration for the change at \$32,200.00. The **motion passed** by a vote as follows:

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

ITEM C.3, CONTINUED,

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

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

4. Planning Commission

a. DeSoto Farms North

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The Planning Commission brought this item before the Board of Supervisors as evidenced by the portion of the minutes submitted by the Planning Commission.
****See Exhibit C.4.a****

b. David Massey

The Planning Commission brought this item before the Board of Supervisors as evidenced by the portion of the minutes submitted by the Planning Commission.
****See Exhibit C.4.b****

c. Bond Reduction - Blue Lake Springs 2

The Planning Commission brought this item before the Board of Supervisors as evidenced by the portion of the minutes submitted by the Planning Commission.
****See Exhibit C.4.c****

d. Belmor Lakes "A"

The Planning Commission brought this item before the Board of Supervisors as evidenced by the portion of the minutes submitted by the Planning Commission.
****See Exhibit C.4.d****

e. Request for City of Hernando to Waive Fees and Permits

The Planning Commission brought this item before the Board of Supervisors as evidenced by the portion of the minutes submitted by the Planning Commission.
****See Exhibit C.4.e****

f. Authorization for Planning Commission to Have Plans Reviewed by SBCCI

The Planning Commission brought this item before the Board of Supervisors as evidenced by the portion of the minutes submitted by the Planning Commission.
****See Exhibit C.4.f****

A. NEW BUSINESS

1. 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.

ITEM D.1, CONTINUED,

At the recommendation of the Comptroller, Joyce Riales, Supervisor Tommy Lewis made the motion and Supervisor Jimmy James seconded the motion to approve the investment of surplus funds to the Bank of Mississippi, 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>
12/08/99	Bank of Mississippi	\$ 4,173,000.00	5.910	29
12/08/99	Bank of Mississippi	\$10,000,000.00	5.910	63

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-----ABSENT
Supervisor Tommy Lewis-----YES

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

2. School Bus Turnarounds

Vanessa Lynchard presented a letter to the Board of Supervisors from DeSoto County Schools Superintendent Jerry Baird requesting that the county maintain the school bus turnarounds for the 1999-00 school year. The address for the turnaround is as follows:

Rebbie Aldridge, 3865 Goodman Road, East, Olive Branch, MS

In accordance with Section 19-3-42, Mississippi Code of 1972 as amended, stating that the school bus turnarounds will be built, maintained and improved, Supervisor Tommy Lewis made the motion and Supervisor Jimmy James seconded the motion to maintain and improve the property listed in the Superintendent's letter dated December 9, 1999 as a school bus turnaround for the 1999-00 school year, and to direct the County Road Manager to carry out this order of the Board forthwith. 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

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

3. Order of State Tax Commission Approving Real and Personal Rolls

County Administrator, David Armstrong presented the order from the State Tax Commission approving the Real and Personal Rolls for approval of the Board of Supervisors.

Supervisor Jimmy James made the motion and Supervisor Tommy Lewis seconded the motion to accept the State Tax Commission's approval of the Tax Rolls, Real & Personal for 1999, in accordance with Section 27-35-127 Mississippi Code of 1972 and make this a part of the minutes. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES

ITEM D.3, CONTINUED,

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

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

4. Making State Tax Commission Approval of Exemption a Part of Minutes

a. Brentwood Originals

Supervisor Tommy Lewis made the motion and Supervisor Jimmy James seconded the motion to make a part of the minutes the approval of the State Tax Commission for a ten (10) year ad

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valorem taxation exemption in the amount of \$ 483,688.00 for real property and a five (5) year ad valorem taxation exemption in the amount of \$ 457,875.00 for personal property for Brentwood Originals. 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

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

b. Mazda, Inc.

Supervisor Tommy Lewis made the motion and Supervisor Jimmy James seconded the motion to make a part of the minutes the approval of the State Tax Commission for a ten (10) year ad valorem taxation exemption for Mazda Inc. in the amount of \$19,856,596.00 for real and personal property. 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

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

5. Workmen’s Compensation Proposal

County Administrator, David Armstrong recommended the low bid from Madden & Powell for Workman’s Compensation Insurance at \$128,167.00, as indicated in Exhibit D.5. Supervisor asked if Madden & Powell’s bid included the refund offered by that company. Mr. Armstrong said that it did not and that the rebate was in addition to the low bid of \$128,167.00. Mr. Armstrong said that Madden & Powell was the only company to offer such a rebate. Mr. Armstrong said that the \$39,525.00 would be taken off the low bid.

At the recommendation of the County Administrator combined with the fact that Madden & Powell offers an additional rebate, Supervisor John Caldwell made the motion and Supervisor Jimmy James seconded the motion to approve Madden & Powell as low bidder for the Workman’s Compensation Proposal, in the amount of \$ 128,167.00, for the period of January 1, 2000 to January 1, 2001. The **motion passed** by a vote as follows:

ITEM D.5, CONTINUED,

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

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

6. Days Water Association Approval of Bond

At the recommendation of David Armstrong, County Administrator, Supervisor Jimmy James made the motion and Supervisor John Caldwell seconded the motion to authorize the Board Attorney to execute bond for Days Water Association. 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-----YES

****See Exhibit D.6****

7. Budget Amendment

a. Youth Services

County Administrator David Armstrong informed the Board of Supervisors that Youth Court Judge Mills Barbee requested this amendment to cover psychological tests for Youth Services. 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 Tommy Lewis made the motion and Supervisor Jimmy James seconded the motion to approve the budget amendment for Youth Services under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Increase	001-164-552	Medical Fees	\$ 2,000.00
Decrease	001-901-999	General Fund	\$ 2,000.00

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

****See Exhibit D.7.a****

b. Sheriff's Department

County Administrator David Armstrong explained to the Board of Supervisors that Sheriff James A. Riley requested that the Sheriff's Department be allowed to use insurance proceeds received from a wrecked patrol car to purchase another motorcycle. In accordance with the **ITEM D.7.b, CONTINUED,**

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:

Increase	001-000-383	Insurance Proceeds	\$ 10,000.00
Increase	001-202-932	Purchase of Motorcycle	\$ 10,000.00

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

****See Exhibit D.7.b****

8. Authorization for Board President to Sign Audit of Nesbit Water Association CDBG

At the recommendation of David Armstrong, County Administrator, Supervisor Jimmy James made the motion and Supervisor John Caldwell seconded the motion to authorize the Board President to sign the Audit Reporting Package for the Fiscal Year 1999 in connection with CDBG Project #6-090-PF-01. 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

****See Exhibit D.8****

9. Rubbish Pit - Mayor Mike Thomas

Mayor Mike Thomas of the City of Horn Lake, Mayor Davis of the City of Southaven, Mayor Ed Gale of the City of Hernando appeared before the Board of Supervisors concerning the fees for municipalities to use the Rubbish Pit. Mayor Mike Thomas said they were concerned with the fees being charged.

Supervisor Jessie Medlin said that he did not want to charge the cities the whole amount and the County thinks it has enough millage to offset the whole amount this year. Supervisor John Caldwell said that he disagreed that the current millage would pay these costs. David Armstrong, County Administrator, said that it would be very close. Mr. Armstrong said that last year the County had 2 mills on the Rubbish Pit and lost about \$420,250.00. Therefore, the County put an extra .25 mills on Solid Waste this year. Mr. Armstrong said that he estimates that the 2.25 mills will also result in a loss due to growth and escalating costs. Mr. Armstrong said that the actual cost for the Rubbish Pit is \$1.80 a cubic yard. Mr. Armstrong said that the loss on the disposal contract is offset by income from the Rubbish Pit. Mr. Armstrong said that in 4-5 years, it will cost a substantial amount of money to close the current Rubbish Pit and acquire land to make and operate a new Rubbish Pit. Mr. Armstrong said he regretted that the County did not have this information at the time the cities prepared their budgets. However, at \$4.00 per yard using last year's rates, the city of Hernando would pay \$31,064.00 for the next

ITEM D.9, CONTINUED,

12 months. The City of Horn Lake would pay \$35,624.00 for the next 12 months. The City of Southaven would pay \$94,092.00 for the next 12 months and the City of Olive Branch would pay \$65,520.00 for the next 12 months. Mr. Armstrong said that he would like to see the Cities stick to the \$4.00 and, after determining what amount we want to set aside for future use, it may be possible for the County to refund a percentage of the \$4.00 back to the cities. David Armstrong said that the County can legally charge up to \$4.00 plus fees. Mr. Armstrong said that the increased gate fees were instituted because the County is losing money on solid waste.

Supervisor Tommy Lewis said that he was not here when the issue was initially discussed and clarified that the County can charge both a fee and millage. The County Administrator said that they could. Supervisor John Caldwell said that he looked at the issue to make sure that the County is not trying to double their money and in doing so found out that we are not. Supervisor Caldwell said that in the three Cities the County has been losing over \$100,000.00 per year. Supervisor Caldwell said that it is easy to understand that this cannot continue. With the increased millage, there will be a wash on disposal and the Rubbish Pit will be a straight expense on the County. Supervisor Caldwell said that he does not see a cushion in the fees at all. He reminded those present that any resident in the County, whether incorporated or unincorporated, can drive a load into the Rubbish Pit once each week at no charge. Supervisor Caldwell said that the entire County needs to explore the possibility of recycling to reduce the

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amount going into the Rubbish Pit. Supervisor Caldwell agreed that the County could not tell the Cities about the fee increase at budget time because negotiations were going on.

Mayor Mike Thomas asked how loads were measured going into the Rubbish Pit. Jim Bearden, Director of Operations & Maintenance, responded that BFI has a person that measures the load at the present time and the County will probably have to put in a truck measure this year. However, Jim Bearden assured those present that the loads are currently being measured very accurately. Supervisor Jessie Medlin said that, with the Cities being three months along in their budget, he has said all along that he would be willing to go along with \$2.00 until the end of the budget year and then review the situation to see if the County has recouped enough money in the fund. The issue should be readdressed at that time. Mayor Mike Thomas clarified that part of the \$4.00 fee will go into reserves. Mr. Armstrong said that yes, the County cannot use the money for anything other than Solid Waste. Mayor Mike Thomas clarified that the County has the authority to put money into reserves for this purpose. David Armstrong said yes. Mayor Ed Gale of the City of Hernando said the Board is talking about keeping a reserve fund but rather should charge the Cities the cost of the disposal only. Supervisor John Caldwell responded that the County is not talking about billing the Cities for the disposal and said that currently the unincorporated residents are subsidizing city residents.

Supervisor John Caldwell said the Cities don't have to use the Rubbish Pit, they could instead start their own. Supervisor Tommy Lewis asked how the County residents are subsidizing the Cities. Supervisor Caldwell said that in FY99 the County took in \$70,969.48 from the City of Hernando, and it cost \$89,699.00 for the County to dispose of that same amount. The City of Horn Lake paid \$123,000.00 in tax on the 2 mills and it cost the County \$155,000.00. Supervisor Caldwell said that the increase in millage will cover that amount but the growth rate has not been figured into the equation.

David Armstrong, County Administrator, said the County has negotiated the contract to allow the County to manage the system. Mr. Armstrong said that he felt sure the Board would look at the issues if the Cities asked for consideration on this.

Supervisor Jessie Medlin made a motion to reconsider the previous motion dated December 8, 1999 accepting a Rubbish Pit fee of \$4.00 to cities and County. Supervisor Tommy Lewis seconded the motion. The **motion did not pass** by a vote as follows:

ITEM D.9, CONTINUED,

- Supervisor Jessie Medlin-----YES
- Supervisor Eugene Thach-----ABSENT
- Supervisor Jimmy James-----NO
- Supervisor John Caldwell-----NO
- Supervisor Tommy Lewis-----YES

Supervisor John Caldwell asked if the Board did not get a unanimous vote from the committee to put on the \$4.00 millage. Supervisor Jessie Medlin said yes and he was one of the committee, but he was against the portion of the endorsement that charged the Cities this millage from the beginning. Supervisor John Caldwell responded that you can pay me now or pay me later, but in the issue of tax equities, County residents spend money at Target and Walmart within the Cities and therefore contribute to their City funding. Therefore, the County residents are paying City taxes as well.

E. EXECUTIVE SESSION

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

F. OTHER ISSUES

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1. Statewide Public Defender System

Bill Austin, Board Attorney, presented a letter from former Supreme Court Justice Jimmy Robertson requesting the County consider signing a resolution in support of full State funding for the Mississippi State - Wide Public Defender System.

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to authorize the Board President to sign a resolution in support of full State funding for the Mississippi State-Wide Public Defender System. 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

****See Exhibit F.1****

2. MAS Convention

Bill Austin, Board Attorney, reminded the Board of Supervisors that the Mid-Winter Conference for MAS is being held from January 11 - 13, 2000.

3. Interlocal Agreement - City of Olive Branch

At the recommendation of the Board Attorney, Bill Austin, Supervisor Jessie Medlin made the motion and Supervisor Jimmy James seconded the motion to amend the previously approved Interlocal Agreement between the DeSoto County Board of Supervisors and the City of Olive Branch allowing the County to lend equipment and labor to the City pursuant to Section 17-5-15 of the Mississippi Code and authorizing the City to acquire supplies from the County pursuant to Section 31-7-13 (m)(VI). The **motion passed** by a vote as follows:

- Supervisor Jessie Medlin-----YES

ITEM F.3, CONTINUED,

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

4. Location of Board Meetings

Board Attorney, Bill Austin presented a copy of Section 19-3-11 of the Mississippi Code which allows the Board of Supervisors to meet in any County owned building, if such building is located within one mile of the Courthouse, upon proper notification. The Board Attorney notified the Board that it will take at lease three weeks to properly notify citizens of the move.

5. Subdivision - Alden Station

Road Manager, Kenny Gunn and Supervisor John Caldwell notified the Board that the County needs to send a letter to Alden Station Homeowner's Association requesting that they move their poles and signs that are an entrance to the subdivision.

6. Central Maintenance - Holiday Closing

Supervisor Jessie Medlin asked the Road Manager if the Central Maintenance Department knows that they are on call for the holiday week. The Road Manager said that they did.

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7. Central Maintenance - Patching Holes

Supervisor Jessie Medlin suggested the Road Manager establish a crew to patch holes correctly through out the County at the beginning of the new year. Supervisor Medlin and the Board agreed that is an area that needs to be improved. Supervisor Caldwell said that the quality of the patch work fluctuates.

8. Central Maintenance - Trucks

The Road Manager, Kenny Gunn notified the Board of Supervisors that the trucks that were bid out last year are set to be in January 29th.

9. Four Year Road Plan

The Road Manager, Kenny Gunn said he is working on the four year road plan and still has some items to finish before it is complete.

10. Road Condition Report

The Supervisors were presented with a Road Condition Report by the Road Manager. Supervisor Jessie Medlin asked if the Report has been updated from last year. The Road Manager said that it has.

11. 1999 Asphalt Contract #2

The County Engineer, Daniel Murphey presented the final change order for the 1999 Asphalt Contract #2, which after overruns and underruns resulted in a net decrease of \$19,823.58 to the contract. Supervisor Jimmy James made the motion and Supervisor John Caldwell seconded the motion to approve the change order for the 1999 Asphalt Contract #2 resulting in a net decrease of \$19,823.58. The **motion passed** by a vote as follows:

ITEM F.11, CONTINUED,

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

12. Estimate for Extending Old Highway 61 to Highway 61 at Walls, Mississippi

County Engineer, Daniel Murphey presented an estimate for extending Old Highway 61 to Highway 61 at Walls, Mississippi. Mr. Murphey said that the design would allow 80,000 pounds at 500 vehicles per day and includes the relocation of railroad signals and the railroad crossings. The Railroad is willing to relocate the existing system as we close the old crossings for \$75,000.00. Supervisor Jessie Medlin asked if the County needs an 80,000 pound road. County Engineer Daniel Murphey said this road needs to be 80,000 pounds as it is in an industrial area with some additional prospects now.

Supervisor Jessie Medlin asked if the estimates were based on contracting the road out. Daniel Murphey said yes.

The County Administrator, David Armstrong asked what time frame is on the project. Daniel Murphey said there is no time frame at present as the Board had simply asked for an estimate for the work.

Supervisor Jimmy James said that the Road Manager, Kenny Gunn has looked at the estimate and the area and he knows what the County is trying to do. Supervisor James said that at the

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present time all traffic has to go through town and this would alleviate that need. Supervisor James said this is really the only right thing to do with the road in that area. In addition, the County could capitalize on the railroads offer to move the crossing at half price. Supervisor James said that this improvement will help the area greatly.

Supervisor Jimmy James made the motion and Supervisor John Caldwell seconded the motion to approve putting the extension of Old Highway 61 to Highway 61 at Walls, Mississippi in the four year road plan and to proceed with the right of way acquisition. 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

The Board of Supervisors instructed the Road Manager to do any amount of work possible on this project now. ****See Exhibit F.12****

13. Animal Control - Leash Law

Gerald Jenkins, an insurance agent and residence of DeSoto County, appeared before the Board of Supervisors to get a clarification on the County's leash law. Mr. Jenkins said that his company is currently considering a claim for an animal that did not belong to a resident, but that the resident had fed. Board Attorney, Bill Austin advised the Board of Supervisors that this would be a matter that the court would have to make a decision on. Therefore, Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to take the matter under advisement. The **motion passed** by a vote as follows:

ITEM F.13, CONTINUED,

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

14. Emergency Service - Holiday Schedule

Bobby Storey, Director of Fire and EMS appeared before the Board of Supervisors and notified them that he may need to call in his paid Emergency Service people on New Year's Eve. The Board of Supervisors acknowledged this notification and verified that money is in the budget to do so. Mr. Storey said that it is. The Board told Mr. Storey that they appreciated his diligence in taking care of the County's emergency service needs.

15. Recycling

The Director of Operations & Maintenance, Jim Bearden notified the Board of Supervisors that BFI has made a proposal for recycling in the County and that he has another one that he is expecting in any day. Mr. Bearden asked to bring this information back to the Board the first week in January. The Board agreed.

16. Appointment of Receiving Clerk for Justice Court

At the recommendation of Justice Court Clerk Linda Aldridge, Supervisor Jimmy James made a motion and Supervisor John Caldwell seconded the motion to appoint Lisa Gheorghiu as the new receiving clerk for Justice Court. 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-----YES

17. Supervisor Jimmy James

The Board of Supervisors extended their thanks to Supervisor Jimmy James for his service as the special appointment for Supervisor of District 3. Supervisor Jessie Medlin wished Supervisor James well and told him to contact the Board if he needed their assistance in the future.

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to adjourn until January 4, 2000 at 9:00 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-----YES

THIS the 23rd day of December, 1999, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Jessie L. Medlin, President