

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

EUGENE C. THACH, PRESIDENT, PRESIDING

May 22, 2000

A. CALL TO ORDER

The May 22, 2000, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Eugene C. Thach of DeSoto County.

Sheriff James A. Riley 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 Gerald Clifton-----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. Rezoning - Holly Grove

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.1****

2. Billboards

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.2****

3. Employee Group Benefits Plan - Sam Makamson

County Administrator David Armstrong presented changes to numbers 5, 8, 10, and 23 of the exclusions in the Employee Group Benefits Plan for approval. Sam Makamson of Mississippi Administrative Services said he suggested changes with limits because the costs cannot be estimated because the number of individuals needing services cannot be predicted. Mr. Makamson recommended a cap of \$10,000.00 per calendar year for rehabilitation centers per individual.

Supervisor John Caldwell made a motion and Supervisor Gerald Clifton seconded the motion to amend the exclusions in the Employee Group Benefits Plan as follows:

ITEM C.3, CONTINUED,

- 5. Any institution which is used principally as a rest facility, nursing facility, a facility for the

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aged, or a custodial facility are excluded. Rehabilitation facilities are included with a cap of \$10,000 per calendar year per individual.

- 8. Charges for recreational therapy and/or environmental therapy are excluded. Occupational therapy is included up to a maximum of \$1,000/year and a \$5,000 maximum lifetime benefit.
- 10. Charges for services, surgery, supplies or treatment for injuries caused by or attributed to the use of illegal drugs and/or narcotics, not ordered or taken as ordered by a physician, and/or alcohol in excess of the legal limit of the State of Mississippi.
- 23. Charges for treatment in connection with Temporomandibular Joint Syndrome (TMJ) and Craniomandibular Jaw Disorder (CMD) provided by anyone other than a licensed Medical Doctor or Dentist.

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

Supervisor Jessie Medlin-----NO
 Supervisor Eugene Thach-----YES
 Supervisor Gerald Clifton-----YES
 Supervisor John Caldwell-----YES
 Supervisor Tommy Lewis-----YES

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

4. Administration Building Plaque

Supervisor Eugene Thach informed the Board that he initially voted to exclude past officials from the Administration Building Plaque but since decided that Supervisors Jake Pearson and Jimmy James should be included because of the action taken on the Administration Building while they were supervisors. Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to leave the Administration Building Plaque as previously approved to include the following:

Supervisor Jessie L. Medlin, District 1
 Supervisor Eugene C. Thach, District 2
 Supervisor Gerald Clifton, District 3
 Supervisor John M. M. Caldwell, Sr., District 4
 Supervisor Tommy Lewis, District 5
 W. E. "Sluggo" Davis, Chancery Clerk
 William H. Austin, Jr., Attorney
 David Armstrong, County Administrator

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

Supervisor Jessie Medlin-----YES
 Supervisor Eugene Thach-----NO
 Supervisor Gerald Clifton-----YES
 Supervisor John Caldwell-----NO
 Supervisor Tommy Lewis-----YES

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

ITEM C.5, CONTINUED,

5. Personnel Overtime Policy

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County Administrator David Armstrong informed the Board of Supervisors that he reviewed the holiday pay and overtime policy as requested and found that the policy approved in the Personnel Manual was not the same as the one initially approved by the Board on July 8, 1998. Mr. Armstrong said that Jane Heidleberg was asked to make the change to the Personnel Manual but failed to do so. Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion to amend the Personnel Manual to include any time worked in excess of forty (40) hours of work is considered overtime and during weeks with holidays, any time worked over eight (8) hours per day is considered overtime. The **motion passed** by a unanimous vote. ****See Exhibit C.5****

6. Contract Negotiation - DeSoto County Jail

David Kline of Kline Swinney and Associates informed the Board that the contract for the DeSoto County Jail expansion is a standard contract but that there are no definite fees in the contract because they have not determined the size of the project. Mr. Kline said that during the programming phase, they will meet with the Sheriff to determine the amount of bed space needed and will also look at the existing building and then put in figures. Mr. Kline said at that time, the programming package with cost variations will be submitted to the Board for approval.

Mr. Kline said after the Board approves the programming package, full preliminary plans will be developed with a detailed cost estimate for budgeting purposes. Mr. Kline said this will allow the Board to review the plans early in the process so that changes can be made.

Supervisor Eugene Thach asked what the fee is for the preliminary work. Mr. Kline said it will be 35% of the full fee and will be on a sliding fee scale. Mr. Kline said the contract can be terminated at any time and the County will only have to pay for work done at the hourly rate that is in the contract. Mr. Kline said the contract will have options to stay within the budget.

County Administrator David Armstrong asked how long it will take to get the full costs. Mr. Kline said a complete set of preliminaries will take two to three months and the construction will actually begin seven to eight months from now. Mr. Kline said figures can be given at the programming stage but will not be very accurate.

Supervisor Jessie Medlin asked how often the architects will be on site. Mr. Kline said a minimum of twice a month and maybe more depending on the construction phase. Jim Bearden said they prefer weekly site visits. Mr. Kline said they will arrange it so that they can make weekly site visits.

Supervisor Jessie Medlin asked if the contract has been reviewed. Board Attorney Bill Austin said yes. Supervisor Medlin asked if they can proceed without a definite funding source. Mr. Kline said yes.

Supervisor Gerald Clifton made a motion and Supervisor John Caldwell seconded the motion to authorize Kline Swinney and Associates to proceed with the architectural services with a sliding fee schedule on preliminary costs. The **motion passed** by a unanimous vote. ****See Exhibit C.6****

7. Approval of Contract Amendment #3 - Waggoner Engineering

County Administrator David Armstrong informed the Board of Supervisors that Amendment #3 to the Professional Services Agreement with Waggoner Engineering, Inc. and Engineering
ITEM C.7, CONTINUED,

Associates, Inc. added the scope of work of the digital photography in detail. Mr. Armstrong said the total cost of the engineering services is \$3.8 million and the total EPA project cost is \$4.8 million, which includes \$2.6 million from EPA, \$1 million from in kind costs, and \$1.2 million match from DeSoto County. Because most of the money comes from EPA, they will

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oversee the spending.

Carl Ray Furr of Engineering Associates, Inc. said they are currently working on the same type of project in Flowood so there is a precedence for the DeSoto County project. Mr. Furr said that EPA will thoroughly review the project but the work on the Flowood project gives them an idea of what EPA will be expecting.

Supervisor Eugene Thach asked if 160% with a 15% contingency is normal in an EPA contract. Mr. Furr suggested approving amendment #3 subject to EPA approval and said that 15% is standard.

Supervisor John Caldwell asked if some of the costs have already been paid. Joe Waggoner of Waggoner Engineering, Inc. said that some have been paid.

Supervisor Eugene Thach asked if the film from the digital photography can be used for tax assessments. Mr. Waggoner said yes, it can be used for digital purposes.

Supervisor Tommy Lewis asked what the \$55,000.00 for Administrative Engineering Services includes. Carl Ray Furr said it will be used at the discretion of the County Administrator as needed and will cover a two year work period. Mr. Furr said the \$55,000.00 is not necessarily a budget request. County Administrator David Armstrong said this portion of the contract is on a cost plus basis.

Supervisor Jessie Medlin asked if the County needs to get a consultant to have during the construction phase. Joe Waggoner said that is up to the Board but it would be good to have someone on commission and the permanent person will need to be on board early to know how the systems operates.

Carl Ray Furr said that the County will submit monthly invoices to EPA and will probably be reimbursed every three months like Flowood or more often.

Supervisor Tommy Lewis made a motion and Supervisor Gerald Clifton seconded the motion to approve Amendment #3 to the Professional Services Agreement with Waggoner Engineering, Inc. and Engineering Associates, Inc. subject to EPA approval. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----	YES
Supervisor Eugene Thach-----	YES
Supervisor Gerald Clifton-----	YES
Supervisor John Caldwell-----	ABSENT
Supervisor Tommy Lewis-----	YES

****See Exhibit C.7****

8. Approval to Pay Panola Construction - Administration Building

County Administrator David Armstrong informed the Board of Supervisors that Jim Bearden and Vanessa Lynchard both recommend paying the invoice that was held for Panola Construction in the amount of \$91,800.95 from April. Supervisor John Caldwell made a motion and Supervisor Gerald Clifton seconded the motion to approve payment to Panola Construction

ITEM C.8, CONTINUED,

in the amount of \$91,800.95 and authorized the Clerk to write the check. The **motion passed** by a unanimous vote. ****See Exhibit C.8****

D. NEW BUSINESS

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1. Paul Eagles - Drainage Reconnaissance Study

Paul Eagles of the Corps of Engineers, Vicksburg District, informed the Board of Supervisors that he met with Mayor Sam Rikard of Olive Branch about a 50 year plan for flood plain management for the Coldwater River Basin. Mr. Eagles said Mayor Rikard was supportive but is looking to the County to partner on the project. Mr. Eagles said he met on April 20 with drainage district appointees, Merritt Powell, and Sluggo Davis and they are eager to have the work started, however, they want the County to lead the project on behalf of the drainage districts. Mr. Eagles requested a letter of intent to proceed with the development of the plan and said that a full commitment will not be needed until a cost share agreement is signed.

Mr. Eagles explained that the feasibility phase of the study will define changes to be made over a 50 year period. Mr. Eagles said that figures will not be available until after the study is completed but that action to be taken by the Board will be recommended after the feasibility phase.

Supervisor John Caldwell said that the County needs to include in the letter of intent that the County will be cooperative but not fund the study because they turned down Horn Lake Creek Basin’s request for funding of a feasibility study.

County Administrator David Armstrong asked how long the study will take. Mr. Eagles said two to three years and the cost could be approximately \$350,000.00 per year with a 50/50 cost share. Mr. Armstrong asked if the Corps of Engineers needs a sponsor for the study. Mr. Eagles said yes.

Supervisor Tommy Lewis asked if the County should pass up this just because they did not fund the Horn Lake study. Supervisor Lewis said that it is preventive maintenance to conduct a study and it will also give the Planning Commission a tool to review before approving subdivisions.

Supervisor Jessie Medlin said that he is in favor of the County and Olive Branch being cosponsors in the study.

Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to approve a resolution supporting the City of Olive Branch’s letter of intent to be a sponsor of a drainage reconnaissance study for flood plain management of the Coldwater River Basin, but to include in the letter that the County is not committing to provide funding for the project. The **motion passed** by a vote as follows:

- Supervisor Jessie Medlin-----NO
- Supervisor Eugene Thach-----YES
- Supervisor Gerald Clifton-----YES
- Supervisor John Caldwell-----YES
- Supervisor Tommy Lewis-----YES

Supervisor John Caldwell made a motion and Supervisor Gerald Clifton seconded the motion to recess from 1:20 p.m. until 2:20 p.m. The **motion passed** by a unanimous vote.

ITEM D.2, CONTINUED,

2. Tax Exemptions

a. PSI South, Inc.

Bob Binkley representing PSI, South appeared before the Board of Supervisors with an application for a tax exemption. Having heard these requests, Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve a ten (10) year tax

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exemption on real property and a five (5) year tax exemption on personal property for PSI South, Inc. in the amount of \$1,618,589.00 as recommended by the Tax Advisory Committee. The **motion passed** by a unanimous vote. ****See Exhibit D.2.a****

b. American National Can

Greg Prince representing American National Can appeared before the Board of Supervisors with an application for a tax exemption. Having heard these requests, Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve a five (5) year tax exemption on personal property for American National Can in the amount of \$650,996.00 as recommended by the Tax Advisory Committee. The **motion passed** by a unanimous vote. ****See Exhibit D.2.b****

c. Alcoa Closure Systems International

Bill Smith representing Alcoa Closure Systems International appeared before the Board of Supervisors with an application for a tax exemption. Having heard these requests, Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve a five(5) year tax exemption on real property and a five (5) year tax exemption on personal property for Alcoa Closure Systems International in the amount of \$3,776,431.00 as recommended by the Tax Advisory Committee. The **motion passed** by a unanimous vote. ****See Exhibit D.2.c****

d. TraumaMark, LLC

John Hatcher representing TraumaMark, LLC appeared before the Board of Supervisors with an application for a tax exemption. Having heard these requests, Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve a ten (10) year tax exemption on personal property and a Freeport Warehouse Exemption for TraumaMark, LLC in the amount of \$3,167,855.00 as recommended by the Tax Advisory Committee. The **motion passed** by a unanimous vote. ****See Exhibit D.2.d****

e. Alcoa Extrusions, Inc.

Jan Leach representing Alcoa Extrusions, Inc. appeared before the Board of Supervisors with an application for a tax exemption. Having heard these requests, Supervisor Tommy Lewis made the motion and Supervisor Gerald Clifton seconded the motion to approve a ten (10) year tax exemption on real property and a five (5) year tax exemption on personal property for Alcoa Extrusions, Inc. in the amount of \$1,073,315.00 as recommended by the Tax Advisory Committee. The **motion passed** by a unanimous vote. ****See Exhibit D.2.e****

f. Sherwin Williams Company

Nancy Barnes and David Gehart representing Sherwin Williams Company appeared before the Board of Supervisors with an application for a tax exemption. Having heard these requests, Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve a ten (10) year tax exemption on real property and a five (5) year tax exemption on

ITEM D.2.f, CONTINUED,

personal property for Sherwin Williams Company in the amount of \$4,000,000.00 as recommended by the Tax Advisory Committee. The **motion passed** by a unanimous vote. ****See Exhibit D.2.f****

3. Approval of Late Bill

- a. Merchants & Farmers Bank**
- b. Bancorp South Bank**
- c. Information Systems - Check for Training Class**

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d. Dr. Meacham

Supervisor John Caldwell made a motion and Supervisor Gerald Clifton seconded the motion to approve payment of late bills to Merchants & Farmers Bank in the amount of \$52,594.81, to Bancorp South in the amount of \$439,720.00, to The Center for Governmental Technology in the amount of \$225.00, and to Dr. Rob Meacham in the amount of \$3,262.00 and authorized the Clerk to write the checks. The **motion passed** by a unanimous vote. ****See Exhibit D. 3.a.b.c.d****

e. Travel and Tours - Trip to Atlanta for Sewer Program

Supervisor Gerald Clifton made a motion and Supervisor Jessie Medlin seconded the motion to approve a late bill for Travel 'N' Tours in the amount of \$909.00 for airline tickets for David Armstrong, Barry Bridgeforth, and Bill Austin to travel to Atlanta on May 3 through May 4, 2000 to meet with the EPA regarding the Sewer Program and authorized the Clerk to write the check. The **motion passed** by a unanimous vote. ****See Exhibit D.3.e****

4. Metro Narcotics - Approval to Declare Property as Surplus

County Administrator David Armstrong presented a detailed listing of items from DeSoto County Metro Narcotics requesting the items to be declared surplus property for purposes of being auctioned.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to declare the property of DeSoto County Metro Narcotics as follows as surplus and to authorize the surplus property to be auctioned:

<u>Vehicle</u>	<u>Color</u>	<u>VIN Number</u>
1964 Chevrolet Impala	Purple	41847S299093
1976 Pontiac Trans Am	Black/Gray	2WB7Z6N590487
1977 Chevrolet Malibu	Brown	1D37U7K571897
1984 Oldsmobile Cutlass	Gray	1G3AM47A3EM363813
1984 BMW 318	Red	WBAAK7406E8701147
1985 Chevrolet C-10 Van	Gray/Blue	1GBEG25H7G7117754
1986 GMC 1500 Truck	Red	1GTDC14H4GF704675
1986 Buick Century	Blue	1G4AL19R0GT409493
1987 Dodge Ram 50 Truck	Red	J87FL24DXP086723
1987 Chevrolet Astro Van	Tan	1GBDM1520HB181060
1988 Chevrolet 1500 Truck	Maroon	AGCDC14K7JZ220517
1990 Ford Taurus	Brown	1FACP52U5LA2254135
1990 Chevrolet El Camino	Maroon	1W80HAK479348
1990 Chevrolet X-Cab Truck	Black - Wrecked	2GCEC19K6L1236278
1991 Ford Explorer	Black	1FMDU34X3MUA78541
1991 Dodge Spirit	Gray	1B3XA4639MF663026
1993 Dodge Stealth	Green	JB3BM54J3PY046125

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1995 Chevrolet Camaro	Blue	2G1FP22S5S2196432
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<u>Brand</u>	<u>Item</u>	<u>Serial Number</u>
NEC Digital DM210	Phone	00646680D6J9
Ericsson CF688	Phone	UA200PLWZS
Panasonic - Mobilecomm	Pager	0250452
Nokia 252	Phone	219/15468388 D-GG
No Brand Name - Green	Pager	9337N2
Ericsson CF688	Phone	UA200LQL1Q
Teletouch EXP-105	Pager	2LX90801802
Nokia 5190	Phone	LJPNSB-1X

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Motorola	Pager	00762928-F1
Nokia 5160	Phone	25303408801
Micro-Numeric	Pager	331E0784
Nokia 5160	Phone	25308039298
Micro-Numeric	Pager	331A01917
No Brand Name - Brown	Pager	None
Motorola Bravo FLX	Pager	ALXDA1119553
Ericsson DH-318	Phone	UA20023JL8
Sanyo SCP3000	Phone	24701034586
Ericsson KH668	Phone	UA20023JL8
Panasonic	Pager	0724992
Motorola	Pager	1393185
Motorola - Black	Pager	None
Qualcomm QCP-2760	Phone	17915399381
Diva EPP-905N	Pager	NBX-TSP152A
Motorola Flex	Pager	006732656-F1
Samsung SCH-211	Phone	116308
Nokia 6162	Phone	23506471815

The **motion passed** by a unanimous vote. ****See Exhibit D.4****

5. Interfund Transfer - Metro Narcotics

At the recommendation of Comptroller Joyce Riales, Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion to authorize and instruct the Chancery Clerk, pursuant to Section 41-29-185 of the Mississippi Code of 1972, as amended, to transfer the following forfeited funds that were seized by Metro Narcotics:

<u>Case Number</u>	<u>Defendant</u>	<u>Date Seized</u>	<u>County Receipt #</u>	<u>Amount</u>
DC-0064-4-00	Joshua K. Foster	4/5/00	10739	\$ 60.00
DC-0042-3-00	Daniel Bell	2/27/00	10574	\$ 67.00
DC-0042-3-00	Christopher Cyphers	2/17/00	10574	\$ 110.00
DC-0033-1-00	Carlos D. Williams	2/16/00	10574	\$ 578.00
DC-0032-1-00	Shelly Denise Harville	2/13/00	10574	\$ 91.00
DC-0032-1-00	Jamie Jo Gateley	2/13/00	10574	\$ 207.00
DC-0032-1-00	Apryl Susan Blount	2/13/00	10574	\$ 40.00
DC-0031-1-00	Cory Landon Blann	2/13/00	10574	\$ 39.00
DC-0028-4-00	Anthony D. Watkins	2/13/00	10574	\$ 650.00
DC-0028-4-00	Joe Phillip Harig	2/13/00	10574	\$ 200.00
DC-0010-5-00	Kenneth Luther, Jr.	2/17/00	10574	\$ 26.00
DC-0010-5-00	Jason Martin	2/17/00	10574	\$ 207.00
DC-0010-5-00	Kevin T. Brown	2/17/00	10574	\$ 25.00
DC-0010-5-00	Travis Russell	2/17/00	10574	\$ 26.00

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DC-0010-5-00	Cody Jacob McKinnon	2/17/00	10574	\$ 43.00
DC-0043-3-00	Richard A. Gilbert	2/27/00	10574	\$5,077.00
DC-0010-5-00	Tommy Perkins	2/17/00	10574	\$ 131.00
DC-0043-3-00	Lutz-Martin Birdwell	2/27/00	10574	\$ 39.00

Transfer From 123-900-950	Metro Narcotics Seized	\$7,616.00
Transfer To 105-000-388	Metro Narcotics Forfeitures	\$7,616.00

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

6. Investment of Surplus Funds

At the recommendation of Comptroller Joyce Riales, Supervisor John Caldwell made the

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motion and Supervisor Gerald Clifton seconded the motion to approve the investment of surplus funds to AmSouth Bank, who was the high bidder that placed their bid as follows:

<u>DATE OF INVESTMENT</u>	<u>BANK</u>	<u>AMOUNT</u>	<u>RATE</u>	<u>DAYS</u>
5/3/00	AmSouth Bank	\$ 4,500,000.00	6.25	89

The motion passed by a unanimous vote. ****See Exhibit D.6****

7. Budget Amendment

- | | |
|-------------------------------|-------------------------|
| a. PBX | h. Economic Assistance |
| b. Youth Services | i. Board Attorney |
| c. Administration | j. Data Processing |
| d. Feasibility Study | k. E-911 |
| e. Purchasing | l. Building and Grounds |
| f. Operations and Maintenance | m. Chancery Clerk |
| g. Planning Commission | n. Board of Supervisors |

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 Gerald Clifton seconded the motion to hold the budget amendment for the Feasibility Study and to approve budget amendments under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

a. PBX

Decrease	001-157-476	Meals & Lodging	\$200.00
Increase	001-157-603	Office Supplies & Materials	\$200.00
Decrease	001-157-436	Other Service Employee	\$ 75.00
Increase	001-157-570	Insurance & Fidelity Bonds	\$ 75.00

b. Youth Services

Increase	001-164-560	Attorney/Guardian Ad Litem	\$1,140.00
Decrease	001-170-405	Public Defender	\$ 971.00
Decrease	001-170-465	Retirement	\$ 95.00
Decrease	001-170-466	Social Security	\$ 74.00

c. Administration

Decrease	001-120-571	Subscriptions	\$ 150.00
Increase	001-120-544	Service & Maint. Contract	\$ 150.00

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Decrease	001-120-571	Subscriptions	\$ 150.00
Increase	001-120-933	Office Equipment	\$ 150.00
Decrease	001-120-571	Subscriptions	\$ 50.00
Decrease	001-120-570	Insurance & Fidelity Bond	\$ 400.00
Decrease	001-120-467	Workmans Comp Insurance	\$ 400.00
Decrease	001-120-521	Legal Advertising	\$ 150.00
Increase	001-120-534	Office Machine Rental	\$1,000.00
Decrease	001-120-521	Legal Advertising	\$ 200.00
Increase	001-120-523	Contract Printing	\$ 200.00

d. Feasibility Study

This item was held over.

e. Purchasing

Increase	001-122-934	Office Furniture & Fixtures	\$ 20.00
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Decrease	001-122-936	Computer Equipment	\$ 20.00
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f. Operations and Maintenance

Increase	001-521-660	Horticulture Supplies	\$ 500.00
Decrease	001-521-913	Other Construction	\$ 500.00

g. Planning Commission

Increase	001-107-581	Other Contract Service	\$1,600.00
Decrease	001-107-404	Office Clerical	\$1,600.00
Increase	001-107-534	Office Machine Rental	\$1,000.00
Decrease	001-107-441	Building Inspector	\$1,000.00

h. Economic Assistance/Child Support

Decrease	001-454-934	Furniture & Fixtures	\$ 125.00
Increase	001-454-523	Contract Printing	\$ 122.00
Increase	001-450-570	Furniture & Fixtures	\$ 3.00

i. Board Attorney

Increase	001-130-476	Meals & Lodging Out/County	\$ 583.00
Decrease	001-130-479	Travel Out of State	\$ 283.00
Decrease	001-130-587	Training & Registration	\$ 300.00

j. Data Processing

Decrease	001-152-443	Assistant Programmer Salary	\$ 150.00
Increase	001-152-501	Postage & Box Rent	\$ 150.00

k. E-911

Increase	381-243-550	Legal Fees	\$ 500.00
Decrease	381-243-912	New Construction	\$ 500.00

l. Building and Grounds

Decrease	001-525-913	Other Construction	\$1,150.00
Increase	001-151-650	Building Repairs & Supplies	\$ 700.00
Increase	001-151-540	Repairs to Building & Grounds	\$ 450.00

m. Chancery Clerk

Increase	001-101-475	Travel	\$ 650.00
Decrease	001-101-476	Meals & Lodging	\$ 238.00
Decrease	001-101-468	Group Insurance	\$ 458.00

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Increase	001-101-570	Insurance & Bonds	\$ 46.00
Increase	001-160-603	Office Supplies	\$2,000.00
Decrease	001-160-934	Furniture & Fixtures	\$2,000.00

n. Board of Supervisors

Increase	001-100-477	Travel in County	\$ 150.00
Increase	001-100-521	Legal Advertising	\$ 200.00
Decrease	001-100-554	Consultant Fees	\$ 350.00

The motion passed by a unanimous vote. ****See Exhibit D.7.a.b.c.d.e.f.g.h.i.j.k.l.m.n****

8. Valeria Robertson - Bridgetown Drainage

Representative Valeria Robertson addressed the Board regarding storm water drainage in the Bridgetown Subdivision. Ms. Robertson said that there are major drainage problems in Bridgetown that are being neglected and that recently a 3 year old fell into the storm drain. Ms. Robertson said that she is aware that the County cannot correct the problems because it

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does not impact a County road but that she is looking for guidance from the Board.

The Board instructed Ms. Robertson to contact the Camp Creek Drainage District. Ms. Robertson asked who she needed to contact to find out who is on the drainage district. Chancery Clerk Sluggo Davis told Ms. Robertson that Steve Williams is the chairman on the Camps Creek Drainage District committee and that Barry Bridgeforth and Ken Able are also on the committee. Ms. Robertson asked if the drainage district can collect fees. Sluggo Davis said that they can, but at this time they are not.

Supervisor Tommy Lewis said that he is working with Ms. Robertson on this matter. Supervisor Lewis said they would both contract the members of the Camp Creek Drainage District. Ms. Robertson said she is also going to go to the Planning Commission with this issue.

Supervisor John Caldwell asked if the drainage district is the most immediate solution. Board Attorney Bill Austin said that it is a starting place because there is no authority for the Board of Supervisors to work on this type problem.

9. Bids Under Advisement

a. Re-roofing District Attorney's Office

Supervisor John Caldwell made a motion and Supervisor Gerald Clifton seconded the motion to accept R. H. R. Roofing & Sheet Metal with a bid of \$14,300.00 as the low bidder on Bid Number 00-151-002 to re-roof the District Attorney's Office Building. The **motion passed** by a unanimous vote. ****See Exhibit D.9.a****

b. 2000 Hot Asphalt Overlay

County Engineer Daniel Murphey informed the Board of Supervisors that two (2) bids were received for the 2000 Hot Asphalt Overlay as follows:

Lehman Roberts	\$1,338,390.25
APAC-Tennessee, Incorporated	\$1,510,218.75

At the recommendation of County Engineer Daniel Murphy, Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to accept Lehman Roberts with a bid of \$1,338,390.25 as the low bidder for the 2000 Hot Asphalt Overlay. The **motion passed** by a unanimous vote. ****See Exhibit D.9.b****

ITEM D.10, CONTINUED,

10. Approval for Board President to Sign Extension Agreement Request for Hacks Cross CDBG Project

Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to authorize the Board President to sign the extension agreement on the Hacks Cross CDBG Project to extend the contract date to November 30, 2000. The **motion passed** by a unanimous vote. ****See Exhibit D.10****

11. Appointing a Committee to Abandon Portion of County ROW on Sharon Drive

Supervisor John Caldwell informed the Board of Supervisors that there is a drainage problem on the right of way on Sharon Drive now that the road does not dead end. Supervisor Caldwell said the property owners will handle the issue if the County abandons the portion of right of way. Supervisor Eugene Thach made a motion and Supervisor John Caldwell seconded the motion to appoint Supervisor Eugene Thach and Supervisor Jessie Medlin as the committee to inspect abandoning a portion of the County right of way on Sharon Drive. The **motion passed** by a unanimous vote.

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12. Relocation of Robinson Gin Road South of Ranch Road

Supervisor Tommy Lewis informed the Board of Supervisors that there is a dangerous curve on Robinson Gin Road just south of Ranch Road in Hernando that needs to be straightened out. Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to approach the landowners to obtain the right of ways on Robinson Gin Road south of Ranch Road in Hernando and to straighten out the curve on that portion of Robinson Gin Road. The **motion passed** by a unanimous vote.

13. Making Fully Executed Amendment #2 with Waggoner Engineering a Part of Minutes

Supervisor Tommy Lewis made a motion and Supervisor Gerald Clifton seconded the motion to make the fully executed Amendment #2 with Waggoner Engineering, Inc. and Engineering Associates, Inc. a part of the minutes. The **motion passed** by a vote as follows:

- Supervisor Jessie Medlin-----YES
- Supervisor Eugene Thach-----YES
- Supervisor Gerald Clifton-----YES
- Supervisor John Caldwell-----ABSENT
- Supervisor Tommy Lewis-----YES

****See Exhibit D.13****

14. Making Final Disposal of Property a Part of Minutes

- a. Extension Service**
- b. Civil Defense**

Supervisor John Caldwell made a motion and Supervisor Gerald Clifton seconded the motion to make the final disposal of property for the Extension Service of Property Number 03346, Serial Number B83845292, a Brother MFC4550 Fax Machine, and the final disposal of property for Civil Defense of Property Number 5009, Serial Number R0815353, a Toshiba Copier, and Property Number 6032, Serial Number 3104000787, a Star Printer a part of minutes. The **motion passed** by a unanimous vote. ****See Exhibit E.14.a. and E.14.b****

ITEM D.15, CONTINUED,

15. Request for Assistance

- a. Olive Branch High School**
- b. Horn Lake Middle School**
- c. Walls Elementary**

County Administrator David Armstrong informed the Board of Supervisors that requests from Olive Branch High School, Horn Lake Middle School, and Walls Elementary were received asking for assistance. Mr. Armstrong said that according to a 1994 Attorney General’s opinion, the Board has no authority to provide assistance to schools for purposes other than roads, driveways, and parking areas; therefore, the County cannot provide assistance to Horn Lake Middle School or Walls Elementary but can assist Olive Branch High School because it involves a parking area.

Supervisor Jessie Medlin asked if Olive Branch High School is going to provide the materials with the County providing the labor and equipment. Vanessa Lynchard said that Olive Branch will supply the materials but is requesting manpower and equipment to construct the new parking area.

Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to

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provide labor and equipment to construct a new parking area at Olive Branch High School with the Olive Branch High School providing the materials. The **motion passed** by a unanimous vote. ****See Exhibit D.15****

16. Discussion to Provide Indoor Recreation Opportunities

Supervisor John Caldwell informed the Board of Supervisors that he and Supervisor Jessie Medlin have talked to the schools about opening the gymnasiums for after school use by children. Supervisor Caldwell said that Jerry Baird, Superintendent of Education, is looking into the matter but asked for a letter from the Board of Supervisors requesting that the gymnasiums be open after school. Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion to submit a letter to the Board of Education requesting that the school gymnasiums be left open after school for indoor recreational opportunities for children. The **motion passed** by a unanimous vote.

17. Rural Fire Department Acquisition of Trucks for Love and Nesbit Fire Departments

EMS Director Bobby Storey asked for authorization to advertise for bids for fire trucks for the Love Fire Department and Nesbit Fire Department. Mr. Storey said there is \$100,000.00 in the budget for the trucks and that the County pays up front but will be reimbursed. Supervisor Tommy Lewis made a motion and Supervisor John Caldwell seconded the motion to authorize EMS to advertise for bids for fire trucks for the Love Fire Department and Nesbit Fire Department. The **motion passed** by a unanimous vote.

18. Property and Casualty Insurance Proposals

County Administrator David Armstrong informed the Board of Supervisors that Coregis was the only company that submitted a proposal for the property and casualty insurance. Mr. Armstrong said the proposal for \$425,864.00 is recommended with the umbrella coverage of an additional \$4 million. Mr. Armstrong said the insurance expired at midnight but that there is a binder to carry over until the Board makes a decision about the insurance carrier.

Mr. Armstrong said that Rex Haynes, the local representative for Coregis, and Jeff Estes, the Regional Director of Coregis will answer any questions the Board has about the proposal.

ITEM D.18, CONTINUED,

County Administrator asked if the County can contract for a two year period. Mr. Haynes said they are still waiting to find out about that.

Supervisor Eugene Thach said that the Board needs to find a way to get more proposals on the property and casualty insurance and said that more proposals were not received because there is not a deductible.

Jeff Estes explained that the reason for the increase in the cost of the coverage was due to the amount of claims filed last year. Mr. Estes suggested working on loss control with more provisions in place in the coverage. Mr. Armstrong said that they are looking for a consultant to address this. Supervisor Thach asked what the salary range will be for a consultant. Mr. Armstrong said between \$50,000.00 and \$70,000.00.

Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to approve the current coverage of property and casualty insurance and approve the proposal from Coregis in the amount of \$425,864.00, which is a \$232,389.00 increase over last year and to increase the umbrella coverage to \$5 million for a total premium of \$457,928.00. The **motion passed** by a unanimous vote. ****See Exhibit D.18****

19. Approval to Submit Application for Mississippi Brownsfield Program

County Administrator David Armstrong asked for approval to submit a 2000 application for

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the Mississippi Brownsfield Program. Mr. Armstrong said the application fee is \$2,000.00 and that the County will be responsible for \$1,000.00 and Billy Myers and Jim Seay responsible for the other \$1,000.00. Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to authorize the County Administrator to submit an application for the 2000 Mississippi Brownsfield Program for the property located at 425 East Commerce Street in Hernando with the County paying \$1,000.00 and Billy Myers and Jim Seay paying \$1,000.00 of the application fee. The **motion passed** by a unanimous vote. ****See Exhibit D.19****

20. Request for Assistance - Olive Branch Day Camp

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 Gerald Clifton 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 and authorized the Clerk to write the check. The **motion passed** by a unanimous vote. ****See Exhibit D.20****

21. Loan for Regional Utility Authority

Supervisor John Caldwell made a motion and Supervisor Gerald Clifton seconded the motion to approve a loan agreement for the Regional Utility Authority plus a 5% interest rate on the loan to repay the County for all funds expended from the County Treasury to promote and fund the Regional Utility Authority. The **motion passed** by a unanimous vote.

22. Renewal of Beaver Control Assistance Program

County Administrator David Armstrong informed the Board of Supervisors that the Beaver Control Assistance Program needs to be renewed. Mr. Armstrong said that this comes out of the budget of Central Maintenance and it is \$2,000.00 for one year. Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion to renew the Beaver Control

ITEM D.22, CONTINUED,

Assistance Program for a one year period at a cost of \$2,000.00. The **motion passed** by a unanimous vote. ****See Exhibit D.22****

23. Civic Center Road

County Administrator David Armstrong notified the Board of Supervisors that the Civic Center requested that the road from the Civic Center to Highway 51 be paved. Mr. Armstrong said that the road currently has limestone on it and that Road Manager Kenny Gunn gave an estimate of \$30,000.00 for DBST and \$90,000.00 for asphalt for the .6 of a mile of road. Mr. Armstrong said that Mayor Greg Davis of Southaven is not interested in paving the road. Board Attorney Bill Austin said the Civic Center committed to paving the road. The Board of Supervisors held this item until June 5, 2000.

24. \$16 Million Bond Issue

Demery Grubbs, Financial Advisor with Holley, Grubbs, Mitcham, & Phillips, presented the Board of Supervisors with three financial options for capital projects. Mr. Grubbs said the options were based on the growth rate, fund balances, and the various projects the County has discussed. Demery Grubbs said he has looked at where the County has money to do some of these projects and that overlay projects will accelerate every year. Mr. Grubbs suggested that the County use a pool program for several projects that you do not know exactly when you will need. The three options are as follows:

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1. Proceed with the \$16 million bond issue for road improvements.
2. Adopt a Three Year Capital Improvements Program to include all projects.
3. Issue a bond issue to include all proposed projects.

Demery Grubbs said Option 1 can be done without a tax increase but adjustments will have to be made. The County can manage to have two to three years without a tax increase, but the option only includes a Road Program.

With Option 2, you have a lot of programs you want to do and you have prioritized them into a list. Demery Grubbs said he has broken that list down to have the biggest impact in the first year.

With Option 3, Demery Grubbs said he put all of the projects in one issue to do all of them the first year.

Mr. Grubbs said in all scenarios, a debt structure will be required. If the County does not adjust its millage, you will have to adjust the budget. Mr. Grubbs recommended that in whatever structure you want to use here you can decide whether you want to do it in a 1, 2, or 3 year program. The Board can do a bond issue in 1, 2, and 3 years and not adjust your millage, but you will do away with the escalating road program. Mr. Grubbs said these will use the Hacks Cross Road and Church Road money until growth catches up.

County Administrator David Armstrong explained there is not a lot of fat in the budget and that anything extra in the budget will have to be funded and upon passage of a bond program, the extra money will be used.

Mr. Grubbs said that a two year program was also discussed but he recommends these three options. Mr. Grubbs said he sees no way to do the projects without a debt structure, especially with capital improvements.

Mr. Grubbs said that with option number 3, the millage will be reduced as growth increases.

ITEM D.24, CONTINUED,

Mr. Grubbs said that if millage is not adjusted, there will have to be budget adjustments or cut back to a point where projects are no longer effective.

Supervisor Eugene Thach recommended the \$16 million bond issue for all projects without a tax increase and then tighten the County's budget. Supervisor Tommy Lewis asked if the contingency fund is still growing \$1 million a year. County Administrator David Armstrong said yes. Mr. Armstrong said there is not a lot to cut in the County's budget especially if the County wants a GIS Department and a Parks Department.

Supervisor John Caldwell asked what the total operating budget is. Mr. Armstrong said the operating budget is \$24.4 million but the total budget for all projects, including the Civic Center, is \$50 million. Mr. Armstrong said it is projected that there will be \$8.1 million in contingencies at the end of this fiscal year.

Chancery Clerk Sluggo Davis asked how to do away with the \$16 million bond issue. Board Attorney Bill Austin said the Board has to rescind it.

Supervisor John Caldwell said the problem he had with the \$16 million bond issue is that it did not include all proposed projects. Supervisor Caldwell suggested a bond issue up to \$19 million dollars that would include all projects.

Supervisor Tommy Lewis asked if the bond money has to be spent within 2 years. Demery Grubbs said that bonds have to be issued within 24 months and then the money has to be spent in three years.

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Supervisor John Caldwell said that they have to decide what they are going to do before the budget year so that the millage can be set. Demery Grubbs said that with an \$18 million bond issue the mills would be raised by one mill. Supervisor Caldwell said that all efforts should be made not to raise taxes.

Supervisor Gerald Clifton said that they should not prolong the inevitable in that eventually taxes will have to be raised if all of the proposed projects are completed. Supervisor Clifton said the Board can look good this year because taxes were not raised and then they will be the villains next year.

Supervisor Jessie Medlin made a motion and Supervisor John Caldwell seconded the motion to approve an intent resolution up to \$18 million to include all projects with no anticipated tax increase. Board Attorney Bill Austin said the \$16 million bond issue needs to be rescinded before further action is taken. Supervisor Medlin withdrew the motion and Supervisor Caldwell withdrew the second.

Supervisor Jessie Medlin made a motion and Supervisor John Caldwell seconded the motion to rescind the \$16 million bond issue. The **motion passed** by a unanimous vote.

Supervisor Jessie Medlin made a motion and Supervisor John Caldwell seconded the motion to adopt an intent resolution to issue general obligation bonds for roads, buildings, and other capital improvements, Series 2000, not to exceed \$18,000,000.00. The **motion passed** by a unanimous vote.

Demery Grubbs clarified that there will be no tax increase with an \$18 million bond issue giving the assumption based on the growth rate and the current market conditions plus the fund balance and growth in the fund balance.

Supervisor John Caldwell made a motion and Gerald Clifton seconded the motion to authorize **ITEM D.24, CONTINUED,**

Demery Grubbs, Holley, Grubbs, Mitcham, & Phillips, Butler Snow, O'Mara, Stevens, & Cannada, and the Austin Law Firm to prepare the intent resolution for a bond issue up to \$18 million for roads, buildings, and other capital improvements. The **motion passed** by a unanimous vote.

Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to authorize Demery Grubbs and Holley, Grubbs, Mitcham, & Phillips to prepare the necessary paperwork to establish a line of credit not to exceed \$10,000,000.00 with the State Development Bank for the funding of various county projects. The **motion passed** by a unanimous vote.

****See Exhibit D.24****

25. Chancery Clerk Allowances

Allowances for the Chancery Court Clerk were presented to the Board of Supervisors for the May 2000, term in the amount of \$ 1,676.66. Supervisor Tommy Lewis made the motion and Supervisor Gerald Clifton 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 D.25****

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. Homestead Exemptions

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

2. Holly Springs Road

At the recommendation of Road Manager Kenny Gunn, Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion to hire Hill Brothers Construction to remove the drift from under Holly Springs Road at a cost of \$800.00 plus \$100.00 per hour for an estimated 4 hours of work. The **motion passed** by a unanimous vote.

3. Central Maintenance Equipment

Supervisor Jessie Medlin informed the Board of Supervisors that Road Manager Kenny Gunn requested authorization to bid on a track loader up to \$60,000.00 and a truck to carry a tar tank up to \$16,000.00 at an upcoming auction. Supervisor Medlin said that Mr. Gunn also requested authorization to sell equipment. In accordance with Section 31-7-13 (m)(v) of the Mississippi Code, which states motor vehicles or other equipment purchased from a federal or state agency or a governing authority at a public auction held for the purpose of disposing of such vehicles or other equipment, any purchase by a governing authority under the exemption authorized by this paragraph (v) shall require advance authorization spread upon the minutes of the governing authority to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items, Supervisor Tommy Lewis made a motion and Supervisor Gerald Clifton seconded the motion to authorize Road Manager Kenny Gunn to

ITEM F.3, CONTINUED,

attend an auction on May 30 and May 31 in Philadelphia, MS and to bid up to \$60,000.00 for a track loader and bid up to \$16,0000.00 for a truck at a public auction, but that the Road Manager is not authorized to sell the other equipment. The **motion passed** by a unanimous vote.

4. Exit Audit

Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to waive a formal exit audit for FY99 and to have individual audit reports instead. The **motion passed** by a unanimous vote.

5. Approval of Metro Narcotics Commander

County Administrator David Armstrong informed the Board of Supervisors that Tim Harris was appointed as the new Commander of Metro Narcotics by the DeSoto County Metro Narcotics Control Board and that the Board needs to approve Mr. Harris and transfer inventory and funds to him. Supervisor Gerald Clifton made a motion and Supervisor Tommy Lewis seconded the motion to accept the resignation of Randy Doss as Commander of Metro Narcotics and to approve Tim Harris as the new Commander of Metro Narcotics, to transfer the inventory and funds of Metro Narcotics from Randy Doss to Tim Harris, to remove Randy Doss from the list of individuals authorized to sign purchase requisitions and to authorize Tim Harris to sign purchase requisitions and to sign Metro Narcotics grant paperwork as the Project Director. The **motion passed** by a vote as follows:

- Supervisor Jessie Medlin-----YES
- Supervisor Eugene Thach-----YES
- Supervisor Gerald Clifton-----YES

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

6. 2000 Census

Carolyn Talley, Recruiting Assistant for the U. S. Census Bureau, notified the Board of Supervisors that she had been unable to contact Forbes Johnson to offer her assistance with the Census forms in DeSoto County. Ms. Talley said that DeSoto County response numbers are very low and that volunteers are needed to help with the Census. Ms. Talley said the hours are flexible and that volunteers are paid at a starting rate of \$9.50 an hour.

Supervisor John Caldwell said that one problem facing the volunteers is that they are hired to work a certain area and then sent to another part of the County that is unfamiliar to them. Supervisor Tommy Lewis asked how old volunteers have to be. Ms. Talley said 18 years old and that volunteers need to call 1-888-325-7733 to sign up.

County Administrator David Armstrong asked Ms. Talley where her headquarters is located. Ms. Talley said the headquarters is in Greenville and the Supervisor is James Floyd. Mr. Armstrong told Ms. Talley he would have Mr. Forbes contact her and that there is space available in the County Administrator's office for her to use if needed.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to adjourn until June 5, 2000 at 9:00 a.m. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----YES
Supervisor Eugene Thach-----YES
Supervisor Gerald Clifton-----YES
Supervisor John Caldwell-----ABSENT
Supervisor Tommy Lewis-----YES

THIS the 22nd day of May, 2000, these minutes have been read and approved by the DeSoto County Board of Supervisors.

EUGENE C. THACH, President
DeSoto County Board of Supervisors