

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

EUGENE C. THACH, PRESIDENT, PRESIDING

JULY 5, 2000

A. CALL TO ORDER

The July 5, 2000, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Eugene C. Thach of DeSoto County.

Sheriff James Albert Riley, the DeSoto County Sheriff, was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

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

B. INVOCATION

The invocation was presented by County Administrator David Armstrong.

C. PARKER PICKLE - PRELIMINARY LAND ROLL

The DeSoto County Tax Assessor, Parker Pickle, appeared before the Board of Supervisors to present the preliminary tax rolls for Real & Personal Property Assessments for DeSoto County for the 2000 tax year. Mr. Pickle said that DeSoto County experienced a 9.95% increase in assessed property values since August 1999, which is attributed to the tremendous growth in DeSoto County.

Supervisor Jessie Medlin asked what the increase was in the property values from 1998 to 1999. Mr. Pickle said there was approximately a 9% increase in the property values from 1998 to 1999. Supervisor Tommy Lewis asked if he could give an estimate of the dollar increase from 1999. Mr. Pickle said that his office does not figure that.

Supervisor Eugene Thach asked about the status of the reassessment. Mr. Pickle said they are working on the reassessment and that they are in the process of compiling the new land values. Supervisor Thach asked if the assessment for houses will increase. Mr. Pickle said that cannot be determined until the millage is set.

Supervisor Jessie Medlin asked if the rolls are available now. Mr. Pickle said that the books are ready for the public to view. ****See Exhibit C****

ITEM D, CONTINUED,

D. PUBLIC HEARING - \$18 MILLION BOND ISSUE AND \$10 MILLION CREDIT LINE WITH STATE DEVELOPMENT BANK POOL

County Administrator David Armstrong informed the public that intent resolutions for a bond issue up to \$18 million and for a credit line up to \$10 million with the State Development Bank Pool were done and advertised with a return date of July 5, 2000 at 9:00 a.m. Supervisor Tommy Lewis made a motion and Supervisor Gerald Clifton seconded the motion to open the public hearing for a bond issue up to \$18 million and for a credit line up to \$10 million with the State Development Bank Pool. The **motion passed** by a unanimous vote.

Financial consultant Demery Grubbs advised the Board of Supervisors that if no one is present to petition the intent resolutions, the Board can proceed with adopting the resolutions for a bond issue up to \$18 million and for a credit line up to \$10 million with the State Development Bank Pool. Having reached the published deadline of July 5, 2000 at 9:00 a.m. to protest the intent resolutions and with no one coming forward to object, Supervisor Gerald Clifton made a motion and Supervisor Jessie Medlin seconded the motion to close the public hearing for a bond issue up to \$18 million and for a credit line up to \$10 million with the State Development Bank. The **motion passed** by a unanimous vote.

Supervisor Eugene Thach clarified that the County will not be receiving \$10 million from the State Development Bank at this time and that it is only a credit line to be used if needed.

Supervisor Jessie Medlin made a motion and Supervisor John Caldwell seconded the motion to approve the resolution for a bond issue up to \$18 million, acknowledging that there was no public protest and that the protest period for the bond issue is officially closed and to authorize Demery Grubbs, Holley, Grubbs, Mitcham, & Phillips, Butler Snow, O'Mara, Stevens, & Cannada, and the Austin Law Firm to proceed to the next phase of acquiring bonds not to exceed \$18 million for roads, buildings, and other capital improvements. The **motion passed** by a unanimous vote. ****See Exhibit D****

Supervisor Tommy Lewis made a motion and Supervisor Gerald Clifton seconded the motion to approve a resolution for a credit line up to \$10 million with the State Development Bank Pool, acknowledging that there was no public protest and that the protest period for a credit line with the State Development Bank is officially closed and to authorize Demery Grubbs, Holley, Grubbs, Mitcham, & Phillips, Butler Snow, O'Mara, Stevens, & Cannada, and the Austin Law Firm to proceed with next phase in establishing a credit line not to exceed \$10 million with the State Development Bank Pool for the funding of various county projects. The **motion passed** by a unanimous vote. ****See Exhibit D****

Demery Grubbs informed the Board of Supervisors that a date will be set to sell the bonds within the next ten days. Mr. Grubbs said that at the next meeting, the credit rating of DeSoto County will be discussed in detail. Mr. Grubbs said that DeSoto County currently has an "A" credit rating and that DeSoto County will maintain that bond rating due to the tremendous growth and increase in property tax rolls. Mr. Grubbs commended the Board of Supervisors for enhancing DeSoto County through positive development, which is necessary to further growth in the County.

Supervisor Eugene Thach asked what the interest rate will be on the bonds. Demery Grubbs said that the interest rate is unknown at this time and explained that due to an inverted yield curve, the interest rate will be higher than last year, but below 6%. Mr. Grubbs said that the Board needs to proceed with selling the bonds because the market is uncertain, the projects have to be done, and by waiting, the cost to complete the same projects will increase.

ITEM D, CONTINUED,

County Administrator David Armstrong asked what the rate is for the State Development Bank. Mr. Grubbs said last week the rate was 4.75 but that it is constantly changing. Mr. Armstrong asked if the County can lock into a rate. Mr. Grubbs said that the County cannot

lock into a rate because it is a floating rate.

Bill Bayne of the *DeSoto Appeal* asked if millage will increase if bonds are issued for the entire \$18 million. Mr. Grubbs said that due to the increasing growth rate evidenced in the tax rolls, there will be no increase in millage even if the entire \$18 million is used. County Administrator David Armstrong pointed out that this does not apply to our new operating budget, however.

Supervisor Tommy Lewis asked about the status of the Series B Bonds for the Civic Center. Board Attorney Bill Austin said the bonds have been issued and the check was deposited last week. County Administrator David Armstrong said that the funding from the State Development Bank will be available in the amount of \$4.8 million if the bond issue is not sufficient to complete the Civic Center. Supervisor Eugene Thach asked what the interest rate is on the Civic Center Bonds. Mr. Austin said the rate is 5.799%.

E. APPROVAL OF JUNE MINUTES

The official minutes of the Board of Supervisors were read for the month of June 2000, pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated. Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to approve the minutes of the Board of Supervisors for June 2000. The **motion passed** by a unanimous vote.

F. OLD BUSINESS

1. Abandoning ROW on Sharon Drive

Supervisor Jessie Medlin informed the Board of Supervisors that he had inspected the right of way on Sharon Drive and recommended that the Board proceed with abandoning the right of way. Supervisor Medlin said there is not a road at that location and saw no purpose in the County maintaining the right of way.

In accordance with Section 65-7-121 of the Mississippi Code, which states the Board of Supervisors of any county may declare any section of the county road system abandoned if the section does not provide primary access to occupied properties, if traffic on the section has for a period of at least ten (10) consecutive years been intermittent and of such low volume that no substantial public purpose is being served thereby, if for a period of at least five (5) consecutive years the section of the county road system has not been maintained by the county, or if the public interest or convenience does not require the section to remain open to the public or if it is in the public interest or convenience to close, vacate, and abandon the section, Supervisor Jessie Medlin made a motion and Supervisor Eugene Thach seconded the motion to abandon the right of way on Sharon Drive. The **motion passed** by a unanimous vote. ****See Exhibit F.1****

2. Abandoning Road at Poplar Corner

Supervisor Jessie Medlin informed the Board of Supervisors that he had spoken with Road Manager Kenny Gunn about abandoning the road at Poplar Corner and Mr. Gunn said that he recommended that the road be abandoned. Supervisor Medlin said his only concern about abandoning the road was whether the road will have to be extended in the future. Supervisor John Caldwell said that the developer will be responsible for the road if that area is developed in

ITEM F.2, CONTINUED,

the future. Supervisor Eugene Thach said when he went to inspect the road, there was not a road there.

In accordance with Section 65-7-121 of the Mississippi Code, which states the Board of Supervisors of any county may declare any section of the county road system abandoned if the section does not provide primary access to occupied properties, if traffic on the section has for a period of at least ten (10) consecutive years been intermittent and of such low volume that no substantial public purpose is being served thereby, if for a period of at least five (5) consecutive years the section of the county road system has not been maintained by the county, or if the public interest or convenience does not require the section to remain open to the public or if it is in the public interest or convenience to close, vacate, and abandon the section, Supervisor Eugene Thach made a motion and Supervisor Jessie Medlin seconded the motion to abandon the road at Poplar Corner. The **motion passed** by a unanimous vote. ****See Exhibit F.2****

G. NEW BUSINESS

1. Approval to Proceed with Equalization of Tax Rolls and Publish Notice that Rolls are Ready for Public Inspection

IN THE MATTER OF REAL AND PERSONAL ASSESSMENT ROLLS OF DESOTO COUNTY, MISSISSIPPI

This day came on to be considered by the Board of Supervisors of DeSoto County, Mississippi, the matter of equalizing assessments and personal property for the year 2000 and the Board affirmatively finds and adjudicates that Parker Pickle, Tax Assessor of DeSoto County, has completed and filed the 2000 real and personal assessment rolls of DeSoto County, Mississippi, and in accordance with the provisions of Section 27-35-81, Mississippi Code 1972, has delivered the said rolls in legal form to the Clerk of the Board of Supervisors of this county on or before the First Monday of July, 2000, and that the said Assessor has made and appended to said real and personal rolls the affidavit in the form and as provided by law.

NOW THEREFORE, it is ordered that this Board of Supervisors will immediately at its July 5, 2000 meeting proceed to equalize such rolls and will cause to be assessed any person, or thing, found to undervalued, and do all things required by Section 27-35-87, Code of 1972, and other laws, and cause all corrections to be made in the said rolls, and will complete such equalization at least ten (10) days before August, 2000 meeting, and upon adjournment will immediately by newspaper publication notify the public that such rolls so equalized are ready and open for inspection and examination.

ORDERED AND ADJUDGED this 5th day of July, 2000.

At the recommendation of the Chancery Clerk, W. E. "Sluggo" Davis, Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to proceed with the equalization of the tax rolls and publish a notice that the Tax Rolls are ready for public inspection, and to set the public hearing for August 7, 2000 at 9:00 a.m. The **motion passed** by a unanimous vote. ****See Exhibit G.1****

2. Joyce Riales, Comptroller

a. Budget Amendment

(1) Emergency Management

ITEM G.2.a.(1), CONTINUED,

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 Jessie Medlin seconded the motion to approve the budget amendment for Emergency Management under the provisions of Mississippi Code of 1972, Annotated, Section

19-11-19 as follows:

Increase	001-260-933	Office Equipment	\$ 278.00
Decrease	001-260-937	Purchase of Radios	\$ 278.00

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

(2) Sheriff's Department

County Administrator David Armstrong advised the Board of Supervisors that he spoke with Robbie Riley since the meeting on June 26, 2000 and was advised that the Sheriff's Department is purchasing equipment for an existing fuel tank and not a new fuel tank. Mr. Armstrong said the purchase of a tail boom for the helicopter is necessary because a tail boom can only be used for a certain number of hours.

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 Tommy Lewis seconded the motion to confirm the budget amendment approved on June 26, 2000 for the Sheriff's Department under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Decrease	001-201-502	Phone	\$ 100.00
Decrease	001-201-545	Other Repair & Maintenance	\$ 4,500.00
Decrease	001-201-570	Insurance	\$ 38.00
Decrease	001-201-571	Dues & Subscriptions	\$ 42.00
Decrease	001-201-584	Registration	\$ 20.00
Decrease	001-201-681	Repair Parts	\$ 200.00
Decrease	001-201-682	Equipment Repair	\$ 200.00
Decrease	001-201-691	Uniform	\$ 500.00
Increase	001-201-935	Other Machinery	\$ 5,600.00

The **motion passed** by a unanimous vote. ****See Exhibit G.2.a.(2)****

(3) Economic Assistance

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 Gerald Clifton seconded the motion to approve the budget amendment for Economic Assistance under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Decrease	001-450-934	Furniture & Fixtures	\$ 200.00
Increase	001-450-501	Postage	\$ 200.00

The **motion passed** by a unanimous vote. ****See Exhibit G.2.a.(3)****

ITEM G.2.a.(4), CONTINUED,

(4) Coroner

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 Gerald Clifton seconded the motion to approve the budget amendment for the Coroner under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as

follows:

Decrease	001-167-936	Computer Equipment	\$2,000.00
Decrease	001-167-671	Gasoline	\$ 50.00
Increase	001-167-561	Autopsies	\$ 544.00
Increase	001-167-460	Deputy Coroner Fees	\$1,500.00
Increase	001-167-933	Office Machines	\$ 6.00

The **motion passed** by a unanimous vote. ****See Exhibit G.2.a.(4)****

b. Claims Docket

Sarah Clenney of the Accounting Department presented the list of claims to be paid to the Board of Supervisors for approval.

(1) Seiler Building Corporation - Courthouse Renovation

Verified bills in connection with Seiler Building Corporation for the Courthouse Renovation were presented by copy to each Supervisor. ****See Exhibit G.2.b.(1)****

(2) Allen & Hoshall - Courthouse Renovation

Verified Bills in connection with Allen & Hoshall for the Courthouse Renovation were presented by copy to each Supervisor. ****See Exhibit G.2.b.(2)****

(3) Civic Center

Verified bills in connection with the Civic Center were presented by copy to each Supervisor. ****See Exhibit G.2.b.(3)****

In accordance with Section 19-13-31 of the Mississippi Code, Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to approve the claims docket for claim #6007 - #6475 and authorized the clerk to write the checks. The **motion passed** by a unanimous vote. ****See Exhibit G.2.b.(1).(2).(3)****

Supervisor Eugene Thach said that inmates are not supposed to receive Social Security benefits while in jail and asked if DeSoto County is participating in a program where the County receives revenue for providing the names of inmates to the Social Security Administration. Sheriff Riley said he does not know if DeSoto County participates in that program but is aware that inmates cannot receive Social Security benefits while incarcerated. Supervisor Thach instructed the County Administrator to check into this program.

c. Investment of Surplus Funds

At the recommendation of Comptroller Joyce Riales, Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve the investment of surplus funds

ITEM G.2.c, CONTINUED,

to Citizens Bank & Trust, 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>
6/30/00	Citizens Bank & Trust	\$ 3,411,000.00	6.645	39

The **motion passed** by a unanimous vote. ****See Exhibit G.2.c****

E. C. T.

7/5/00

3. Public Hearing - Official County Road Map and County Road System Register

Supervisor Gerald Clifton made a motion and Supervisor John Caldwell seconded the motion to open the public hearing to discuss the adoption of an Official County Road Map and County Road System Register. The **motion passed** by a unanimous vote. Supervisor Eugene Thach opened the floor for public comments. No person came forward to address the Board.

Planning Director Merritt Powell and Road Manager Kenny Gunn presented the Official County Road Map and County Road System Register to the Board of Supervisors for adoption.

Merritt Powell recommended that the Road Map be adopted with the exception of removing Church Road from the map. Mr. Powell said that Church Road is a field road that goes from Sandidge Road to Blythe Road. Kenny Gunn advised the Board that the County has not maintained Church Road in years.

The Board discussed the format of the Road System Register with Road Manager Kenny Gunn. The Board instructed Mr. Gunn and Merritt Powell to work together with County Administrator David Armstrong and Board Attorney Bill Austin to conciliate the Road Map and Road System Register to be in compliance with Section 65-7-4 of the Mississippi Code, which states that on or before July 1, 2000, the Board of Supervisors of each county shall prepare and adopt an official map designating and delineating all public roads on the county road system and a county road system register in which shall be entered the number and name of each public road on the county road system, a general reference to the terminal points and course of each such road, and a memorandum of every proceeding in reference to each such road, with the date of such proceeding, and the page and volume of the minute book of the Board of Supervisors where it is recorded, and that the road map and county road system register, as periodically revised, shall be kept on file in the office of the clerk of the Board of Supervisors where it shall be available for public inspection.

Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion to close the public hearing and to adopt the Official County Road Map and County Road System Register pursuant to Section 65-7-4 of the Mississippi Code and to instruct the Road Manager and Planning Director to reconcile the Official County Road Map and County Road System Register. The **motion passed** by a unanimous vote. ****See Exhibit G.3****

4. Bid Opening - Hacks Cross Road

County Engineer Daniel Murphy came before the Board of Supervisors for the bid opening on Hacks Cross Road for Project Number 1114-97CDBG-SLG. Mr. Murphy said the estimate for the Hacks Cross Road project is \$1.7 million and that a total of nine bids were received as follows:

Hill Brothers Construction	\$1,382,005.55
Ausbern Construction Company	\$1,916,887.40
Talbot Brothers Contracting	\$1,437,567.86

ITEM G.4, CONTINUED,

Chancellor & Son	\$1,528,206.47
Endevco, Inc.	\$1,398,938.70
Ferrell Paving, Inc.	\$1,388,496.36
White Contracting Company	\$1,493,176.55
Union Construction	\$1,403,139.83
Camco Construction	\$1,956,934.00

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to take the bids under advisement. The **motion passed** by a unanimous vote.

Later in the meeting, Daniel Murphy informed the Board of Supervisors that he reviewed the bids and found a few mathematical errors but that the errors did not affect the low bid received from Hill Brothers Construction. At the recommendation of County Engineer Daniel Murphy, Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to award Project Number 1114-97CDBG-SLG on Hacks Cross Road to Hill Brothers Construction as the low bidder to meet the bid specifications for this project at a bid of \$1,382,005.55. The **motion passed** by a vote as follows:

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

****See Exhibit G.4****

5. Kenny Gunn - Road Report and Work Schedule

Kenny Gunn presented the Road Report and Work Schedule to the Board of Supervisors for approval and a list of delinquent road bonds for review.

Kenny Gunn said that bonds will be removed from the list as they are renewed. Supervisor John Caldwell asked what measures are being taken to make sure bonds are reinstated. Mr. Gunn said a letter is sent at the beginning of each month notifying the developers that their bonds are about to expire. Merritt Powell, Director of the Planning Commission, said that the Planning Commission previously sent a letter advising the individuals that the bonds are about to expire. Supervisor Caldwell asked if the Planning Commission is pulling the bonds that are not reinstated. Mr. Powell said that the day before the bond is due, he is supposed to go to the bank and call the bond. Mr. Powell said, however, that instead of going directly to the bank to call the bond, he has been bringing the matter before the Board to get approval to call the bonds.

Supervisor Jessie Medlin asked how the Board will know if the bonds have been reinstated. Mr. Gunn said at the first meeting of each month, the Board will be given an updated list to review.

Supervisor John Caldwell suggested that the Board have calling road bonds on the agenda for the first meeting of each month.

Supervisor Tommy Lewis said he has no problem with calling bonds if the individuals have been given ample advance notification that their bonds will be called if not reinstated by the expiration date. Supervisor Lewis said contact should be made with the individuals to advise them if they need an initial, final, or a maintenance bond.

Supervisor Tommy Lewis asked if the letters sent to individuals are sent by certified mail. Mr.

ITEM G.5, CONTINUED,

Gunn said the letters are sent by standard mail.

Board Attorney Bill Austin advised that from the County's standpoint, the burden of reinstating bonds should be on the developer and not the County employees. Mr. Austin recommended sending a certified letter to the developers notifying them that the bond is about to expire and that they should contact the appropriate office for further information and that if they fail to respond the bond will be called and no further building permits will be issued.

Supervisor John Caldwell made a motion to authorize the Road Manager to call the bonds if the developer does not reinstate the bonds after receiving notification by certified mail that the bonds are about to expire. Supervisor Caldwell withdrew his motion.

Supervisor John Caldwell made a motion to take the road bonds under advisement. Supervisor John Caldwell withdrew his motion. Road Manager Kenny Gunn recommended that the bonds be on file with the Chancery Clerk and that the Clerk should provide him a copy for record keeping purposes.

Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to accept the Road Report for June 2000 and the Work Schedule for July 2000, pursuant to Section 65-17-7 of the Mississippi Code of 1972, annotated. The **motion passed** by a unanimous vote. ****See Exhibit G.5****

6. Bailiff Pay

Pursuant to Section 25-7-27, Section 1, paragraph (e) which allows for Constables working as Bailiffs to be paid as provided under Section 25-3-69, of Mississippi Code of 1973, Annotated, Supervisor Tommy Lewis made the motion and Supervisor Gerald Clifton seconded the motion to pay Lee Hodge the amount of \$ 200.00 for the month of June, 2000, and to pay Floyd Medlin the amount of \$ 160.00 for the month of June, 2000, and to pay Joe Holmes the amount of \$ 240.00 for the month of June, 2000. The **motion passed** by a unanimous vote. ****See Exhibit G.6****

7. Justice Court Report

Linda Aldridge presented the Justice Court Report for the month of June to the Board of Supervisors. Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve and accept the Justice Court Report for the month of June 2000. The **motion passed** by a unanimous vote. ****See Exhibit G.7****

8. Publication of Board Proceedings

Supervisor Tommy Lewis made the motion and Supervisor Gerald Clifton seconded the motion to approve the publication of Board Proceedings in connection with Section 19-3-33 of the Mississippi Code which states that the Board of Supervisors may have its proceedings published in some newspaper in the county, and cause the same to be paid for out of the county treasury. The **motion passed** by a unanimous vote.

9. Approval of Travel

In accordance with Section 25-3-41 Mississippi Code of 1972, as amended, any official or employee of DeSoto County, Mississippi, is hereby authorized to travel during the period of July 5, 2000 through August 7, 2000, as necessary and incur travel expenses in the performance of their official duties for DeSoto County. That all such travel is hereby authorized contingent

ITEM G.9, CONTINUED,

on funds being available in the departmental budget of the individual traveling. Supervisor Gerald Clifton made the motion and Supervisor Tommy Lewis seconded the motion to authorize travel for all officials and employees of DeSoto County for the period of July 5, 2000 through August 7, 2000. The **motion passed** by a unanimous vote. ****See Exhibit G.9****

10. Sheriff's Employee Report

Supervisor Tommy Lewis made a motion and Supervisor Gerald Clifton seconded the motion to accept the Sheriff's Employee Report for the period of May 10, 2000 through June 28, 2000 into the minutes. The **motion passed** by a unanimous vote. ****See Exhibit G.10****

11. Approval of Quarterly Allocations

- a. Sheriff's Department
- b. Tax Assessor
- c. Tax Collector

In accordance with Section 27-1-32 of the Mississippi Code of 1972, which states the Board of Supervisors shall, at its first meeting of each quarter beginning on October 1, January 1, April 1, and July 1, appropriate a lump sum for the Sheriff's Department, Tax Assessor, and Tax Collector for the expenses of his office during the current quarter, Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the quarterly allocations for the Sheriff's Department in the amount of \$1,484,717.00, for the Tax Assessor in the amount of \$205,752.00 and \$8,805.00 for municipal tax fees, and for the Tax Collector in the amount of \$179,278.00 and \$8,805.00 for municipal tax fees as recommended by the Comptroller. The **motion passed** by a unanimous vote. ****See Exhibit G.11****

12. Approval of Distribution of Fire Funds

County Administrator David Armstrong advised the Board of Supervisors that there is an increase in the amount of fire funds available for distribution over last year because dispatchers are now paid out of the EMS budget instead of out of fire funds.

Supervisor Jessie Medlin said some of the volunteer fire departments are short on funds and asked why the fire funds were not distributed earlier. Vanessa Lynchard said that Comptroller Joyce Riales did not receive the funds from the State in time to present them at the last Board of Supervisors meeting on June 26, 2000. Vanessa said the fire departments can pick up their disbursements late this afternoon or tomorrow.

WHEREAS, DeSoto County, Mississippi, has ten (10) Volunteer Rural Fire Departments in the unincorporated areas eligible to participate in the \$171,224.18 in Volunteer Fire Department Funds budgeted by DeSoto County, Mississippi, in the FY00 Budget for rural fire departments under the authority of Sections 19-5-95 and 83-1-39 Mississippi Code of 1972 amended.

WHEREAS, the annual allocation available for division among the eligible fire departments of the County is:

Funds Available for Distribution	\$292,248.18
Less Total Budget Expenses	-560,322.00
<u>Plus Budgeted Allocation Expense</u>	<u>+439,298.00</u>
Total Tax Receipts Available for Distribution	\$171,224.18

WHEREAS, the following volunteer fire departments, to-wit: Bridgetown; Brights-Lewisburg;

ITEM G.12, CONTINUED,

DeSoto Woods; Eudora; Fairhaven; Love; Nesbit; Summershill; and Walls Volunteer Fire Departments are eligible to participate in the funds and have presented their proposals and Rural Fire Protection Agreements as required by law.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF SUPERVISORS OF DESOTO COUNTY, MISSISSIPPI, AS FOLLOWS:

Section 1. That the above said Proposals and Rural Fire Protection Agreements were previously approved by the Board and are on file.

Section 2. That available funds for county volunteer fire departments under the provisions Sections 19-5-95 and 83-1-39, Mississippi Code of 1972 for the year 2000 will be divided on the following basis and formula:

- a. All ten (10) volunteer fire departments shall share equally in 60% of all available funds.
- b. All ten (10) volunteer fire departments shall share according to their percentage of the population serviced by said fire departments in 40% of all the remaining available funds.

Section 3. That based on the preceding formula heretofore adopted by this Board of Supervisors for the division of funds among the various volunteer fire departments, the following allocations of the funds are to be made to the following fire departments:

<u>Fire Departments</u>	<u>Alloc. Funds FY00</u>
Alphaba, Cockrum	
Ingram's Mill	\$ 13,435.60
Bridgetown	\$ 14,550.80
DeSoto Woods	\$ 15,374.17
Eudora	\$ 16,874.99
Fairhaven	\$ 15,676.42
Lewisburg	\$ 16,034.95
Love	\$ 16,604.01
Nesbit	\$ 18,294.52
Summers Hill	\$ 17,141.80
Walls	\$ <u>27,236.93</u>
TOTAL	\$171,224.18

Any fire house or permanent building constructed by any of these funds must be on county owned property. None of the funds shall be used to purchase land.

Section 4. All Departments receiving these funds shall refer to Sections 19-5-95 and Sections 83-1-39, Mississippi code of 1972, as amended regarding appropriate use of these funds. Furthermore, each department shall account for these funds separately from all other allocations and available funds. State purchase procedures as detailed in the appropriate sections of the Mississippi Code of 1972, as amended, shall be followed. All departments receiving these funds are subject to audit by the Mississippi Department of Audit, and that each department receiving these funds is directly accountable to the Mississippi State Auditor.

ITEM G.12, CONTINUED,

WHEREAS, DeSoto County, Mississippi, has ten (10) Volunteer Rural Fire Departments in the unincorporated areas eligible to participate in the Volunteer Fire Department Funds allocated to DeSoto County, Mississippi, by the Mississippi State Insurance Commission in accordance to Section 83-1-9, Mississippi Code of 1972 as amended.

WHEREAS, the funds available for division among the eligible fire departments of the County are as follows:

\$174,997.25 - Mississippi State Insurance Commission Allocation

WHEREAS, the following volunteer fire departments, to-wit: Bridgetown Volunteer Fire Department; Brights-Lewisburg Volunteer Fire Department; Cockrum Volunteer Fire Department; DeSoto Woods Volunteer Fire Department; Eudora Volunteer Fire Department; Fairhaven Volunteer Fire Department; Love Station Volunteer Fire Department; Nesbit

Volunteer Fire Department; Summershill Volunteer Fire Department; and Walls Volunteer Fire Department are eligible to participate in the funds and have presented their Proposals and Rural Fire Protection Agreements as required by law.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF SUPERVISORS OF DESOTO COUNTY, MISSISSIPPI, AS FOLLOWS:

Section 1. That the above said Agreements were approved by the Board and are on file.

Section 2. That available funds for county volunteer fire departments under the provisions of Section 83-1-39, Mississippi Code of 1972 as amended for the year 2000 will be divided on the following basis and formula:

- a. All ten (10) volunteer fire departments shall share equally in 60% of all available funds.
- b. All ten (10) volunteer fire departments shall share according to their percentage of the population serviced by said fire departments in 40% of all the remaining available funds.

Section 3. That based on the preceding formula heretofore adopted by the Board of Supervisors

for the division of funds among the various volunteer fire departments, the following allocations of the funds are to be made to the following fire departments:

<u>Fire Departments</u>	<u>Insurance Funds</u>
Alphaba, Cockrum,	
Ingram's Mill	\$ 13,731.67
Bridgetown	14,871.44
DeSoto Woods	15,712.95
Eudora	17,246.85
Fairhaven	16,021.86
Lewisburg	16,388.29
Love	16,969.89
Nesbit	18,697.65
Summershill	17,519.54
Walls	<u>27,837.12</u>
TOTAL	\$ 174,997.25

ITEM G.12, CONTINUED,

That the budgets submitted by the respective Fire Departments exceed the final allocation listed above, but all of the budgets are approved, subject to final approval of the State Fire Fighters

School with the limitation that the amount to be spent by each department shall not exceed the amount of money first listed above in this section.

Any fire house or permanent building constructed by any of these funds must be on county owned property. None of the funds shall be used to purchase land.

Section 4. All departments receiving these funds shall refer to Section 83-1-9, Mississippi Code

of 1972, as amended, regarding appropriate use of these funds. Furthermore, all departments receiving funds should be aware of State Purchasing procedures and the recommendation of the State Fire Coordinator regarding purchase procedures using these funds.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve the distribution of tax funds and insurance funds for the Fire Department in accordance with Section 19-5-95 and 83-1-39 of the Mississippi Code. The **motion passed** by unanimous vote. ****See Exhibit G.12****

13. Approval to Apply for Second Phase of Tobacco Grant

Supervisor Jessie Medlin made a motion and Supervisor Tommy Lewis seconded the motion to authorize the Sheriff’s Department to apply for the second phase of the Tobacco Grant in the amount of \$17,085.52, which is 50% of the total award. The **motion passed** by a unanimous vote. ****See Exhibit G.13****

14. Appointments

- a. Port Commission - District 2 and Post 1**
- b. Convention and Visitors Bureau - Economic Council**
- c. Handicapped Compliance Grievance Committee - District 3**
- d. Yazoo-Mississippi Delta Joint Water Management District**

Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to approve reappointments to the Port Commission, Convention and Visitors Bureau, Handicapped Compliance Grievance Committee, and the Yazoo-Mississippi Delta Joint Water Management District as follows:

<u>Committee</u>	<u>District</u>	<u>Appointee</u>	<u>Term Expires</u>
Port Commission	District 2	Jim Brown	July 5, 2005
Port Commission	Post 1	Kim McGinnis	July 5, 2005
Convention & Visitors Bureau	Economic Council	Jon Reeves	July 5, 2004
Handicap Compliance Grievance	District 3	Marvin Graves	July 5, 2001
Yazoo-Mississippi Delta Joint Water Management District	DeSoto County	Robert I. Abbay, IV	July 5, 2005

The **motion passed** by a unanimous vote. ****See Exhibit G.14****

ITEM G.15, CONTINUED,

15. Auditor’s Report - Personnel Policy

County Administrator David Armstrong notified the Board of Supervisors that in the Auditor’s Report for FY99, it was recommended that the Board of Supervisors only pay for college courses directly related to an employee’s current job. Mr. Armstrong recommended that the Board amend Section 14.300 of the Personnel Manual to clarify that the County can only pay for college courses directly related to his or her job. Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to amend Section 14.300 of the DeSoto County Personnel Manual to read as follows:

14.300 Educational Advancement. In the event that an employee wishes to participate in college or vocational school courses, or correspondence courses that are directly related to the employee’s job; the cost of tuition, or a portion thereof, may be paid by the County, upon prior written request to the County Administrator by the Department Head and approval by the County Administrator. The County will set a limit on funds

available for this purpose on an annual basis, and may allocate the same among the various Departments of the County.

The **motion passed** by a unanimous vote. ****See Exhibit G.15****

16. Acceptance of Department of Environmental Quality Grant

County Administrator David Armstrong informed the Board of Supervisors that a grant for solid waste assistance in the amount of \$23,625.00 was approved for DeSoto County by the Commission on Environmental Quality. Mr. Armstrong said that a stipulation of receiving the grant award is that there has to be someone assigned as a solid waste enforcement officer. Mr. Armstrong said that Planning Director Merritt Powell has assigned Carl Reich to this position but needs Board approval to change his job title and description from code enforcement officer to solid waste enforcement officer. Supervisor Gerald Clifton made a motion and Supervisor Jessie Medlin seconded the motion to accept the solid waste assistance grant award in the amount of \$23,625.00 from the Mississippi Department of Environmental Quality and to change the job title and job description of Carl Reich from code enforcement officer to solid waste enforcement officer. The **motion passed** by a unanimous vote. ****See Exhibit G.16****

17. Approval for Board of Supervisors to Travel to MAS and Approval to Write Check for Lodging

County Administrator David Armstrong informed the Board of Supervisors that authorization is needed for the Board of Supervisors to travel to the MAS Convention and to write the check for lodging. Mr. Armstrong said that a check in the amount of \$3,161.00 is needed to cover lodging for four Supervisors, Road Manager Kenny Gunn, Board Attorney Bill Austin, and the County Administrator.

Road Manager Kenny Gunn said that he would pay for his lodging and then be reimbursed because he will not know until closer to the date if he will still be able to attend the conference.

Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to approve travel to the MAS Convention and to authorize the Clerk to write the check for lodging for in the amount of \$2,725.00 for four Supervisors, the Board Attorney, and the County Administrator and to authorize the Road Manager to travel to the convention as well. The **motion passed** by a unanimous vote.

ITEM G.18, CONTINUED,

18. Making the Fully Executed Contract with Spectrasite for E-911 Radio Towers a Part of the Minutes

Supervisor Tommy Lewis made a motion and Supervisor John Caldwell seconded the motion to make the fully executed contract with Spectrasite for E-911 Radio Towers a part of the minutes. The **motion passed** by a unanimous vote. ****See Exhibit G.18****

19. Acceptance of Resignation of Youth Court Prosecutor and Acceptance of Court Appointed Special Youth Court Prosecutor

Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to accept the resignation of Kenneth E. Stockton from the position of Youth Court Prosecutor effective June 30, 2000. The **motion passed** by a unanimous vote. ****See Exhibit G.19****

Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to accept James D. Franks as the Special Youth Court Prosecutor effective July 1, 2000 as

appointed by County/Youth Court Judge Mills E. Barbee. The **motion passed** by a unanimous vote. ****See Exhibit G.19****

20. Approval of Contract - Minolta - Circuit Clerk

At the recommendation of Circuit Clerk Dale Thompson, Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to approve a contract with Minolta for a digital copier for the Circuit Clerk effective August 1, 2000 with lease payments of \$310.00 per month for a period of thirty-six months. The **motion passed** by a unanimous vote. ****See Exhibit G.20****

21. Approval of Policy to Advertise County Resources at Local Events **a. Request from 9 and 10 Year Old Fast Pitch Dizzy Dean World Series**

Supervisor Tommy Lewis informed the Board of Supervisors that a letter was received asking for a contribution to the Nine and Ten Year Old Fast Pitch Dizzy Dean World Series, which will include teams from the southern part of the United States and will be held in Hernando July 14 through July 21, 2000. Supervisor Lewis suggested that the same policy for contributing funds to teams playing out of town be applied in this case since it is a nationally recognized tournament and teams will be participating from all over the southern part of the United States.

Supervisor John Caldwell said he is not against donating to the ball teams but cautioned that there will be other teams asking for assistance if the Board approves this one. Supervisor Eugene Thach said that Southaven will also be hosting a Dizzy Dean tournament this summer and they will be asking for a contribution. Supervisor Thach said that the Board needs to be consistent if they are going to donate to the ball teams.

Supervisor Gerald Clifton said this is a positive opportunity to promote DeSoto County and support the youth. Supervisor Jessie Medlin said that this tournament is staffed by volunteers and thinks the County should show their support for the tournament.

Board Attorney Bill Austin said that hosting this tournament is a positive way for the County to advertise County resources and welcome people to DeSoto County.

In accordance with Section 17-3-1, of the Mississippi Code of 1972, which states the Board of Supervisors of any county in Mississippi may in their discretion, set aside, appropriate and expend moneys, not to exceed one mill of their respective valuation and assessment for the

ITEM G.21, CONTINUED,

purpose of advertising and bringing into favorable notice the opportunities, possibilities and resources of such municipality or county, Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to advertise DeSoto County Resources by contributing \$250.00 to the nationally recognized Nine and Ten Year Old Fast Pitch Dizzy Dean

World Series and to authorize the Clerk to write the check, and to make a policy for supporting such tournaments that are regionally and/or nationally recognized events at \$250.00 unless otherwise approved by the Board of Supervisors. The **motion passed** by a unanimous vote. ****See Exhibit G.21****

22. Approval to Hire Architect for Justice Court Re-roofing

This item was taken off of the agenda.

23. Request for Assistance - Sullivan Elementary

County Administrator David Armstrong informed the Board of Supervisors that a letter was

received from Superintendent Jerry Baird requesting work on the grounds of Sullivan Elementary. Mr. Armstrong said that originally this request was denied due to an Attorney General's opinion stating that the County can only do work on parking lots of school grounds but now there is an Attorney General's opinion stating that the County can maintain school grounds, too.

In accordance with Attorney General Opinion 96-0739 and Section 19-3-42 of the Mississippi Code, which states the Board of Supervisors of any county is authorized, in its discretion, to maintain public school grounds of the county if the Board of Supervisors is requested to do so by the school board and certain other conditions are met, Supervisor Gerald Clifton made a motion and Supervisor John Caldwell seconded the motion to instruct the Road Manager to bulldoze around the property boundary of Sullivan Elementary School and cut a "V" ditch for drainage on the school grounds as it is determined that the drainage problem is impacting the playground. The **motion passed** by a unanimous vote. ****See Exhibit G.23****

H. EXECUTIVE SESSION

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

I. OTHER ISSUES

1. Landscaping at Civic Center

Road Manager Kenny Gunn notified the Board of Supervisors that the landscaping contract for the Civic Center is not effective until the Civic Center opens and that Rex Haynes requested that the County cut the grass at the Civic Center. The Board of Supervisors authorized the Road Manager to cut the grass on the Civic Center grounds until the landscaping contract for the Civic Center goes into effect.

2. Centerhill Road

Road Manager Kenny Gunn informed the Board of Supervisors that the outfall ditches on Centerhill Road have filled in and need to be cleaned out because the problem causes the road to flood, and the problem is increasing. Mr. Gunn said he received permission from the property owner to clean the outfall ditches and will have a consent signed by the property owner authorizing the County to do the work on his property. Mr. Gunn said that the County can do

ITEM I.2, CONTINUED,

the work even though it is on private property because the outfall ditches are impacting a County road.

Board Attorney Bill Austin said that the Road Manager can proceed with cleaning the outfall ditches on this property with the consent form signed by the property owner but said that the County should proceed to get an easement recorded on the property in case any further work needs to be done on this property.

Supervisor Jessie Medlin made a motion and Supervisor John Caldwell seconded the motion to authorize the Road Manager to go onto private property with the consent letter signed by the property owner and clean the outfall ditches on the Coldwater bottom and to obtain an easement on this property for future work. The **motion passed** by a unanimous vote.

3. Holly Springs Road

Supervisor Tommy Lewis asked when the drift on Holly Springs Road will be removed. Road Manager Kenny Gunn said that Hill Brothers is supposed to move the drift and that he will call

Hill Brothers again to see when they are scheduled to do the work.

4. Long Distance Telephone Bills

County Administrator David Armstrong informed the Board of Supervisors that the Sheriff's Department received a telephone bill last week in the amount of \$4,300.00 for calls made to International numbers. Mr. Armstrong said that there was a scam where an individual was asked to dial an 800 number to check the phone line and then an outside source connected to a 900 pornography number. Mr. Armstrong said that Bonnie Gatlin worked with AT&T and was able to get a one-time credit for the bill.

5. County Engineer Budget

County Engineer Daniel Murphy advised the Board of Supervisors that a budget amendment will need to be approved for the CDBG Project on Hacks Cross Road in the amount of \$135,000.00. Mr. Murphy said that the railroad crossing and engineer fees are not included in the contract and that he estimates the railroad crossing to cost \$75,000.00 and the engineer fees to be \$25,000.00. The Board of Supervisors discussed that Road funds cannot be mingled with General County funds.

Vanessa Lynchard suggested that a portion of the proceeds from the Cities for their contribution to the project be put into the County Engineer's budget. Board Attorney Bill Austin said that the budget can be amended with the contribution from the Cities.

Supervisor Jessie Medlin made a motion to approve a budget amendment for the County Engineer in the amount of \$135,000.00. Supervisor Medlin withdrew his motion .

County Administrator David Armstrong asked if the budget amendment has to be approved today. Mr. Murphy said that the funds will not be needed for approximately six weeks and that the balance of the budget will need to be rolled over to the FY01 budget. Mr. Armstrong requested time to review options and amend the budget at a later date.

6. Personnel Director

Supervisor Tommy Lewis made a motion and Supervisor Jessie Medlin seconded the motion to post the opening for a personnel director and risk manager. The **motion passed** by a vote as

ITEM I.6, CONTINUED,

follows:

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

7. Church Road East

Supervisor Jessie Medlin made a motion and Supervisor John Caldwell seconded the motion to instruct the County Engineer to provide the engineer costs of a five-lane bridge option on Church Road between Pleasant Hill Road and Highway 305. The **motion passed** by a vote as follows:

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

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to recess until July 12, 2000 at 9:00 a.m. The **motion passed** by a vote as follows:

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

THIS the 5th day of July, 2000, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Eugene C. Thach, President
DeSoto County Board of Supervisors