

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

**EUGENE C. THACH, PRESIDENT, PRESIDING**

**August 9, 2000**

**A. CALL TO ORDER**

The August 9, 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, 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
- William Austin-----Board Attorney

**B. INVOCATION**

The invocation was presented by Supervisor John Caldwell.

**C. DR. DAVID HARAWAY AND CHANCELLOR ROBERT KHAYAT**

Dr. David Haraway, President of Northwest Mississippi Community College, and Chancellor Robert Khayat of the University of Mississippi addressed the Board of Supervisors regarding an expansion of the DeSoto Center. Dr. Haraway said that the proposed expansion will provide an additional 45,000 square feet at an estimated cost of \$7.5 million. Dr. Haraway said the expansion is needed to accommodate the tremendous increase in the population at the DeSoto Center. Dr. Haraway further stated that the population of the University of Mississippi DeSoto Center student body has grown by 225% in the past year and Northwest Community College has grown by 46% since 1994. They are literally using broom closets to expand classroom space. Based on requests from the public and students they would like to expand the curriculum. Baptist Hospital has requested that Northwest offer three new programs. At the present time, they are trying to do the same at the Baptist facility.

Dr. Haraway said that Chancellor Khayat and he are requesting that the Board of Supervisors commit \$3.5 million to the proposed expansion. Dr. Haraway said that Northwest has \$1 million to contribute to the expansion and that Chancellor Khayat will discuss the contribution from the University of Mississippi. Dr. Haraway said 86 to 87% of the students attending Northwest Community College at the DeSoto Center are DeSoto County residents.

Chancellor Robert Khayat informed the Board of Supervisors that the 45,000 square foot expansion will allow the University of Mississippi to offer expanded programs at the DeSoto

**ITEM C, CONTINUED,**

Center and increase the courses in the most requested programs. Chancellor Khayat said

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another goal is to implement teleconferencing at the DeSoto Center to allow students to take courses offered by other colleges and universities in Mississippi. Chancellor Khayat said the University of Mississippi will contribute annual payments of \$100,000.00 as part of the debt service.

Andy Mullins, Financial Advisor for the University of Mississippi, explained that the State bond bill to help universities was significantly decreased by the Legislators. Mr. Mullins recommended that the County ask the DeSoto County Legislative Delegation to assist and encourage the Legislators to allot \$1 to \$2 million of the State bond bill to the proposed expansion of the DeSoto Center. Dr. Haraway said that the County can go ahead and commit to an amount or wait to see what the State is going to fund. Dr. Haraway said that if the State bond bill falls through, he will be back before the Board next summer regarding the funding of the expansion.

Supervisor Tommy Lewis said his daughter went to the local Northwest and DeSoto Center campus for 3 and one-half years and only had to go to Oxford for six months, thanks to the classes offered at the Northwest/Ole Miss DeSoto Center campus. Supervisor Lewis said that saved him a great deal of money. Supervisor Tommy Lewis said DeSoto County residents can also save money if they send their children to the DeSoto Center instead of the students living on campus. Supervisor Lewis said the taxpayers of DeSoto County need education and deserve every opportunity to further their education through expanded programs.

Supervisor John Caldwell asked why they are only requesting \$2 million from the State. Andy Mullins said that this is the figure that was discussed by the Legislators with whom he spoke. Mr. Mullins said the Legislators think that \$2 million is fair due to the State bond debt. Supervisor Caldwell said he supports making this a reality but he is disturbed the State will not give more money. Supervisor Caldwell said he would like to be more aggressive.

DeSoto County Representative John Mayo said he will support funding of the DeSoto Center by the State. Representative Mayo said that last year the Legislature cut funds for on campus projects and funded off campus projects. DeSoto County Senator Bobby Chamberlain said he will support the funding but that he agrees with Andy Mullins that the figure should be kept low because of the cut in funding last year.

Supervisor Eugene Thach said he supports the school but doesn't want to commit to any funds until he knows the exact amount. Supervisor Thach said if the Board agrees to \$3.5 million it will cause a tax increase that he will not support. Supervisor Eugene Thach said the County provides 4.12 mills already and we estimate that to produce \$2,521,440.00. Next year the same millage should produce \$2,665,000.00. Dr. Haraway said Tate and Marshall Counties collect 6 mills each. Supervisor Thach said this will mean a tax increase and he doesn't want to commit more than we have to commit. Supervisor Thach said he would like to wait to work this out and said his vote will be "no" on this issue, but not because he is against Northwest. Supervisor Jessie Medlin said that the funding will not be needed during the 2001 budget year.

Supervisor Jessie Medlin asked if any of the funds committed in the 4.12 mills that DeSoto County levies to the DeSoto Center will eventually go back to this new debt. Dr. Haraway said that it is possible that some of the funds can be committed back to the new debt after the current debt is paid.

Dr. Haraway said, in the interest of time, he would like to hire an architect to draw up the plans. Dr. Haraway clarified that any money spent by Northwest will be credited toward their contributions.

#### **ITEM C, CONTINUED,**

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to commit \$3.5 million over a period of time as necessary to retire the debt of a \$7.5 million expansion of the DeSoto Center contingent on receiving a \$2 million contribution for the

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expansion from the State. The **motion passed** by a unanimous vote. **\*\*See Exhibit C\*\***

**D. PLANNING COMMISSION**

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

Supervisor Tommy Lewis made a motion and Supervisor Gerald Clifton seconded the motion to recess from 1:00 p.m. until 2:00 p.m. The motion passed by a unanimous vote.

**E. OLD BUSINESS**

**1. Approval of Contract - FCR - Recycling Program**

Jim Bearden, Director of Operations and Maintenance, addressed the Board of Supervisors regarding the recycling program proposal from FCR, Inc. Mr. Bearden said FCR, Inc. will provide five containers to be placed at four locations throughout DeSoto County with the fifth container being a swap out container. Mr. Bearden said the containers will be at no cost to the County and after a period of eight months, the recycling program will be reviewed to see how often each container is used to see if more containers are needed in DeSoto County.

Jim Bearden said he had spoken with Hunter Carruthers of BFI and Mr. Carruthers will send a written statement that BFI does not have a conflict with DeSoto County entering into a contract with FCR, Inc. for the recycling program. Mr. Bearden said that Bill Leonidas of FCR, Inc. is supposed to forward a copy of the contract to the Austin Law Firm to be reviewed.

Supervisor Jessie Medlin asked where the four recycling containers will be located. Mr. Bearden said they will be located at Justice Court, the Horn Lake Library, Central Maintenance, and either the Extension Service or the old Board of Education. Supervisor Medlin requested that the BFI recycling container be left at the Maxwell Building in Olive Branch if it is okay with Mayor Sam Rikard.

Jim Bearden said that the County will be responsible for the cost to publicize the recycling containers. The Board of Supervisors carried this item over until August 14, 2000. **\*\*See Exhibit E.1\*\***

**2. MDOT Proposal - Intersection of Starlanding Road and Highway 301**

County Administrator David Armstrong informed the Board of Supervisors that the Road Manager had three proposals to consider regarding the Intersection of Starlanding Road and Highway 301. Mr. Armstrong said the first proposal is to wait until the State has the funds in the budget, the second is to proceed with the work at the intersection and then wait to see if the State is going to reimburse the County, and the third proposal is for the County to proceed with the work without following State specifications at an estimated cost of \$50,000.00 plus labor and equipment.

Board Attorney Bill Austin said that he spoke to Jimmy Dickerson of MDOT and Mr. Dickerson gave him another option to consider with that option being for the County to contract out the project. Mr. Austin said that if the County chooses to contract the project,

**ITEM E.2, CONTINUED,**

MDOT will provide the supervision with the County paying for the project after MDOT signs off on the work. Supervisor John Caldwell asked if it is more beneficial to contract the work. Mr. Austin said that Jimmy Dickerson believes the County is more likely to be reimbursed if the project is contracted instead of the County using its own equipment. Supervisor Caldwell asked which fund will be used to pay for the project. Mr. Austin said he thinks it can be paid

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out of the General Fund.

Supervisor John Caldwell said he thinks the State is acquiring right of ways on Highway 301 since it is on the Four Year Road Plan. Board Attorney Bill Austin said the State is in the process of acquiring the right of ways on Highway 301.

Supervisor Jessie Medlin requested that the County proceed with work at the intersection of College Road and Highway 305. Supervisor John Caldwell agreed that this is a dangerous intersection but said the State will not address the intersection unless it is on the Four Year Road Plan.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to authorize the Austin Law Firm to draw up an agreement with MDOT stating that MDOT agrees to reimburse the County for work at the intersection of Starlanding Road and Highway 301. 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 E.2\*\***

**3. Report on DeSoto County Purchasing Practices**

County Administrator David Armstrong advised the Board of Supervisors that he met with Comptroller Joyce Riales and Purchasing Director Jeannine Ruby regarding the County’s purchasing procedure and the checks and balances system of the purchasing system. Supervisor Tommy Lewis said his main concern is that each department is ordering only what is needed and that the department heads are monitoring the purchase orders and invoices. Supervisor Lewis asked if other employees besides the department heads are authorized to sign purchase requisitions. Jeannine Ruby said yes, but each is approved by the Board of Supervisors prior to be placed on the list of people authorized to sign requisitions. Ms. Ruby said that in each office there are certain employees authorized to sign requisitions and certain employees authorized to sign receiving reports.

Supervisor Tommy Lewis said he would like for department heads to review the needs of their offices prior to the supplies being ordered. County Administrator David Armstrong said he can prepare a form for the department heads to sign off on every month if that is what the Board wants. Supervisor John Caldwell said he doesn’t think it is necessary for the department heads to sign off on office supplies when they have already designated someone in the office to sign requisitions.

Supervisor Tommy Lewis said that the department heads should scan the invoices before they are sent to the Board for approval. Jeannine Ruby said that the department heads code and initial invoices for all things except utilities and office supplies. Ms. Ruby suggested that each department sign off on its monthly claims docket before being presented to the Board of Supervisors for approval. The Board of Supervisors discussed the purchasing practices and

**ITEM E.3, CONTINUED,**

made no amendments to the County’s purchasing procedure.

**F. NEW BUSINESS**

**1. Jail Inspection**

In accordance with Section 19-5-1 of the Mississippi Code Annotated of 1972, which states

that

at least annually, and as often as it may think proper, the Board of Supervisors, or a competent person authorized by the Board of Supervisors, shall examine into the state and condition of the jail, in regard to its safety, sufficiency and accommodation of the prisoners, and from time to time take such legal measures as may best tend to secure the prisoners against escape, sickness and infection, and have the jail cleansed.

Having completed such inspection, Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to acknowledge the inspection of the DeSoto County Jail by the Board of Supervisors as outlined in Section 19-5-1 of the Mississippi Code Annotated. The **motion passed** by a unanimous vote.

**2. Making Final Audit Report for Nesbit Water Project a Part of the Minutes**

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to make the final audit report for the Nesbit Water Project, CDBG Project #6-090-PF-01, a part of the minutes. The **motion passed** by a unanimous vote. **\*\*See Exhibit F.2\*\***

**3. 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 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>
8/8/00	Citizens Bank & Trust	\$ 1,650,000.00	6.625	52

The **motion passed** by a unanimous vote. **\*\*See Exhibit F.3\*\***

**4. Budget Amendment**

- a. Sheriff's Department
- b. Volunteer Fire Department
- c. EMS

In accordance with the provisions set forth in Section 19-11-11 of the Mississippi Code, the Board of Supervisors did discuss an amendment to the budget for the Fiscal year beginning October 1, 1999, and ending September 30, 2000. Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion to approve budget amendments under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

<u>Sheriff's Department</u>			
Decrease	001-200-468	Group Insurance	\$ 4,000.00
Decrease	001-202-467	Workers Comp	\$21,000.00
Decrease	001-202-468	Group Insurance	\$15,496.00
Increase	001-202-542	Repairs to Vehicles	\$ 3,000.00
Increase	001-202-554	Consultant Fees	\$ 100.00

**ITEM F.4.a.b.c, CONTINUED,**

Increase	001-202-567	Vet Fees	\$ 50.00
Increase	001-202-671	Gasoline	\$16,000.00
Increase	001-202-690	Radio Repair Parts	\$ 500.00
Increase	001-202-937	Purchase of Radios	\$ 7,250.00
Decrease	001-220-467	Workers Comp	\$ 3,900.00
Decrease	001-220-468	Group Insurance	\$10,000.00
Increase	001-220-501	Postage	\$ 50.00

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Increase	001-220-652	Hardware	\$ 500.00
Increase	001-220-654	Cleaning	\$ 2,500.00
Increase	001-220-692	Inmate Goods	\$15,846.00
Increase	001-220-694	Food for Prisoners	\$10,922.00
Increase	001-220-934	Furniture & Fixtures	\$ 250.00
Decrease	001-223-467	Workers Comp	\$ 2,572.00

Volunteer Fire Department

Increase	101-251-476	Meals & Lodging	\$ 200.00
Decrease	101-251-534	Office Machine Rental	\$ 350.00
Increase	101-251-587	Training	\$ 150.00

EMS

Increase	001-240-906	Other Improvements	\$ 400.00
Increase	001-240-933	Office Equipment	\$ 100.00
Decrease	001-241-542	Repairs to Vehicles	\$ 500.00
Increase	001-240-502	Phones & Pagers	\$ 1,200.00
Increase	001-240-510	Utilities	\$ 1,000.00
Increase	001-240-544	Maintenance Contracts	\$ 150.00
Increase	001-240-545	Other Repairs & Maintenance	\$ 150.00
Increase	001-240-603	Office Supplies	\$ 150.00
Increase	001-240-654	Custodial Supplies	\$ 150.00
Increase	001-240-672	Diesel Fuel	\$ 400.00
Decrease	001-240-542	Repairs to Vehicles	\$ 2,000.00
Decrease	001-240-587	Training & Registration	\$ 1,200.00
Increase	001-240-545	Other Repairs & Maintenance	\$ 1,100.00
Decrease	001-240-552	Medical Fees	\$ 1,100.00

The **motion passed** by a unanimous vote. **\*\*See Exhibit F.4.a.b.c\*\***

**5. Bids Under Advisement - Re-roof Justice Court Complex**

Jim Bearden, Director of Operations and Maintenance advised the Board of Supervisors that the low bidder to re-roof the Justice Court Complex is City Roofing Company. Mr. Bearden said that the references for City Roofing were checked and that the majority of the references were pleased with the work of City Roofing Company. Supervisor John Caldwell made a motion and Supervisor Gerald Clifton seconded the motion to accept City Roofing Company with a bid of \$26,171.00 as the low bidder on Bid Number 00-701-001 to re-roof the Justice Court Complex. The **motion passed** by a unanimous vote. **\*\*See Exhibit F.5\*\***

**6. Making Final Approval of Tax Exemptions by State Tax Commission a Part of the Minutes**

- a. American National Can Company**
- b. HC Industries of Mississippi**
- c. Sherwin Williams Company**
- d. Alcoa Extrusions, Inc.**

**ITEM F.6.a.b.c.d, CONTINUED,**

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to make the final approval of the State Tax Commission for a five (5) year ad valorem taxation exemption for American National Can Company in the amount of \$ 650,996.00, for a five (5) year ad valorem taxation exemption for HC Industries of Mississippi in the amount of \$ 3,775,531.00, for a ten (10) year ad valorem taxation exemption on real property in the amount of \$534,048.00 and for a five (5) year ad valorem taxation exemption on personal property in the amount of \$3,419,220.00 for The Sherwin Williams Company, and for a ten (10) year ad valorem taxation exemption on real property in the amount of \$77,954.00 and for a five (5) year ad valorem taxation exemption on personal property in the amount of

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\$995,361.00 for Alcoa Extrusions, Inc. a part of the minutes and to authorize the final resolutions in connection with these exemptions. The **motion passed** by a unanimous vote.  
**\*\*See Exhibit F.6.a.b.c.d\*\***

**7. Budget FY01**

Supervisor Tommy Lewis made a motion and Supervisor John Caldwell seconded the motion to carry this item over until August 14, 2000. 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

**8. Making Board of Education Budget a Part of the Minutes**

County Administrator David Armstrong informed the Board of Supervisors that the Board of Education has finalized their budget for FY 2001 and submitted it to the Board of Supervisors to be accepted and made a part of the minutes. Mr. Armstrong said that he has a meeting scheduled on Friday with Bill Bryant to figure the millage and said there may be a possibility, particularly in the debt service fund, that the school millage can be reduced. Supervisor Eugene Thach instructed Mr. Armstrong to discuss the Board of Education millage with the Board Attorney before making any adjustments so as not to place the Board of Supervisors in an awkward position with the Board of Education.

Supervisor Tommy Lewis made a motion and Supervisor John Caldwell seconded the motion to receive and accept the Board of Education budget request for Fiscal Year 2001 and to make it a part of the minutes. 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 F.8\*\***

**G. EXECUTIVE SESSION**

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

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to recess until August 14, 2000 at 8:00 a.m. The **motion passed** by a unanimous vote. THIS the 9<sup>th</sup> day of August, 2000, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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EUGENE C. THACH, President  
DeSoto County Board of Supervisors