

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

EUGENE C. THACH, PRESIDENT, PRESIDING

August 23, 2000

A. CALL TO ORDER

The August 23, 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 Supervisor Eugene Thach.

C. OLD BUSINESS

1. Agreement to Fly Model Planes on the Landfill

This item was held over by the Board of Supervisors.

2. Recycling Program

Supervisor John Caldwell asked about the status of the recycling program. County Administrator David Armstrong advised the Board of Supervisors that this item is not ready for Board action.

3. Intersection of Starlanding Road and Highway 301

Supervisor John Caldwell asked for an update regarding an agreement with MDOT about the intersection of Starlanding Road and Highway 301. Board Attorney Bill Austin said he was uncertain which roads were to be included in the agreement. The Board instructed the Board Attorney to proceed with an agreement with MDOT and DeSoto County regarding the intersection of Starlanding Road and Highway 301.

ITEM D, CONTINUED,

D. NEW BUSINESS

1. Authorization for Clerk to Write Check for Travel Expenses to Atlanta for Sewer

E. C. T.

8/23/00

Program

Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to authorize the Clerk to write the check in the amount of \$352.00 for an airline ticket for Barry Bridgforth to travel to Atlanta for the sewer program on August 24, 2000. The **motion passed** by a unanimous vote.

2. Accepting Request to Set Levy for Water District

County Administrator David Armstrong presented the requests for setting the levy for the water districts for fiscal year 2000. Mr. Armstrong said all requests were the same with the exception of Northwest Mississippi Consolidated Drainage District, which asked for 0 mills last year but now asking for 3.5 mills, the same millage as requested in 1998.

In accordance with Section 51-31-63 of the Mississippi Code, which states that on or before the first Monday of September of each year, the drainage commissioners shall levy a tax on the amount of the original or supplemental assessment of benefits . . . and shall certify their levy to the Board of Supervisors of the county in which the land lies; it shall thereupon become the duty of the said Boards or Board of Supervisors to make a levy in accordance with such assessment sufficient to meet the bond obligations issued by the drainage commissioners and the interest accruing thereon . . . Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion to accept the requests to set the levy for the water district as follows:

Cane Mussacuna Drainage District	4.00
Short Fork Creek Drainage District	0.25
Horn Lake Creek Watershed	2.60
Yazoo Mississippi Delta Joint Water Management District	0.61
Northwest Mississippi Consolidated District	3.50
Lake Cormorant Drainage District	1.00

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

3. Approval of Payment for Translation Services - Circuit Court

Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion to approve payment in the amount of \$850.00 to Jasmin Herrera and in the amount of \$500.00 to Dr. Niria Sanchez for translation services on Cause No. 99-665, State of Mississippi vs Marion Hernandez, a.k.a Protracio Hernandez and authorized the Clerk to write the check. The **motion passed** by a unanimous vote. ****See Exhibit D3****

4. Interfund Transfer

At the recommendation of Comptroller Joyce Riales, Supervisor Jessie Medlin 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-0060-4-00	Lekeita L. Daniels	6/2/00	10971	\$ 32.00
DC-0100-4-00	Richard L. Parker	6/1/00	10971	119.00
DC-0709-1-00	Brandi Holloway	5/31/00	10971	163.00
DC-0116-1-00	Michael Joe Spence	6/7/00	10971	60.00
DC-0113-1-00	Darion L. Castleberry	6/6/00	10971	298.00
DC-0102-1-00	Brian Brown	5/18/00	10853	206.00

ITEM D.4, CONTINUED,

DC-0099-1-00	Robert C. Anderson	5/14/00	10853	1,921.00
DC-0098-4-00	Peter R. Larkin	5/24/00	10902	223.00
DC-0112-1-00	Kevin Curruthers	6/3/00	10902	90.00

Transfer From 123-900-950 Metro Narcotics Seized \$3,112.00
 Transfer To 105-000-388 Metro Narcotics Forfeitures \$3,112.00

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

5. Approval of Late Bill - Justice Court

Supervisor Gerald Clifton made a motion and Supervisor Tommy Lewis seconded the motion to approve a late bill for Justice Court Clerk Linda Aldridge for registration to the Justice Court Clerk’s Fall Convention/Workshop in Biloxi, MS on September 5, 2000 through September 9, 2000 in the amount of \$100.00 and authorized the Clerk to write the check. The **motion passed** by a unanimous vote. ****See Exhibit D.5****

6. Budget Amendment

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 budget amendments under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

a. Civic Center

Increase	001-526-401	Manager Salary	\$ 1,313.00
Decrease	001-526-403	Assistant Manager Salary	\$ 1,313.00

b. Planning Commission

Increase	001-107-671	Purchase of Gasoline	\$ 1,000.00
Decrease	001-107-592	Plan Review	\$ 1,000.00
Decrease	001-107-592	Plan Review	\$ 1,350.00
Increase	001-107-523	Contract Printing	\$ 1,100.00
Increase	001-107-681	Repair Parts	\$ 100.00
Increase	001-107-680	Tires & Tubes	\$ 150.00
Increase	001-107-602	Reproduction Supplies	\$ 500.00
Decrease	001-107-592	Plan Review	\$ 500.00

c. Operations and Maintenance

Decrease	001-150-904	Parking Lot	\$ 400.00
Increase	001-150-502	Phone	\$ 250.00
Increase	001-150-671	Gas	\$ 150.00

d. Solid Waste

Decrease	112-340-640	Fencing Wire	\$ 100.00
Increase	112-340-614	Photo Supplies	\$ 100.00

ITEM D.6, CONTINUED,

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

7. Authorization for Board President to Sign 2001 EMA Program Application

County Administrator David Armstrong informed the Board of Supervisors that authorization is needed for the Board President to sign the 2001 EMA Program application. T. H. Walker, EMA Director, said that the EMA Program application authorizes the County to receive reimbursements. Mr. Walker said the reimbursements are usually routine, however, this year

in order to receive federal funds, the County has to create a hazardous mitigation committee and approve a resolution to that effect. Supervisor Jessie Medlin asked how many people have to be on the committee. Mr. Walker said there is no set number and he plans to appoint people already employed by the County.

Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion to approve a resolution establishing a hazardous mitigation committee and to authorize the Board President to sign the 2001 Emergency Management Assistance Program application. The **motion passed** by a unanimous vote. ****See Exhibit D.7****

8. Disposal of Inventory

a. Operations and Maintenance

b. Justice Court

Supervisor John Caldwell made a motion and Supervisor Gerald Clifton seconded the motion to approve an inventory disposal request from Operations and Maintenance to dispose of Property Number 30495, telephone equipment, and an inventory disposal request from Justice Court to dispose of Property Number 09030, Serial Number 53287785, a Royal Typewriter, Property Number 8305, Serial Number 1F8E65585, an Epson LCQ-570 Printer, Property Number 06049, Serial Number QFG0028251, an Epson LQ-1050 Printer, and Property Number 09054, Serial Number 53362161, a Royal 5005XL Typewriter. The **motion passed** by a unanimous vote. ****See Exhibit D.8.a. and D.8.b****

9. Making Final Approval of Tax Exemptions by State Tax Commission a Part of Minutes

a. Milwaukee Electric Tool Corporation

b. Thomas & Betts Corporation

c. PSI - South, Inc.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to make the final approval of the State Tax Commission for a ten (10) year ad valorem taxation exemption on real property in the amount of \$291,240.00 and a five (5) year ad valorem taxation exemption on personal property in the amount of \$787,864.00 for Milwaukee Electric Tool Corporation, for a ten (10) year ad valorem taxation exemption on real property in the amount of \$278,182.00 and a five (5) year ad valorem taxation exemption on personal property in the amount of \$1,381,777.00 for Thomas & Betts Corporation, and for a ten (10) year ad valorem taxation exemption on real property in the amount of \$1,230,000.00 and a five (5) year ad valorem taxation exemption on personal property in the amount of \$388,589.00 for PSI - South, 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 D.9.a.b.c****

ITEM D.10, CONTINUED,

10. Making Department of Justice Response for Changing Election Precincts a Part of the Minutes

Supervisor Gerald Clifton made a motion and Supervisor Jessie Medlin seconded the motion to make the Department of Justice response for changing the following election precincts a part of the minutes:

1. Hernando West Precinct from the Courthouse to the Administration Building
2. Mineral Wells Precinct from 7122 Stateline Road to 7745 Craft Road, Olive Branch Fire Station #2
2. Horn Lake West from 6770 Tulane Road, Horn Lake Fire Station #1 to 3101 Goodman

- Road, the new Horn Lake City Hall
4. Horn Lake East from 2885 Goodman Road, the former Horn Lake City Hall to 6770 Tulane Road, Horn Lake Fire Station #1

The **motion passed** by a unanimous vote. ****See Exhibit D.10****

11. Making Summershill Fire Protection District Fire Rating a Part of the Minutes

County Administrator David Armstrong advised the Board of Supervisors that the classification for Summershill Fire Protection District changed from eighth class to seventh class. Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion to make the change by the Mississippi State Rating Bureau in the Summershill Fire Protection District classification from eight class to seventh class a part of the minutes. The **motion passed** by a unanimous vote. ****See Exhibit D.11****

12. Circuit Clerk Allowances

County Administrator David Armstrong presented the Circuit Clerk Allowances to the Board of Supervisors for approval. Mr. Armstrong advised the Board that the vacation days allowances have not been signed by the respective judge.

The allowances for the Circuit Court Clerk for July 2000 in the amount of \$2,364.00 for Youth Court, for the June Special Term, 2000 in the amount of \$3,341.50 for the Circuit Court Clerk, for the July Term in the amount of \$3,583.00 for the County Court, and for vacation days for August 2000 in the amount of \$ 900.00 were presented to the Board of Supervisors for approval. Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the Circuit Court Clerk Allowances pursuant to Sections 43-21-205 and 25-7-13(M) of the Mississippi Code of 1972, Annotated, with the vacation days allowances approved subject to obtaining the Judge’s signature. The **motion passed** by a unanimous vote. ****See Exhibit D.12****

13. Chancery Clerk Allowances

This item was held over by the Board of Supervisors.

14. Accepting Donation for the District 1 Park Fund and Approval of a Budget Amendment for the District 1 Park Fund

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

ITEM D.14, CONTINUED,

and Supervisor Jessie Medlin seconded the motion to approve a budget amendment for the District 1 Park Fund under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows and to receive and accept the donation to the District 1 Park Fund in the amount of \$200.00 from Alvin Pritchard:

Increase	001-521-913	Other Construction	\$ 200.00
Increase	001-000-344	Gifts/Donations	\$ 200.00

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

15. Approval to Request a Burning Ban

Mike Hancock, Deputy Fire Marshall, addressed the Board of Supervisors to request a burn ban for DeSoto County. Mr. Hancock informed the Board that there were ninety-two grass

fires last year in the unincorporated areas of DeSoto County and in the past five days, there have been ten grass fires in the unincorporated areas. Mr. Hancock said the Board has to request a burn ban from the Mississippi Forestry Commission and then the request will be forwarded to the State. Mr. Hancock requested a burn ban for at least four weeks to be effective immediately.

Board Attorney Bill Austin asked how the burn ban can be lifted. Mr. Hancock said the Board of Supervisors can lift the ban. Mr. Hancock said it will not be recommended that the burn ban be lifted until the County receives at least two inches of sustained rainfall. Mr. Austin asked how the burn ban will be enforced. Mr. Hancock said the Sheriff's Department is responsible for enforcing the ban, and as commissioned deputies, both he and Chief Bobby Storey can enforce the burn ban with fines ranging from not less than \$100.00 or not more than \$500.00.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to approve a burn ban in the unincorporated areas of DeSoto County to be effective immediately for a period of four weeks unless DeSoto County receives at least two inches of sustained rainfall. The **motion passed** by a unanimous vote. ****See Exhibit D.15****

E. BUDGET 2001

County Administrator David Armstrong informed the Board of Supervisors that the requested changes have been made to the budget. Mr. Armstrong presented a copy of the budget with the changes and a breakdown of the salaries to the Board. Supervisor Jessie Medlin asked about the status of the Road Department. Mr. Armstrong said that he and Road Manager Kenny Gunn are still working on the Road Budget. The Board of Supervisors continued the discussion of the FY01 Budget in Executive Session.

F. EXECUTIVE SESSION

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

G. OTHER ISSUES

1. Bond Rating

County Administrator David Armstrong advised that the trip to New York for the bond rating went very well and a response should be received regarding the bond rating within the next few weeks. Mr. Armstrong said the County was well represented by the Board of Supervisors,

ITEM G.1, CONTINUED,

Board Attorney Bill Austin, and Jim Flanagan.

2. I-69 Coalition

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Board President to sign a letter of support of the I-69 Coalition. The **motion passed** by a unanimous vote. ****See Exhibit G.2****

3. State Aid

County Engineer Daniel Murphy advised the Board of Supervisors that the Vaiden Road Bridge and the Grays Creek Road Bridge are eligible for State Aid LSBP Bridge Funds. Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to authorize County Engineer Daniel Murphy to program the Vaiden Road Bridge and the Grays Creek Road Bridge for approval of State Aid LSBP Bridge Funds. The **motion passed** by a vote as follows:

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

4. State Development Bank

At the recommendation of Board Attorney Bill Austin, Supervisor Gerald Clifton made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Board President to sign the Resolution of the Board of Supervisors of DeSoto County, Mississippi approving the loan with the Mississippi Development Bank; approving the form of and authorizing the execution and delivery of the loan agreement, the promissory note, the tax intercept agreement and the request for advance; authorizing the officers of the County to do all things necessary to effectuate this resolution; and declaring its intent to advance a portion of the proceeds of the loan to the DeSoto County Regional Utility Authority. The **motion passed** by a unanimous vote. ****See Exhibit G.4****

Supervisor Gerald Clifton made the motion and Supervisor Tommy Lewis seconded the motion to recess until August 24, 2000 at 9:00 a.m. The **motion passed** by a unanimous vote.

THIS the 23rd day of August, 2000, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Eugene C. Thach, President
DeSoto County Board of Supervisors