

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

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

**October 16, 2000**

**A. CALL TO ORDER**

The October 16, 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. ASluggo@ 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. OLD BUSINESS**

**D. NEW BUSINESS**

**1. Making Response from MDOT for Signalization at Hwy 301 and Hwy 302 Part of Minutes**

County Administrator David Armstrong presented the Board of Supervisors with a letter received from MDOT regarding a request for signalization at the Intersections of MS 301 and MS302. MDOT District Engineer J. Q. Dickerson, letter stated the traffic study result that was performed on this intersection did not warrant a traffic signal at this time. MDOT will continue to monitor this intersection. Supervisor Gerald Clifton made a motion and Supervisor Jessie Medlin seconded the motion to accept the letter from MDOT into the minutes. The vote passed by a unanimous vote. **\*\*See Exhibit D.1\*\***

**2. Department of Human Services**

a. Approval to sign Purchase Requisitions

Director of Human Services, Kathy White, submitted letter to County Administrator David Armstrong, to present to the Board of Supervisors for approval to add Kennette Hill to the authorization list to sign Purchase Requisitions. Supervisor Jessie Medlin made a motion and Supervisor John Caldwell seconded the motion to authorize Kennette Hill to be added to the authorization list of personnel now consisting of Kathy White who can sign Purchase Requisitions. The motion passed by a unanimous vote. **\*\*See Exhibit D.2\*\***

**ITEM D.2b, CONTINUED,**

**b. Approval of Receiving Clerks**

Director of Human Services, Kathy White, submitted a letter to County Administrator David Armstrong, to present to the Board of Supervisors for approval to add Jeanie Weathers to the authorization list to sign Receiving Reports. Supervisor Jessie Medlin made a motion and Supervisor John Caldwell seconded the motion to authorize Jeanie Weathers to be added to the authorization list of personnel now consisting of Joyce Skillern who can sign Receiving Reports. The motion passed by a unanimous vote. **\*\*See Exhibit D.2\*\***

**3. Approval of Semi-Annual Jail Inspection by State of MS**

County Administrator David Armstrong submitted a document from the State of MS Department of Insurance as approval of the Semi-Annual Jail Inspection. The only question on the report was whether the local fire department inspects this facility regularly. Mr. Armstrong stated that he will get with Bobby Storey the Director of Fire and EMS to arrange the inspection procedure for the Jail Facility. Supervisor John Caldwell made a motion and Supervisor Gerald Clifton seconded the motion to accept the State of MS Jail Inspection Report. The motion passed by a unanimous vote. **\*\*See Exhibit D.3\*\***

**4. Regional Utility Authority - Approval for Board President to Sign Grant**

County Administrator David Armstrong presented to the Board of Supervisors the Special Appropriation Water Infrastructure Project Grant Amendment for signature by the Board President. Mr. Armstrong said that this grant represents a 55% EPA Funding and 45% County Funding for Project. Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to authorize the Board President to sign the Grant Amendment. The motion passed by a unanimous vote. **\*\*See Exhibit D.4\*\***

**5. Organization Chart**

County Administrator David Armstrong stated that according to the Organizational Chart for the County, the Justice Court Clerk reports to the Director of Operations and Maintenance. Mr. Armstrong recommended a change in the reporting that would allow the Justice Court Clerk to report to the County Administrator. Mr. Armstrong stated that he had talked with the Director of Operations and Maintenance, Jim Bearden, and they agreed to present this to the Board of Supervisors for an Amendment to the Organizational Chart of Reporting. Supervisor Tommy Lewis made a motion and Supervisor Gerald Clifton seconded the motion to Amend the Organizational Chart to show the Justice Court Clerk reporting to the County Administrator. The motion passed by a unanimous vote. **\*\*See Exhibit D.5\*\***

**6. Authorization for Clerk to write the check to Ferrara Payment for Fire Truck for Love Fire Dept.**

County Administrator David Armstrong presented an invoice from Ferrara Fire Apparatus Incorporated for the new fire truck for the Love Fire Department. Mr. Armstrong said the County's part is \$50,000.00 of the Invoice amount \$193,301.00, and the Love Fire Department will be responsible for the balance of \$143,301.00. Mr. Armstrong said the new fire truck will be delivered on Wednesday, October 18, 2000 and requested the Board of Supervisors to authorize the Clerk to write the check for \$193,301.00. Supervisor Tommy Lewis made a motion and Supervisor Gerald Clifton seconded the motion to authorize the Clerk to write the check for the \$193,301.00, contingent on receiving Love Fire Department's contribution to the truck and contingent on receiving the truck in acceptable condition. The motion passed by a unanimous vote. **\*\*See Exhibit D.6\*\***

**ITEM D, CONTINUED,**

**7. Brownfield Agreement**

County Administrator David Armstrong presented the DeSoto Co. School Bus Lot Proposed Brownfield Agreement Site, Signed Agreed Order No. 4152-00, to the Board of Supervisors. The Agreed Order establishes a written schedule as required by the Brownfield Voluntary Cleanup and Redevelopment Act Mississippi Code 49-35-1 through 49-35-27 for a technical review of the Brownfield Application. It also includes provisions related to the payment of MDEQ=s oversight costs.

Mr. Armstrong stated that a \$35,000.00 has been approved by the State but the County and Buyer will split any cost in excess of \$35,000.00. Mr. Armstrong asked that this letter be part of the minutes. Supervisor John Caldwell made a motion and Supervisor Gerald Clifton seconded the motion to accept the agreement and make the Brownfield Agreement a part of the minutes. The motion passed by a unanimous vote. **\*\*See Exhibit D.7\*\***

**8. Inter-Fund Transfer - Metro Narcotics**

Supervisor Tommy Lewis made the motion and Supervisor Gerald Clifton seconded the motion to approve the inter-fund transfer, pursuant to Section 41-29-185 of the Mississippi Code of 1972 as follows:

From	123-900-950	Metro Narcotics Seized	\$795.00
To	115-000-388	Metro Narcotics/Forfeitures	\$795.00

correction 105-000-388- Nov 28,2000

Furthermore, this Board does approve, pursuant to Section 19-11-19 of the Mississippi Code of 1972, as amended, amending the Metro Narcotics operating budget as stated above. That this portion of the Minutes will be forwarded to the Comptroller, the Sheriffs Department, and the Unit Commander of the Metro Narcotics Unit. The motion passed by a unanimous vote. **\*\*See Exhibit D.8\*\***

**9. Inventory Disposition - Sheriffs Department**

DeSoto County Administrator presented to the Board of Supervisors a list of eleven vehicles to be declared as Surplus Property and sold at Auction. These vehicles are on the County Central Maintenance property. Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion to declare the vehicles as Surplus Property and to be sold at Auction. The motion passed by a unanimous vote. **\*\*See Exhibit D.9\*\***

**10. Amendment #4 - To Professional Services Agreement, EAI/WEI**

County Administrator David Armstrong presented to the Board of Supervisors, Amendment #4 To Professional Services Agreement for the Project being performed by EAI/WEI, LLC. The Amendment agrees to complete the ownership and the land record database by May 1, 2002 according to the outlined schedule. County Administrator wanted Amendment #4 as part of the Board Minutes. Supervisor John Caldwell made a motion and Supervisor Gerald Clifton seconded the motion to make Amendment # 4 with EAI/WEI, LLC. as part of the Board Minutes. **\*\*See Exhibit D.10\*\***

**11. Revising Permit Fee=s for Out Buildings**

Supervisor Tommy Lewis stated that a County resident had approached him regarding County permit fees. Supervisor Lewis said that a permit was going to cost \$60.00 for a building that only cost \$600.00. Supervisor Lewis said that the resident asked him to investigate this since it seemed to be an excessive cost. Supervisor Lewis stated that he discussed the permit fee regulations with Planning Commission Director, Merritt Powell, and they wanted to bring the issue before the Board for **ITEM D.11, CONTINUED,**

**ITEM D.11, CONTINUED,**

authorization to lower fees on structures less than 400 square feet. Mr. Powell stated that the Planning Commission does not inspect structures that are less than 400 square feet they only instruct residents of the areas that they cannot build on or near the property lines. Supervisor Tommy Lewis stated that he felt that a \$25.00 permit fee for non inspected structures would be appropriate. Planning Commission Director stated that if the structures are on a greater than 10 acre plot and in an Agriculture Zone, then a permit is not required for a pole structure unless it has electricity, and then they would have to get an electrical permit.

After discussing the issue Supervisor Tommy Lewis made a motion and Supervisor Gerald Clifton seconded the motion to revise the permit fee for out buildings to lower the permit fee for structures less than 400 square feet to \$25.00. The motion passed by a unanimous vote.

**12. School Bus Turnarounds**

The DeSoto County Board of Supervisors received a letter dated October 9, 2000, from DeSoto County Superintendent Jerry Baird requesting the County to maintain the properties which are used as school bus turnarounds. The properties are as follows:

Bobbie Harrison	2388 Star Landing	Nesbit	Bus #85
Anita Gatewood	9179 Green River Rd.	Lake Cormorant	Bus #70
Betty Martin	10883 Loch Venarcher	Hernando	Bus #9
Sharon Downs	4590 Walker Mills Rd.	Byhalia	Bus #179
Kim Moore	5498 Horn Lake Rd.	Horn Lake	Bus #184
Georgia Davis	2223 Grass Pond Rd.	Hernando	Bus #114

In accordance with Section 19-3-42, Mississippi Code of 1972 as amended, stating that the school bus turnarounds will be built, maintained and improved, Supervisor John Caldwell made the motion to build, maintain, and improve the properties listed in the Superintendent's letter dated October 9, 2000, and to direct the County Road Manager to carry out this order of this Board forthwith. Supervisor Tommy Lewis seconded the motion. The motion passed by a unanimous vote. **\*\*See Exhibit D.12\*\***

**13. Supplementary Claims Docket**

Comptroller Joyce Riales presented the supplementary claims docket showing claims that need to be paid for various departments as of October 12, 2000. In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Comptroller. The motion passed by a unanimous vote. **\*\*See Exhibit D.13\*\***

**14. Fire Dept. - Authorization to Extend the Burn Ban**

Bobby Storey Director of Fire and EMS, asked the Board of Supervisors to extend the Burn Ban in DeSoto County for four weeks. Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion to extend the Burn Ban until November 1, 2000. Supervisor Tommy Lewis suggested extending the ban until November 6, 2000 to coincide with the Board Meeting. Supervisor Caldwell revised the motion and Supervisor Jessie Medlin seconded the motion to forward a request to the Mississippi Forestry

## **ITEM D.14, CONTINUED**

Commission extending the County Wide Burn Ban until November 6, 2000. The motion passed by a unanimous vote.

### **E. OTHER ISSUES**

#### **1. Supervisors Workshop**

County Administrator asked Supervisors to advise him of who would be attending the Board of Supervisors Fall Workshop in Tunica. Supervisors Gerald Clifton and Jessie Medlin stated that they would not be attending. Supervisors John Caldwell, Tommy Lewis and Eugene Thach stated they were attending.

#### **2. State Holiday November 13, 2000**

Supervisor John Caldwell asked why the Armistice/Veterans Day holiday was coming on Monday when as it is a Saturday holiday according to the Code, it should be on Friday. Chancery Clerk Sluggo Davis stated that the County voted to go by the State holidays and since Jackson would be closed on Monday, our systems would be closed if we followed the Board=s previous order. Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion to approve November 13, 2000 as a holiday in accordance with the State setting for the Veteran=s Day holiday. The motion passed by a unanimous vote.

**\*\*See Exhibit E.2\*\***

#### **3. Declaring a Pauper**

In accordance with Section 43-31-29 of the Mississippi Code, which states the Board of Supervisors shall also relieve, support or employ Paupers found or being in the County, though not entitled to a settlement therein, and, in case of their decease, shall decently bury them; and all expenses shall be chargeable to and recoverable from the County in which such Pauper had a settlement; and the Board shall decently bury all strangers dying in the county, Chancery Clerk Sluggo Davis submitted to the Board an invoice from Henderson Funeral Home in the amount of \$250.00 for Lizzie Cox as a Pauper. Supervisor Tommy Lewis made a motion and Supervisor John Caldwell seconded the motion to approve the Clerk to write a check for \$250.00 to the Henderson Funeral Home for said Pauper=s funeral expenses. The motion passed by a unanimous vote. **\*\*See Exhibit E.3**

#### **4. Solicitation on County Property**

Chancery Clerk Sluggo Davis asked the Board of Supervisors for authorization to put up signage regarding Solicitation on County Property. Mr. Davis stated that a solicitor appeared in the Chancery Clerk Department recently and detained the personnel staff for a period of time that took away from their duties. Mr. Davis asked the Board to authorize signage for No Solicitation on County Property from Private Solicitors. County Attorney Bill Austin stated that the Board could authorize signage in County Buildings. Supervisor Jessie Medlin made a motion and Supervisor John Caldwell seconded the motion to authorize placing signage in County Building stating, ANo Solicitation Allowed to Individual Employees.@ The motion passed by a unanimous vote.

#### **5. Forest Hill Sub-Division**

County Road Manager Kenny Gunn brought before the Board of Supervisors the issue concerning head walls on culverts. Mr. Gunn said currently the regulations do not address whether it is ok for a developer to use flared ends on culverts or whether they can count as a head wall. Mr. Gunn asked the Board=s authorization to accept the developers of Forest Hill Sub-Division work that resulted in head walls being changed to flared end sections on

culverts in the sub-division. Mr. Gunn stated that he informed the developers that the specification

**ITEM G.5, CONTINUED,**

required head walls but the developer stated that they had been allowed to use flared end sections previously. The developers want the sub-division brought into County maintenance and to have a Bond reduction accordingly, and Mr. Gunn asked the Board to clarify their wishes. Supervisor Jessie Medlin asked if Mr. Ivy had a checklist for inspections to catch specification alterations. County Road Manager Kenny Gunn stated that sometimes developers did not inform the County when work was being done so that it could be inspected. Mr. Gunn stated that the regulations did not address the issue of head walls being accepted as flared end sections on culverts. Supervisor Jessie Medlin made a motion and Supervisor John Caldwell seconded the motion to carry over this issue until the October 30, 2000 Board Meeting, to allow Supervisor Medlin, Mr. Ivy and County Road Manager Kenny Gunn to inspect the sub-division and bring back a solution. The motion passed by a unanimous vote.

**6. Roads to Cemetery**

Supervisor Tommy Lewis stated that he had been asked if the County would construct a road to the Cemetery on Vincent Road. Supervisor Lewis asked the Board of Supervisors what provision the County had to provide the road. County Attorney Bill Austin advised the Board to carry this item over until October 30, 2000 which would allow him time to investigate the State regulations regarding roads for Cemeteries. Supervisor Tommy Lewis made a motion and Supervisor Gerald Clifton seconded the motion to carry this item over until the October 30, 2000 Board Meeting. The vote passed by a unanimous vote.

**7. Revision of Zoning Ordinance -Change status of R6 Lots to R20**

Supervisor Tommy Lewis asked the Board of Supervisors how the Board felt about giving up R6 zoning for R20 without curb and gutter. Supervisor Lewis stated that he felt that many of the R6 lots do not have proper drainage and have potential water problems and should be changed to R20. Supervisor John Caldwell said the County should look at all zoning regulations and said that the new County Engineer was scheduled to look at all the zoning requirements and make recommendations accordingly. Supervisor Jessie Medlin said that the County needs to set up a committee that includes Supervisors and possibly the County Engineer to join in discussions about the Comprehensive Plans. Supervisor John Caldwell and Supervisor Tommy Lewis volunteered to be Board members on the committee. Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to appoint Supervisor John Caldwell and Supervisor Tommy Lewis to join the committee looking at the Comprehensive Plan. The motion passed by a unanimous vote.

**8. Reflectors on Roads**

Supervisor Jessie Medlin suggested that County Road Manager Kenny Gunn install reflectors on the center of roads that have dangerous sections or curves. Road Manager Kenny Gunn stated that he would add this to the annual bids to see what the cost would be and bring that back before the Board of Supervisors. Mr. Gunn said the County has been putting the reflectors down in some places throughout the County. Supervisor Medlin said they add a lot to the safety of the roads. Supervisor Medlin stated that the State may have a truck that puts the reflectors down and we could also check with them about the cost.

**9. Travel Authorization- Regional Utility Tour Texas Waste Management Facilities**

County Administrator asked for approval for travel airfare \$4,679.00 and hotel \$2670.30 for the Regional Utility personnel to travel to Texas to tour the Waste Management Facilities.

Supervisor Tommy Lewis made a motion and Supervisor Gerald Clifton seconded the motion to approve travel for the Regional Utility tour of Waste Management Facilities in Texas. The motion passed by a unanimous vote.

**F. EXECUTIVE SESSION**

The Executive Session portion of these minutes are recorded under the portion of the minutes called "Executive Session."

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to recess until October 30, 2000 at 9:00 a.m. The motion passed by a unanimous vote.

THIS the 16th. day of October 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