

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

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

**November 6, 2000**

**A. CALL TO ORDER**

The November 6, 2000, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Eugene C. Thach of DeSoto County.

Chief Deputy Charlie Brown of the DeSoto County Sheriffs Department, was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

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

**B. INVOCATION**

The invocation was presented by Supervisor John Caldwell.

**C. APPROVAL OF OCTOBER MINUTES**

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

**D. OLD BUSINESS**

**1. Nail Road**

Supervisor John Caldwell asked the Board of Supervisors for clarification of what the County plans are in regards to the widening of Nail Road. Supervisor Caldwell stated that he had received a letter from the City of Horn Lake Mayor Mike Thomas concerning the participation of DeSoto County in the proposed widening of Nail Road and the sharing of the construction cost. Supervisor Eugene Thach stated that the Board of Supervisors had previously discussed the Nail Road widening from Highway 51 west to Horn Lake Road. At that time Board of Supervisors agreed to spend up to \$750,000 on Nail Road West, but Nail Road was not included in the \$18,000,000 Bond issue, but it is on the 4 yr. Road Plan. Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion for the Board of Supervisors to clarify the Board of Supervisors will approve spending up to \$750,000 for the widening of Nail Road west of Hwy 51. The motion passed by a unanimous vote. **\*\*See Exhibit D.1\*\***

**2. Burn Ban**

County Administrator David Armstrong sated that Bobby Storey, Director of Fire and EMS had informed him that the State Burn Ban was still in effect. Supervisor Jessie Medlin made a motion and Supervisor Eugene Thach seconded the motion to extend the DeSoto County Burn Ban two days, or until Wednesday, November 9<sup>th</sup>. at the request of Bobby Storey. The motion failed by a vote as follows:

**ITEM D.2, CONTINUED,**

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

**E. NEW BUSINESS**

**1. Receiving Health Department Sanitation Report into Board Minutes**

County Administrator David Armstrong asked that the Mississippi State Department of Health Sanitation Inspection Report for the DeSoto County Jail be made part of the Board minutes. Supervisor Jessie Medlin made a motion and Supervisor John Caldwell seconded the motion to accept the Mississippi State Department of Health Sanitation Inspection Report for the DeSoto County Jail, be made part of the Board minutes. The motion passed by a unanimous vote. **\*\*See Exhibit E.1\*\***

**2. Communicare Employee Assistance Program for all DeSoto County employees**

County Administrator David Armstrong informed the Boards of Supervisors of the employees= assistance program (EAP) for the employees of DeSoto County. The program is provided by Communicare, a cooperative service program that the County allocates a \$165,000 to provide mental health coverage in the county. The covered services are for fiscal year (October 1 through September 30, 2001) and the County employee will not be charged for the first five visits. The program does not cover spouses or other family members. Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to accept the employees assistance program (EAP) from Communicare for the DeSoto County employees. The motion passed by a unanimous vote. **\*\*See Exhibit E2.\*\***

**3. 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 November 6, 2000 through December 4th. 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 on funds being available in the departmental budget of the individual traveling. Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to authorize travel for all officials and employees of DeSoto County for the period of November 6, 2000 through December 4th. 2000 and to approve travel expenses in the performance of their official duties for DeSoto County and to authorize the Clerk to write the necessary checks. The motion passed by a unanimous vote.

**4. Metro Narcotics Grant Closeout for FY00**

Supervisor Tommy Lewis made a motion and Supervisor John Caldwell seconded the motion to approve and authorize the Board President to sign the Metro Narcotics Grant Closeout for FY00 in the amount of \$172,680.94. The motion passed by a unanimous vote. **\*\*See Exhibit E.4.\*\***

**5. Youth Court VWC Grant Closeout for FY00**

Supervisor Tommy Lewis made a motion and Supervisor John Caldwell seconded the motion to approve and authorize the Board President to sign the Youth Court VWC Grant Closeout for FY00 in the amount of \$9,881.16. The motion passed by a unanimous vote. **\*\*See Exhibit E.5.\*\***

Mr. Armstrong said some funds will have to be repaid to the VW Grant that was drawn down in error.

**6. Sheriffs Employee Report**

Supervisor Tommy Lewis made a motion and Supervisor John Caldwell seconded the motion to accept the Sheriffs Employee Report for the period of September 25, 2000 through October 24, 2000 into the

**ITEM E.6, CONTINUED,**

minutes. The report is attached and made a part of the minutes in Exhibit E.6. The motion passed by a unanimous vote. **\*\*See Exhibit E.6\*\***

**7. 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 John Caldwell seconded the motion to pay Joe Holmes the amount of \$ 120.00 for the month of October 2000, to pay Lee Hodge the amount of \$ 120.00 for the month of October, and to pay Floyd Medlin the amount of \$200.00 for the month of October 2000. The motion passed by a unanimous vote. **\*\*See Exhibit E.7\*\***

**8. Joyce Riales, Comptroller**

**a. Claims Docket**

Comptroller Joyce Riales and Stephanie Hanks of the Accounting Department presented the list of claims to be paid to the Board of Supervisors for approval.

**(1) Allen & Hoshall - Sep. & Oct. 2000**

Verified Bills in connection with Allen & Hoshall for the Courthouse Renovation were presented by copy to each Supervisor. **\*\*See Exhibit E.8.a.(1)\*\***

**(2) Seiler Building Corporation**

Verified bills in connection with Seiler Building Corporation for the Courthouse Renovation were presented by copy to each Supervisor. **\*\*See Exhibit E.8.a.(2)\*\***

**(3) Civic Center**

Verified bills in connection with the Civic Center were presented by copy to each Supervisor. **\*\*See Exhibit E.8.a.(3)\*\***

In accordance with Section 19-13-31 of the Mississippi Code, Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the claims docket changing the bills to \$1,346,038.40 and the balance to be paid from the money from the State Development Bank, and to authorized the clerk to write the checks. The **motion passed** by a unanimous vote. **\*\*See Exhibit E.8.a.(1).(2).(3)\*\***

**b. Permission to make Inter-Fund Loans**

Comptroller Joyce Riales requested approval to make inter-fund loans as follows:

(1) \$56,690 from General County Fund (001) to the Administration Building Interest & Sinking Fund (212) to cover the debt retirement payment due on the County Administration Building. This load will be repaid when sufficient tax receipts have been collected. Supervisor Tommy Lewis made a motion and Supervisor Gerald Clifton seconded the motion for the County Comptroller to transfer \$56,690 from General County Fund (001) to the Administration Building Interest and Sinking Fund (212). The motion passed by a unanimous vote.

(2) \$275,000 from General County Fund (001) to the \$18,000,000 G/O Debt Retirement Fund(215) to cover the debt retirement payments. Supervisor Tommy Lewis made a motion and Supervisor John Caldwell seconded the motion for the County Comptroller to transfer \$275,000 from the General County Fund (001) to the G/O Debt Retirement Fund (215). The motion passed by a unanimous vote.

**\*\*See Exhibit E.9.b\*\***

**ITEM E, CONTINUED,**

## **9. Civic Center Request for Funds from State Development Bank Pool**

Stuart Taylor Director of the DeSoto Civic Center and Dr. E. O. Franklin member of the Convention and Visitors Bureau came before the Board of Supervisors to discuss the DeSoto Civic Center. County Administrator David Armstrong asked what is needed to finish the project. Mr. Armstrong reminded the Board of Supervisors that they have already approved allocating an additional \$4.8 million dollars through the State Development Bank Pool.

Dr. Franklin presented a report and acknowledged that the report was put together by several people. Dr. Franklin said that each item included in the report have been questioned by the Board of Supervisors and the response is an attempt to answer those questions. Dr. Franklin said that the CVB is trying to settle out the final construction money that is needed to complete the DeSoto Civic Center. He said that the business manager has finished out the Saturday night event which is included in this report. Dr. Franklin said that in the future we should have reports within thirty-six hours of an event. In response to specific questions the CVB has received regarding the DeSoto Civic Center Dr. Franklin responded:

**A. Naming Rights** - The CVB is going to ask permission to seek legislative help to sell the naming rights to the DeSoto Civic Center. Supervisor Jessie Medlin asked who was drawing up the legislative effort. Bill Austin responded that Senator Chamberlin is working on the project, but the legislature needs a resolution from the Board of Supervisors before considering the issue. Mr. Austin said that it will be necessary to amend the local and private specifically giving the CVB the right to sell the naming rights. Mr. Austin said although he feels the original local and private legislation answered the issue regarding the naming rights, another state organization wanted to sell some type of naming rights and it was determined by the Attorney General that without specific authority they could not do so. Therefore, the DeSoto Civic Center asked for the Attorney General's opinion at the County level and pointed out the differences in the state's request and the county's request but the Attorney General said that we must have specific authority to sell the naming rights. A motion was made by Supervisor Jessie Medlin and Supervisor John Caldwell seconded the motion for the Board Attorney to prepare necessary Local and Private Bill to allow the CVB to sell naming rights.

**B. Funding for South Road to Hwy. 51** - The CVB is not asking for money to complete the road, and acknowledged there much interest in the road. Dr. Franklin reported that the CVB has already determined that if we go from four to five lanes there is a tremendous difference in the cost of the road. Supervisor Tommy Lewis asked how long the CVB estimates it to take to complete the road. Dr. Franklin said that 75% of the dirt work has already been done and once they are ready to start on the road it can likely be completed within sixty days.

**C. Schedule of Events** - Dr. Franklin and Mr. Taylor presented a tentative schedule of events for the DeSoto Civic Center carrying the facility through September 2001. Supervisor John Caldwell asked if the Civic Center could give a break to High School students who want to schedule plays in the facility. Stuart Taylor said that the CVB is addressing that issue now. Dr. Franklin told the Board that they are renting the facility for hockey practices to amateur leagues. Supervisor Gerald Clifton asked if the CVB has talked to BMX about competitions. Stuart Taylor said that they have talked to them but have not worked any final arrangements out as of this time.

**D. Hotel Development Project** - The CVB has had two CPA firms to contact them regarding doing a feasibility study to add two hotels in the area. Dr. Franklin said that the CVB hopes to lease the hotels the piece of land and doing so should help the facility in the future.

**E. Advertising and Suites Sales** - Dr. Franklin reported that \$160,000.00 worth of suites have been sold on a three-year contract. Dr. Franklin said that \$234,750.00 has been sold in signage to date. Concourse signage is being added at this time and those revenues can be added as well. In addition items such as cup holders, luxury suites, and scoreboards have a potential revenue of \$300,000.00.

**F. Budget** - Dr. Franklin and Mr. Taylor presented a copy of the Civic Center Budget to the Board of Supervisors.

**ITEM E.9, CONTINUED,**

**G. 2% Tourism Tax Revenue** - Dr. Franklin said that the 2% tax revenue will provide the Civic Center with operating funding. Dr. Franklin said that to date the Civic Center has collected \$7,300,000.00 in 2% tax revenue. They are averaging \$200,000.00 per month now. Dr. Franklin assured the Board of Supervisors that they are giving their best effort to police the revenue including establishing months to make sure the 2% is being collected appropriately. Dr. Franklin said that last September the CVB went to eating facilities to make sure people are charging the 2%. Now they are working through the building departments to make sure the establishments know on the front end that they are to collect the 2% tax. Dr. Franklin said that they feel they are doing as good a job as possible at policing the 2% revenues. In addition Demery Grubbs, Financial Advisor is watching the fund closely and says the tax collections are doing fine. The Civic Center has made \$175,000.00 in interest due to the investment efforts of the County Comptroller. Dr. Franklin said that they made this years principle and interest payment in the amount of \$2,097,000.00 from the 2% collections. By December 31, of 2000 we expect to have \$4,000,000.00 plus in the bank. During the year we have to pay another note of \$2,098,000.00. Money from the second bond issue was with-held to pay the interest on the note for four years. Therefore, there is no payment due on the second issue until July 1<sup>ST</sup>, 2004.

**H. Event Revenue** - Dr. Franklin presented a report on event revenues through the previous Saturday night. Dr. Franklin said that the first event served as a training session for employees, therefore we won't have a full employee payroll for events in the future. The Civic Center spent \$1,005.00 on cleaning people and bought several items that were charged completely to the first event that will be used in future events. Dr. Franklin said that charitable organizations run the concession stands for 10% of the profit. Dr. Franklin said that the Civic Center plans to present quarterly reports to the Board of Supervisors of the revenue statement and construction updates. Dr. Franklin said that landscaping is not in the construction contract and will not be done until spring. In front of the convention center there are eleven acres of woods, the CVB is considering grubbing out the woods to utilize the space and to clear the view. Supervisor John Caldwell said he is opposed to that. Supervisor Caldwell said that we said from the beginning that the woods would stay there. Dr. Franklin presented a list of enhancements to the Civic Center totaling \$1,195,924.00. Dr. Franklin said that items covered in these change orders include Terrazzo flooring changes, sprinkler system, parking lots, changing plastic chairs to padded chairs in the addition of the theater. The estimated cost to complete the facility will result in some of the items being charged to contractors and architects and the Civic Center will be left with \$3,478,167.43 to complete the facility. Dr. Franklin presented a list of equipment items not yet purchased and pointed out on the list specifically the addition of video technology capabilities which will enhance use of the Civic Center. The complete list of additional equipment totals \$767,000.00, therefore the total needs to finish the Civic Center and buy the additional equipment is \$4,245,167.00. Dr. Franklin said that the CVB feels that there are funds available from the sale of Coca Cola advertising and tourism money which we are estimating to collect, therefore, the Civic Center is requesting \$3,800,000.00 from the Board of Supervisors.

The County Administrator David Armstrong reminded the Board of Supervisors that they recently committed \$4,800,000.00 in additional funding for the Civic Center. Dr. Franklin reminded that three to four years ago a study estimated \$5,000,000.00 in soft cost that the CVB has reduced to \$3,800,000.00.

The County Administrator David Armstrong said that we have a resolution to the State Development Bank requesting an advance on funding thru the \$10,000,000.00 in funds approved earlier by the Board of Supervisors. Mr. Armstrong said that if the Board of Supervisors determines the amount it would like to draw down today, he could have the resolution back to the Board by Wednesday for approval, and the County could have the money by Monday of next week.

Mr. Armstrong said that there are several Civic Center bills on the claims docket today in which the fund is short \$178,000.00 to pay those bills. Mr. Armstrong asked that the Board consider an inter-fund loan from the County unless the Board would like to get the money from

another  
**ITEM E.9.g, CONTINUED,**  
source.

Dr. Franklin said that the CVB is asking for \$1,581,083.00 today. David Armstrong reminded the Board of Supervisors that the money from the State Development Bank must be used for construction cost and cannot be used for operating and maintenance expenses.

Supervisor Tommy Lewis said that we need to determine from where the money for the road is coming. Dr. Franklin said that Mayor Davis of Southaven says that he can get part of the road done. Under one scenario the state may pay for a portion of the road. Supervisor John Caldwell asked where the promotional funds go. Dr. Franklin responded that they have to put together an advertising and promotional program. Dr. Franklin said that the CVB has already spent money to advertise in national magazines.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to approve initiating a request to draw \$1,600,000.00 from the State Development Bank. The motion passed by a unanimous vote. **\*\*See Exhibit E.9\*\***

## **10. Contract Modification Request Bell South Mobility**

### **a. Central Maintenance**

County Road Manager Kenny Gunn asked the Board of Supervisors to grant the contract modification to Bell South for service to replace his pager. Mr. Gunn stated that this would be a cost savings to the County and that he had the funds in his budget. Supervisor Tommy Lewis made a motion and supervisor Gerald Clifton seconded the motion to grant the modification to the Bell South Mobility contract for Kenny Gunn, County Road Manager to add voice mail and pager service. The motion passed by a unanimous vote. **\*\*See Exhibit E.10.a\*\***

### **b. County Agent**

Supervisor Tommy Lewis made a motion and Supervisor Gerald Clifton seconded the motion to grant the modification to the Bell South Mobility contract for the County Agent, Art Smith to upgrade his cellular phone service to \$49.95 a month. The motion passed by a unanimous vote.

**\*\*See Exhibit E.10.a.b\*\***

## **11. Inventory Disposal**

### **a. EMS**

Supervisor Tommy Lewis made a motion and Supervisor Gerald Clifton seconded the motion to declare as surplus and remove from inventory and sell for scrap the following vehicles that are on the Central Maintenance lot.

<u>Description</u>	<u>Serial #</u>
86 Ford Ambulance 350	1FDJS346LHHA31637
85 Ford Ambulance 350	1FDHS34L8GHA95675
89 Ford Ambulance 350	1FDHS34M8KHB87614
91 Ford Ambulance	1FEHS34M8MHB04640

The motion passed by a unanimous vote. **\*\*See Exhibit E.11.a\*\***

### **b. Board of Supervisors Office**

Supervisor Tommy Lewis made a motion and Supervisor Gerald Clifton seconded the motion to approve the inventory dispositions and remove from inventory the following items located in the Board of Supervisors Office.

**ITEM E.11.b, CONTINUED,**

<u>Property#</u>	<u>Description</u>	<u>Serial#</u>
4043	Sharp Fax Machine	37257331Y

The motion passed by a unanimous vote. **\*\*See Exhibit E.11.b\*\***

**c. Planning Commission**

Supervisor Tommy Lewis made a motion and Supervisor Gerald Clifton seconded the motion to approve the inventory dispositions and remove from inventory the following items from the Planning Commission.

<u>Property#</u>	<u>Description</u>	<u>Serial#</u>
03299	Sharp Calculator	8D121721

The motion passed by a unanimous vote. **\*\*See Exhibit E.11.c\*\***

**12. Road Report - Work Schedule**

Pursuant to Section 65-17-7 of the Mississippi Code of 1972, annotated, County Road Manager Kenny Gunn presented the Road Report for September 26 thru October 25, 2000 and the Work Schedule for the month of November 2000.

Mr. Gunn stated that they will start putting down the road reflectors on the roads and that he will include the reflectors in any future bids. Supervisor John Caldwell said that the State Aid people were requiring reflectors on the roads. Supervisor Tommy Lewis said that not all roads need reflectors but the heavily traveled roads and roads with dangerous curves especially need the reflectors. Supervisor Tommy Lewis suggested that Starlanding Road, Getwell Road, Church Road, and Holly Springs Road need to be a first priority for the reflectors. Supervisor Jessie Medlin asked the Road Manager to take people besides the sign people to help do the job.

Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to accept the County Road Report for September 26 thru October 25, 2000 and the County Work Schedule for November 2000. The motion passed by a unanimous vote. **\*\*See Exhibit E.12\*\***

**13. Road Bond Report**

Road Manager Kenny Gunn presented the Road Bond Report to the Board of Supervisors for review.

Mr. Gunn stated that the Road Bond for Lakes of Cleveland Hills expired on November 3, 2000 and that Kenny Gunn asked the developer to put it under a \$20,000 Maintenance Bond. He asked the Board of Supervisor to approve his action in this matter, since the developer would have otherwise been required to put up new bond money. Mr. Gunn stated that the road had been in place for five years and needs a final layer of asphalt laid. Supervisor Tommy Lewis made a motion and Supervisor Jessie Medlin seconded the motion for the Lakes of Cleveland Hills being put under a \$20,000 Maintenance Bond. The motion passed by a unanimous vote.

Mr. Gunn recommended that the Forest Hill P.U.D. Phase I go to County Maintenance. Supervisor Jessie Medlin made a motion and Supervisor John Caldwell seconded the motion to put the Forest Hill P.U.D. Phase I under County Maintenance. The motion passed by a unanimous vote.

Supervisor John Caldwell stated that the Kentwood and Apple Creek North sub division had a fence down. Mr. Caldwell asked for Mr. Gunn to get with Planning Commissioner Merritt Powell and developer Lanier Hurdle to have the fence put back up since this bond has expired.

Supervisor Eugene Thach asked the County Road Manger to put all bonds that expire within two months on a list ahead of time for the Board of Supervisors to review. Mr. Gunn stated that he will do this for the Board to give them time to review and be able to advise him of actions that need to be taken. No motions were made at this time.

**ITEM E, CONTINUED,**

**14. Central Maintenance Issues**

**a. Annual Vehicle Replacement**

County Road Manager Kenny Gunn asked the Board of Supervisors about the possibility of the turn over on vehicles every year. Mr. Gunn presented a listing of vehicles stating the purchase prices and the potential resale value. Mr. Gunn stated that in the past that the vehicles were passed down to the road foreman=s and to the road crew. Mr. Gunn also stated that a large truck for a road foreman is not necessary that the standard trucks would be sufficient. Mr. Gunn said that with the conditions that all of the vehicles on the list are in, it would be more cost effective to upgrade these vehicles rather than pass them down. The Board of Supervisors stated that the budget for 2001 was not set up for new vehicles on a yearly basis. Supervisor Gerald Clifton asked Mr. Gunn to check out the lease program that could be offered to the County. Supervisor John Caldwell asked that vehicles that were not 2001 be declared surplus and be put of for bid to sell. Supervisor Tommy Lewis asked Mr. Gunn to use his vehicle as a test for the yearly trade program and to replace his vehicle with a truck.

Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to have the Board of Supervisors designate vehicle #73 on the Exhibit 14.a, a 2000 Ford Explorer, to the County Engineer Tom Childress to use the vehicle. The motion passed by a unanimous vote.

Supervisor Tommy Lewis made the motion and Supervisor Gerald Clifton seconded the motion to order a half ton extended cab non four wheel drive vehicle to replace the SUV going to the County Engineer. The motion passed by a unanimous vote.

**b. Christmas Closing for Road Department**

County Road Manager Kenny Gunn asked for approval from the Board of Supervisor to allow the Road Department personnel to use vacation days to go along with the holidays and be closed for the week at Christmas. Mr. Gunn stated that his people would know that they have the potential to be called in for emergencies. Mr. Gunn said that all phone numbers would be left with the Dispatch at the Sheriff=s Department. The Board of Supervisors agreed, but said the vacation days should not be mandatory for County employees. No motions were made at this time.

**15. Justice Court Report**

The DeSoto County Justice Court Clerk, Linda Aldridge, did meet with the Board of Supervisors and presented the Justice Court Report for the month of October 2000, pursuant to Section 9-11-19 of the Mississippi Code of 1972, Annotated.

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to accept and approve the Justice Court Report for the month of October 2000. The motion passed by a unanimous vote. **\*\*See Exhibit E.15\*\***

**16. Approval for County Engineer Tom Childress to sign Purchase Requisitions**

Supervisor Tommy Lewis made a motion and Supervisor John Caldwell seconded the motion to approve County Engineer Tom Childress to sign purchase requisitions. The motion passed by a unanimous vote.

**17. Approval for the 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

**ITEM E.17, CONTINUED,**

in the county, and cause the same to be paid for out of the county treasury. The motion passed by a unanimous vote.

**18. Horse Arena Appointments**

Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion to appoint the following people to the Horse Arena Committee to represent their districts in addition to the previously appointed Supervisors Jessie Medlin and Tommy Lewis:

<u>Representative</u>	<u>Address</u>	<u>Phone#</u>
Allan Niblett	9228 Coleman, Olive Branch	662-895-8249
Lorain Cady	8681 Yorktown Dr., Southaven	662-393-9815
Greg Speltz	3165 Church Rd. W., Nesbit	662-393-0168

The motion passed by a unanimous vote.

**F. EXECUTIVE SESSION**

The AExecutive Session@ portion of this meeting is presented under the portion of minutes called AExecutive Session.@

**G. OTHER ISSUES**

**1. Sub Division - Mallary Woods**

Developers Greg Russell and Mike Bailey appeared before the Board of Supervisors in reference to the Mallard Woods sub-division road right of way. When Mr. Ivy inspected the sub-division for compliance to regulations, he noticed that the sub-division did not meet the required 80 feet road right of way specification for a section line road. Mr. Bailey stated that the sub-division at Mallard Woods was located at Bethel and Ross Road and was a large 3-acre lot subdivision, with no curb and gutter cross section. The road has a 30-foot road bed, with 20 ft. of asphalt. County Planning Commissioner Merritt Powell and Engineer Daniel Murphy went to look at sub division with the 80-ft right of way and did not see any problems, since the road dead ends into Byhalia Road. County Road Manager Kenny Gunn stated that a utility has already installed their lines close to the road and outside their right of way. Mr. Gunn stated that since the Mallary Woods sub-division road is a section line road very different as it runs into a bottom that is unlikely to develop, also it has large slopes and shoulders. Kenny Gunn said in his opinion that an exception could be made to the 80 ft. right of way specification, but he recommends that a small section of pipe be put down in roads to extend out because of the slope on the left-hand side of a road. Supervisor Tommy Lewis made a motion and Supervisor Jessie Medlin seconded the motion that the Board of Supervisors uphold the County Road Manager Kenny Gunn=s recommendation that the 50-foot of right of way design in the Mallary Woods sub-division will be sufficient and that the developer be asked to install a small pipe in the road to extend out on the left-hand side of the road. The motion passed by a vote as follows:

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

Supervisor Tommy Lewis said the County should notify developers of the 80 ft. requirements for section line roads. Also, the utility companies should stay on their right of ways. The Board of Supervisors asked the County Engineer Tom Childress to address these issues.

**2. Appointment to Planning Commission**

**ITEM G.2, CONTINUED**

Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion to appoint Earl Ward, 1775 Hwy 301 S., Hernando, MS 38632, phone number 662-429-6096, as the District 4 appointee to the Planning Commission to replace C. G. Richardson. The motion passed by a unanimous vote.

### **3. Engineering Associates - Starlanding Road Underpass**

Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to hire Engineering Associates to work on the Starlanding Road Underpass at a 12% fee, which is State Aid fee standard. The motion passed by a unanimous vote.

### **4. Starlanding Road and Hwy 301**

Supervisor John Caldwell asked the Board Attorney Bill Austin if the County can pay for improvements to Starlanding and Hwy 301 from the general fund and be reimbursed by the state. Supervisor Caldwell asked if the construction cost could come from the County contingency funds to start work. Board Attorney Bill Austin stated that he will get a clarification on how long the state can take for reimbursement from the Economic Development Act. Also, the state may be able to assure the County will be first in line for funds for reimbursement. Mr. Austin stated that they have secured all of the right of ways for this project on Starlanding Road. No motions were made at this time.

Supervisor John Caldwell asked that the County work to reschedule a meeting with the IC Railroad regarding the Starlanding Road underpass. Supervisor Caldwell stated that we need to keep working on the railroad on this project. County Administrator David Armstrong said Carl Ray Furr is already working on that. No motions were made as this time.

### **5. Land Parcel on Tax Roll**

Chancery Clerk Sluggo Davis had a request for a tax credit on a parcel of land on tax roll known as parcel #3099 2900.0 00019.00 and parcel #3099 2900.0 00017.00. The Board of Supervisors requested more information on this parcel of land and they carried this item over until the November 8, 2000 meeting.

### **6. County Roads**

Supervisor John Caldwell stated that Church Road was not on the Road Manager=s work schedule. Mr. Gunn stated that Church Road would be added to the County Road work schedule.

Mr. Gunn stated that College Road would have to be closed short term for the repair work scheduled to insure safety of the public.

Supervisor Tommy Lewis asked the Road Manager to also build the retaining wall on the Getwell Road to protect the county right of way.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to recessed until November 8, 2000 at 9:00 a.m. The motion passed by a unanimous vote.

THIS the 6th. day of November 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