

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

**TOMMY LEWIS, PRESIDENT 2001, PRESIDING**

**February 20, 2001**

**A. CALL TO ORDER**

The February 20, 2001, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Tommy Lewis, Board President.

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:

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

**B. INVOCATION**

County Administrator David Armstrong presented the invocation.

**C. OLD BUSINESS**

**1. 2001 Paving Contract**

County Road Manager Kenny Gunn said that the proposed 2001 Paving Contract listing covered 39.2 miles of road and that the City of Olive Branch would pay for one mile of road Hwy 178, which would leave the County paying for 38.2 miles of road paving. Supervisor Tommy Lewis said that some of the roads on the list were in the cities and that the County roads need to be done first. Supervisor Eugene Thach said that the traffic demands road repairs in the cities and that half the Cities road millage and all the bridge millage stays in the County. Supervisor Jessie Medlin suggested that Daniel Murphy consider the width of roads in separating the mileage on the paving contract since some of the roads are wider than others and will require more asphalt. Supervisor Medlin said that the County should concentrate on the high traffic roads.

Supervisor Tommy Lewis said that Byhalia Road is coming apart and it has nine miles that need to be paved. Supervisor John Caldwell said that Baldwin Road has six miles also coming apart but there are limits to what can be done. Supervisor Tommy Lewis said that he wants to add three miles of Byhalia Road, to take off the six-tenths mile of Craft Road, to add Acorn Woods Drive for three-tenths mile, and Colonial Drive for two-tenths mile to the listing. Supervisor Jessie Medlin asked to add Jason Way and Jason Way

Cove for  
**ITEM C.1, CONTINUED,**

seven-tenths mile to the listing. Supervisor Tommy Lewis prioritized on Byhalia Road starting at Laughter Road and going three miles to the west.

Kenny Gunn said that with these additions and deletion the County would be paving 42.9 miles of road. Supervisor John Caldwell made a motion to take the Road Managers recommendations for the 2001 Paving listing, adding seven-tenths miles on Jason Way and Jason Way Cove; adding three-tenths miles of Acorn Woods; three miles of Byhalia Road from Laughter Road three miles to the west; remove two-tenths miles of Craft Road and to authorize the Road Manager to advertise and to go out for bids. Supervisor Eugene Thach seconded the motion. The motion passed by a vote as follows:

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

Supervisor Tommy Lewis said that he would like to have Daniel Murphy look at the list and roads to give an estimated cost before voting to go out for bids. Supervisor Jessie Medlin made a motion and Supervisor Tommy Lewis seconded the motion to have Daniel Murphy estimate the cost for the 2001 Paving List after adding seven-tenths miles on Jason Way and Jason Way Cove; adding three-tenths miles of Acorn Woods; three miles of Byhalia Road from Laughter Road three miles to the west; remove two-tenths miles of Craft Road and bring back an estimate to the Board before going out for bids. The motion passed by a vote as follows:

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

**\*\*See Exhibit C.1\*\***

**2. Roads / Past Entrance to Camp Currier to Goodrum Memorial Cemetary**

Supervisor Gerald Clifton asked that this item be carried over until March 5, 2001 Board meeting.

**3. MDOT Agreements with County**

County Engineer Tom Childress said that MDOT has each planned a sequence for construction of Hwy 304 and that Green T Road will be relocated with a new bridge. Once the new road is complete they will obliterate the old line but will keep the old road. Supervisor Tommy Lewis asked to see the MDOT plans for Green T Road construction. Tom Childress laid out the MDOT plans for the Supervisors to look at the construction for all three MDOT agreements. Tom Childress said that all the three MDOT agreements are for rights to the County right of ways and once the construction is completed the right of ways would be returned to the County.

Supervisor Jessie Medlin made a motion and Supervisor John Caldwell seconded the motion to approve the Board President to sign agreements b & c for the County right of ways and to make the fully executed agreement with MDOT for the relocation of SR304 from east of Odom Road to east of I-55 part of the minutes (a).

**ITEM C.3, CONTINUED,**

**a. Making the Fully Executed Agreement with MDOT for Hwy 304 East of Odom to I-55 Part of the Minutes.**

**b. Relocation of Hwy 304 W. of Hwy 301 to E. of Odom Road**

**c. Relocation Hwy 304 from US 61 to Hwy 301**

The motion passed by a unanimous vote. **\*\*See Exhibit C.3.a.b.c\*\***

**4. Authorization to Contract with Fuelman**

County Administrator David Armstrong said that the Supervisors have a copy of County personnel who wish to use the Fuelman option for fuel. David Armstrong said that he was recommending to the Board of Supervisors that the program be an either or situation, since the County could keep better records for mileage on vehicles. Supervisor Eugene Thach asked how many Fuelman stations were in DeSoto County. David Armstrong said that each Supervisor has a listing of Fuelman stations in their packets and that they are listed by City. Supervisor Tommy Lewis asked how the price relates to what is available at the Central Maintenance shop. David Armstrong said that the prices are done weekly so they will vary and Mr. Armstrong presented a comparison showing that on Feb. 5<sup>th</sup> Fuelman was \$.998 for gas and \$.96 for diesel, and on Jan. 26<sup>th</sup> bulk rate was \$1.11 for gas and \$1.069 for diesel, and on Feb. 13<sup>th</sup> bulk rate was \$1.305 for gas. Vanessa Lynchard said that Fuelman would send the County a report monthly that gives the mileage and gas for each vehicle.

David Armstrong said that the Sheriff's Department has requested to stay with the Central Maintenance shop for fuel. Supervisor Jessie Medlin asked why the Central Maintenance Foremen were on the list to use Fuelman. Kenny Gunn said that sometime the foremen have to go out of town to pick up equipment and that they can't get there and back on one tank of fuel. Supervisor Eugene Thach asked if cards would be assigned to cars or personnel. David Armstrong said that a special card would be assigned per vehicle and a card can be issued for incidental travel as needed.

Supervisor John Caldwell said that he would like to be consistent by County departments that an entire department would need to use Fuelman or they should all use Central Maintenance fuel. David Armstrong said that the request for usage was not initially put out for department to be all Fuelman or none, but by individual. Kenny Gunn said that if the program was going to be by departments that the Central Maintenance would not go with Fuelman. Supervisor Tommy Lewis asked how Central Maintenance keeps up with the fuel usage now. Kenny Gunn said that the person who gets fuel has to keep a log on usage and that when the fuel meter reading is compared with the usage logs that they run real close to the same amount. Kenny Gunn said that the Diesel fuel does not go thru a fuel card meter. Supervisor Jessie Medlin asked if the vehicle and fuel used was listed on a log sheet. Kenny Gunn said the Central Maintenance pump behind the building has a meter on it to keep up with the gallons but it is a continuous meter reader. Kenny Gunn said that when the building is locked up at night the pumps behind the building are cut off inside the building and that no one can get fuel then. Supervisor Eugene Thach asked if records are kept on a daily basis. Kenny Gunn said that records are kept and invoices are done for department usage and turned into accounting to bill back departments for fuel used from the front pumps.

Supervisor John Caldwell made a motion and Supervisor Eugene Thach seconded the motion to take under advisement the Fuelman Contract for fuel to allow the County to work toward adopting Fuelman by departments. The motion passed by a vote as follows:

Supervisor Jessie Medlin	NO
Supervisor Eugene Thach	YES

Supervisor Gerald Clifton	YES
<b>ITEM C.4, CONTINUED,</b>	
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	YES

**\*\*See Exhibit C.4\*\***

**D. NEW BUSINESS**

**1. GIS Demonstration**

Emad Al-Turk from Waggoner Engineering came before the Board of Supervisors to show their pilot project completion of the DeSoto County GIS program which covers six square miles. Emad Al-Turk showed charts of the different areas of the pilot project and where they are located in the County. Emad Al-Turk said that there are three elements that are necessary for the GIS project. First was the photography, which they have 42% completed; second was the topography, which they have 35% completed, and last was the property ownership which they are working on. Emad Al-Turk stated that there is more data in the populated area of digital photography as they were flown at lower elevations.

County Administrator David Armstrong asked what was the completion date for the project. Emad Al-Turk said that late April or May of 2001, all of the photography and topography would be completed but that the property ownership portion would likely be done by January 2002. It should be May 2002 for the completed project.

Steven Gullett from the Tax Assessor’s office said that all the deeds would not be in the system until January 7, 2002. They have 50,000 parcels and twenty-one deed books just this year that have to be recorded into the system.

Supervisor John Caldwell asked if the flood zones would appear on the GIS program. Emad Al-Turk said that this is not in project but it could be added by reconstructing the flood maps with the help of a grant from FEMA on the flood zones. Supervisor Tommy Lewis asked about the utility and water lines. Again Emad said additional layers can add this and also the census figures.

County Administrator David Armstrong asked how often the County would have to re-fly the area. Emad Al-Turk said that normally every ten years, but that with heavy population and growth it may have to be done every three years. Emad stated that for the urban areas there is a one-foot resolution but for the rural areas there is a two-foot resolution. No motions were made on this item.

**2. Tax Exemption – Memphis Propeller**

Jim Flanagan, from the DeSoto Council, represented Memphis Propeller Service, Inc. to ask the Board of Supervisors to reconsider their previous approval for a real and personal exemption because the personal property exemption does not meet the thousand dollar minimum. Mr. Flanagan asked the Board of Supervisors to proceed with the Real Property Tax Exemption for a period of ten years and said that Memphis Propeller is rescinding it’s application for the Personal Property Ad Valorem Tax Exemption. Mr. Flanagan said that the local outlines for Personal Property Tax Exemption requires value of property to be in excess of \$1,000.00 and Memphis Propeller Service equipment has been depreciated below this amount.

Supervisor Jessie Medlin made a motion and Supervisor John Caldwell seconded the motion to accept Memphis Propeller Service, Inc. application for Real Property Tax Exemption for ten years and proceed with process and to rescind their Board of Supervisor’s order of October 30, 2000 granting exemption to Memphis Propeller Service.

The motion passed by a unanimous vote. **\*\*See Exhibit D.2\*\***  
**ITEM D, CONTINUED,**

**3. Board of Education - School Bus Turnaround**

The DeSoto County Board of Supervisors received a letter dated February 5, 2001, from the DeSoto County Superintendent Jerry Baird requesting the county to maintain the properties which are used as school bus turnarounds.

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 and Supervisor Eugene Thach seconded the motion to build, maintain, and improve the properties, and to direct the County Road Manager to carry out this order of this Board forthwith for the following:

- Dirt Road, 13540 Bass Landing, Lake Cormorant, Bus #62
- Frances Perry, 3479 Starlanding , Nesbit, Bus #68
- Pam Drake, 5757 Sycamore Dr., Hernando, Bus #36
- Cheryl Rodgers, 13285 Holly Springs, Byhalia, Bus #88
- Allan & Cindy Phillips, 5265 Red Banks Rd., Byhalia, Bus #166
- Dawn Kirby, 9282 Wilson Mill Rd., Lake Cormorant, Bus #149
- Judy Cothorn, 275 Red Crest Rd., Lake Cormorant, Bus #38
- Dot Rutledge, 5941 Caroline Dr., Walls, Bus #150

The motion passed by a vote as follows:

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

**\*\*See Exhibit D.3\*\***

**4. Supplemental Claims Docket**

Comptroller Joyce Riales and Stephanie Hanks presented the supplementary claims docket showing claims of \$213,656.04 that need to be paid for various departments as of February 20, 2001. 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 Eugene Thach seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Comptroller. 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

**5. Investment of Surplus Funds**

In accordance with Section 19-2-29 of the Mississippi Code, which states that whenever any county shall have on hand any bond and interest funds, any funds derived from the sale of bonds, special funds, or any other funds in excess of the sums which will be required to meet the current needs and demands of no more than seven (7) business days, the Board of Supervisors of such county shall invest such excess funds.

At the recommendation of the Comptroller, Joyce Riales, Supervisor John Caldwell made

the motion and Supervisor Gerald Clifton seconded the motion to approve the investment  
**ITEM D.5, CONTINUED,**

of surplus funds to Citizens Bank & Trust for \$1,800,000.00, date of purchase 2/14/01 and date of maturity 4/12/01 which is for 57 days, with interest rate of 5.375% for CD#5014242. The motion passed by a vote as follows:

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

**\*\* See Exhibit D.5\*\***

**6. Authorization to Open Bids for One Extended Cab Truck for Metro Narcotics on March 6,2001**

County Administrator David Armstrong said that Metro Narcotics was asking the Board of Supervisors for authorization to open bids for One Pre-Owned Extended Cab Four Wheel Drive Pick-up Truck on Bid file #01-226-001 to be opened March 6, 2001. Supervisor John Caldwell made a motion and Supervisor Gerald Clifton seconded the motion for authorization to open bids for a One Pre-Owned Extended Cab Four Wheel Drive Pick-up Truck on Bid file #01-226-001 to be opened March 6, 2001. The motion passed by a vote as follows:

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

**\*\*See Exhibit D.6\*\***

**7. Approval to Advertise in the MS Supervisor Magazine**

County Administrator David Armstrong said that last year the Board of Supervisors advertised in the MS Supervisors magazine on the inside front cover for a cost of \$775.00 for a color copy and he is recommending for a full-page ad inside the magazine for a cost of \$300.00. Supervisor Eugene Thach asked if this was color or black and white. Supervisor John Caldwell said that it could be either. Supervisor Tommy Lewis said that he would like to stay with the front inside cover color for the \$775.00. Supervisor John Caldwell asked to put the Civic Center picture or a reference to the Civic Center in the ad. Supervisor Eugene Thach said to put the Administration Building and the Civic Center in the ad. County Administrator David Armstrong said that he would work on the ad and bring back a recommendation to the Board for their approval since this ad will be for the convention issue. The Board would need to approve the ad by March 23, 2001 to submit it by the April 9, 2001 deadline. Supervisor Tommy Lewis asked David Armstrong to work on the ad and bring back a recommendation, after discussing this opportunity to advertise DeSoto County, to the Board.

Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to advertise in the MS Supervisors magazine on the inside front cover for a cost of \$775.00 and the Board will approve the design of the ad at a later Board meeting and to pay for the ad through advertising county resources. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
--------------------------	-----

Supervisor Eugene Thach	YES
<b>ITEM D.7, CONTINUED,</b>	
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	NO
Supervisor Tommy Lewis	YES

**\*\*See Exhibit D.7\*\***

**8. Justice Court – Appointment of Receiving Clerk**

County Administrator David Armstrong said that Linda Aldridge, Justice Court Clerk, was asking the Board of Supervisors for approval to make Loretta Smith a receiving clerk for the Justice Court. Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion to approve Loretta Smith as a receiving clerk for the Justice Court, in accordance with Section 31-7-101 which states the Supervisors of each County in the state shall establish a Central Purchase System, with approval of the Board of Supervisors, and shall appoint assistant receiving clerks when necessary. The receiving clerk and assistants shall be solely responsible for accepting the delivery of all equipment, heavy equipment, machinery, supplies, commodities, materials and services purchased by the County. The motion passed by a unanimous vote. **\*\*See Exhibit D.8\*\***

**9. Proposed Grant Request**

County Administrator David Armstrong asked that this item be carried over. Supervisor John Caldwell made a motion and Supervisor Gerald Clifton seconded the motion to carry this item over. The motion passed by a unanimous vote. **\*\*See Exhibit D.9\*\***

**10. Life Insurance Proposed Increase**

County Administrator David Armstrong said that the County would be staying with the same Life Insurance Group and he would like to recommend to the Board to raise the life policy from \$15,000 to \$35,000. This would be an additional \$2,480.00 per month expense for the County. Supervisor Eugene Thach asked why the County had to raise the health insurance expense to the employees to take expense off the County and then turn around and raise the life insurance benefit, which would be an expense for the County.

Supervisor Gerald Clifton asked what the policy was on the life insurance. David Armstrong said that it was for \$15,000.00 regular life policy with the double indemnity clause. Supervisor Eugene Thach said that it was his understanding that most other counties only have life insurance for \$10,000.00.

Supervisor Jessie Medlin asked Vickie Richmann what the amounts of life insurance is available for a spouse. Vickie said that there is \$5,000.00 on the spouse and \$2,500.00 for a child on the plan that the County now has.

Supervisor Tommy Lewis asked how long ago did the County raise the amount to \$15,000.00. Supervisor Eugene Thach said it was about two years ago that the County increased the life insurance.

Supervisor Gerald Clifton asked if there was an option for employees to raise the life insurance. Vickie Richmann said it could be done at an employee cost. Supervisor John Caldwell asked what the cost for an individual would be. Vickie Richmann said that the cost would be based on the individuals age.

Supervisor John Caldwell made a motion to take the issue under advisement. The motion died from lack of a second.

Supervisor Tommy Lewis asked what other areas offer for life insurance and does the  
**ITEM D.10, CONTINUED,**

County needs to have more than \$15,000.00. David Armstrong said that if the County went with a raise to \$25,000.00 it would cost \$1,240.00 a month and that the insurance was scheduled to go into effect the first of March so a decision needed to be made. Supervisor John Caldwell made a motion to leave the life insurance policy alone at \$15,000.00. No one seconded the motion. Supervisor Gerald Clifton said that he would like to see the life insurance go to \$25,000.00. Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to raise the County Life Insurance to \$25,000.00, which would be \$7.75 per month with a rate of \$.28 per thousand for Group Life and \$.03 for Accidental Death, and to go into effect March 1, 2001. The motion passed by a vote as follows:

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

Supervisor Eugene Thach explained his vote in opposition was because there was no comparison to other counties. **\*\*See Exhibit D.10\*\***

#### **11. EMS –Approval to Bond Sue Caldwell to Replace Deanna Davis**

Director of EMS Bobby Storey asked the Board of Supervisors to approve to have Sue Caldwell bonded for the EMS Billing Department to assist Mitzi Fuller. Bobby Storey said that Deanna Davis, who was assisting with the EMS billing, has requested to go back into communications. Supervisor John Caldwell made a motion and Supervisor Eugene Thach seconded the motion for approval of Sue Caldwell to be bonded for the EMS billing and to remove Deanna Davis from the bond. Further the bond shall be filed with the office of the Chancery Clerk. The motion passed by a unanimous vote.

#### **12. Approval of Contract to Integrated Communications and Sheriff Department**

County Administrator David Armstrong said that Captain Frank Herring with the DeSoto County Sheriff's Department had made a recommendation to change the service agreement for the radio equipment at the Sheriff's Department from Motorola to Integrated Communications Inc. effective March 1, 2001. David Armstrong said that according to Captain Herring, Motorola contracted out the equipment to Integrated Communications, and that a cost savings is why he made the recommendation. Supervisor John Caldwell made a motion and Supervisor Gerald Clifton seconded the motion to accept the recommendation of Captain Frank Herring for the radio equipment at the Sheriff's Department to enter into a monthly service agreement with Integrated Communications Inc. at \$625.50 per month. 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 D.12\*\***

#### **13. Chancery Clerk Allowances**

On this date, the County Administrator, David Armstrong presented on behalf of the Chancery Court Clerk, W. E. Davis, an order of Allowances to the Board of Supervisors for the February 2001 term in the amount of \$1,526.66. Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve these payments,

pursuant to Section 25-7-9 of the Mississippi Code of 1972, Annotated. The motion  
**ITEM D.13, CONTINUED,**

passed by a unanimous vote. **\*\*See Exhibit D.13\*\***

**14. Bid Opening SAP 17 (4) M (Resurfacing Holly Springs and Ingrams Mill Rd)**

Dan Tolar from State Aid and Daniel Murphy County Engineer appeared before the Board of Supervisors to open bid SAP 17 (4) M for the resurfacing of Holly Springs and Ingrams Mill Road. Daniel Murphy said that two bids were received, one from Lehman-Roberts Company for \$844,850.73 and one from Apac Tennessee for \$1,252,354.91. Daniel Murphy said that both bids supplied the necessary bond papers at 5% of the bid.

Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to take the two bids for SAP 17 (4) M for the resurfacing of Holly Springs and Ingrams Mill Road, to widen the lanes and bring up to 80,000 pound capacity, under advisement until the bids can be verified for accuracy. The motion passed by a unanimous vote.

Dan Tolar and Daniel Murphy came back to the Board of Supervisors to verify the accuracy of the two bids for SAP 17(4) M. Dan Tolar said that the Lehman-Roberts Company bid was accurate for \$844,850.73, but that the Apac Tennessee bid should read for \$1,252,363.41. Daniel Murphy said that their recommendation is to go with the low bidder Lehman-Roberts Company, which is 11% under what they had estimated for construction. Supervisor Jessie Medlin made a motion and Supervisor John Caldwell seconded the motion to accept the recommendation from Dan Tolar, State Aid, and Daniel Murphy County Engineer, to accept the low bid from Lehman-Roberts Company for the resurfacing of Holly Springs and Ingrams Mill Road and to widen the lanes and bring the roads up to 80,000 pounds capacity. The motion passed by a unanimous vote.

**15. Sheriff Department Approval to Contract with IKON for 4 Copiers**

County Administrator David Armstrong said that the Sheriff's Department asked for approval from the Board of Supervisors to contract with IKON for four copiers. David Armstrong said that Vanessa Lynchard recommended the contracts with IKON, since the County is converting contracts for copiers to IKON and that they have given the Sheriff's Department a good deal on these four copiers. Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion to approve contract with IKON for the four copiers for the Sheriff's Department. The motion passed by a unanimous vote.

**E. EXECUTIVE SESSION**

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

**F. OTHER ISSUES**

**1. Wiseman Property**

Supervisor Tommy Lewis said that he had received a letter from Mrs. Mary C. Wiseman, 1100 Getwell Rd., Hernando, MS concerning her driveway. Supervisor Lewis said the letter states that when Getwell Road was resurfaced and widened, the culverts to her driveway were changed from a double culvert to a single culvert driveway and that the blacktop on the driveway was broken up. Mrs. Wiseman said that when the right of ways were negotiated she was told that everything would be replaced accordingly or better than the existing driveway. The letter is requesting that the County extend the culvert in the driveway to make it back to the length it was and to replace the blacktop on the driveway. Supervisor John Caldwell made a motion and Supervisor Eugene Thach seconded the

motion to have the County Road Manager to return the driveway to the original condition  
**ITEM F.1, CONTINUED,**

by replacing the single culvert with a double culvert and repairing the asphalt accordingly for Mrs. Mary C. Wiseman at 1100 Getwell Road, Hernando, MS. The motion passed by a unanimous vote.

**2. Re: State Legislature Day – Radar & Warehouse Tax**

Supervisor Eugene Thach stated that the latest legislature news regarding the use of radar, was that more people seem to be receptive to the radar and also that the legislative vote on the warehouse tax was good. No motions were made on this item.

**3. Subdivision Nail Road and Horn Lake Road**

Supervisor John Caldwell asked Merritt Powell if the Planning Commission had made an inspection of the subdivision at Nail Road and Horn Lake Road regarding the culverts that were being put underground. Merritt Powell said that they have not been contacted by the developer for inspection on the culverts but that Robbie Jones and Gerald Davis are the engineers and he would check with them to see if they were ready for Jim Ivey to inspect this area. Supervisor John Caldwell said that if it has not been inspected by the County already that it is too late since the road has been paved. Merritt Powell said that the developer would be coming to the March 7, 2001 meeting and the Board could discuss the need for periodic inspections required by the County before the developer does the work.

Supervisor Tommy Lewis said that the Planning Commission should be contacted regarding ordinances, so that they can coordinate with the engineer to preview plans and arrange for the road manager or county engineer to do the inspection. No motions were made on this item.

**4. Old Goodman Road Ditches**

Supervisor Jessie Medlin said that during the recent week of rains, that he had received a call from a lady that lives on the old portion of Goodman Road in Olive Branch, regarding the runoff of water from the road. Supervisor Medlin said the drainage problem started after Goodman Road was improved. Supervisor Medlin said that she was requesting that the ditches be fixed to keep the water from running across her front yard and into her house. Supervisor John Caldwell said that a determination needs to be made if the road was there first or she was there first. Supervisor Jessie Medlin said that he has looked at situation and that it has the required thirty feet from the center of the road but he can't see anything that the County can do to change the flow of water. Supervisor Tommy Lewis asked that the County Administrator talk with the legislature to see where the issue stands to allow the County to fix drainage problems on private property such as this, that was caused by the road improvements. No motions were made at this time.

**5. Plaque Memorial Police Officers**

Supervisor Gerald Clifton said that he had received a request from the Southaven Police Department asking for permission from the Board of Supervisors to erect a marble memorial on an 8 X 8 foot section of the courthouse lawn for all fallen policemen killed in the line of duty. Supervisor Clifton said that he had a list of seven officers so far and that the memorial would be paid for by private funds at a cost of \$8,000 to \$10,000.

Supervisor John Caldwell said that the Board had been approached a couple of years ago asking for a veterans memorial to be erected on the courthouse lawn and this was turned down, mostly due to them wanting to construct a gazebo on the courthouse lawn, but the Board needs to be consistent on these issues. Supervisor Caldwell said that the veterans

finally put the memorial up at the VFW building.

**ITEM F.5, CONTINUED,**

Supervisor Gerald Clifton said that this memorial would be for any man in law enforcement, but if the County could help to finance this project, then maybe we can look at the firemen and the veterans to be included. Supervisor Tommy Lewis said that maybe the Historical Society Museum would be a good place to put all the memorials or to plan out space and extend the invitation to the veterans. Supervisor Jessie Medlin said that the Board needs to find out if the County could pay for the memorials. Supervisor John Caldwell said that the County could possibly match up to a certain amount. Supervisor Eugene Thach made a motion to form a committee consisting of Supervisor Tommy Lewis and Supervisor Gerald Clifton to look into the memorials and bring a report back to the Board of Supervisors. Supervisor John Caldwell seconded the motion. The motion passed by a unanimous vote.

**6. County Vehicle**

Supervisor Gerald Clifton made a motion to turn his County vehicle, which is a 2000 SUV Ford Explorer, over to the Planning Commission for use in that department and to authorize the County Administrator David Armstrong to get him a car using funds from the County general fund. David Armstrong said that the County should be able to get a Crown Victoria for Supervisor Gerald Clifton at about \$22,000.00. Supervisor Eugene Thach said that the County is in the middle of the Budget year and we should wait until the new budget. Supervisor Jessie Medlin said that the Board would just be prolonging the use of the money. Supervisor Gerald Clifton made the motion and Supervisor Tommy Lewis seconded the motion to authorize the County Administrator to purchase a Crown Victoria for use by the District 3 Supervisor and to approve a budget amendment as follows to pay for the vehicle from contingency:

Transfer into account #001-100-930 Vehicles	\$24,084
Transfer into account #001-100-584 Tags	\$ 12
Transfer out of account #001-901-999 General Acct.	\$24,096

The motion passed by a vote as follows:

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

**7. Church Road Improvement – Letter of Movement of Gas Lines**

County Engineer Daniel Murphy said that he had received a letter from Texas Gas / Williams Pipeline regarding the cost, \$661,750.00, to lay down four lines of thicker gage pipe under Church Road, which will give the County 105 feet of road including the right of way. Supervisor Tommy Lewis asked how many lanes of road can be put down on Church Road with the 105 feet. Daniel Murphy said that Church Road could be a multiple lane road. Supervisor John Caldwell asked if a bridge could be built. Daniel Murphy said that there are four lines of pipe in one location. Daniel Murphy said that he felt that whatever the cost would be for Texas Gas/Williams Pipeline, they would pass it on to the County. Daniel Murphy said that he felt that the cost of \$661,750.00 was on the high side and that the job would be done for less.

Daniel Murphy said that he had also talked with Entergy regarding the relocation of the power lines on Church Road. Daniel Murphy said that the cost would be around \$80,000.00 from Energy for the relocation of the power lines.

Supervisor Jessie Medlin asked if there would have to be a lot of cutting done to the road.  
**ITEM F.7, CONTINUED,**

Daniel Murphy said that a lot of dirt filling will have to be done to bring the road up and that the reason for four pipes was to keep the overburden on one pipe with the fill. Supervisor Jessie Medlin said the contract for Church Road was \$2.3 million. Daniel Murphy said that the way that Church Road was designed required additional pipeline under the road. Supervisor Eugene Thach said no negotiating could be done, since they would charge the County for whatever the project cost. Daniel Murphy said that the letter was only an estimated cost.

Board Attorney Bill Austin said that they have been working on this for several weeks. Supervisor John Caldwell asked if the County could require Tennessee Gas/Williams Pipeline to do competitive bids. Bill Austin said that it depends on the timetable for Church Road and the County has already let the bid for the road. Daniel Murphy advised the Board of Supervisors that basically Tennessee Gas/Williams Pipeline had advice and council for this quote.

Supervisor John Caldwell made a motion and Supervisor Eugene Thach seconded the motion to approve paying the estimate of Texas Gas/Williams Pipeline not to exceed \$661,675.00 to move pipes on Church Road to allow the County to work on a traveling surface of 106 feet plus right of way and to allow the capability for the County to expand the road up to five lanes in order to keep future tax payers from having to pay these fees again in the future. The motion passed by a unanimous vote.

#### **8. McInvale Road**

Count Road Manager Kenny Gunn said that all of the right of way for McInvale Road has been purchased, and asked how many lanes did the Board of Supervisors want the Road Department to build. Supervisor Tommy Lewis said that he felt like two lanes would be plenty, but asked how much the cost for the dirt and gravel would be. Kenny Gunn said that he felt like the engineers should design the road for five lanes then they can tell what the cost would be for dirt and gravel. Supervisor Eugene Thach said that the developer would have to do part of McInvale Road, so the County should stay with the two lanes.

Supervisor John Caldwell said that the traffic count on McInvale Road would require a turn lane. Supervisor Tommy Lewis said that the Road Department should cut the banks and fill with dirt while there. Supervisor Jessie Medlin asked if the west side of McInvale Road was developed already. Kenny Gunn said not yet. Supervisor Eugene Thach said that the County's goal was to tie McInvale Road on to the new Hwy 304. Tom Childress County Engineer said that the County should get to the point to get earth work done and to possibly build a turn lane at the approaches then other options could be discussed.

Supervisor John Caldwell asked why such interest in McInvale Road when Church and Stateline Roads did not receive this interest. Supervisor Tommy Lewis said that the Boards should be looking down the road and not make the mistakes that they have in the past. Kenny Gunn said that with the state road coming into play for the interchange, the increased traffic on McInvale Road and for the drainage purposes the road should be designed for five lanes. Supervisor Tommy Lewis made a motion and Supervisor John Caldwell seconded the motion for McInvale Road to be designed for five lanes and then brought back to the Boards of Supervisors to review the cost estimate with multiple lanes. The motion passed by a unanimous vote.

#### **9. Gwynn Road**

County Road Manager Kenny Gunn said that he had a request by the City of Hernando, to send a letter requesting that the County and City straighten out the curve on Gwynn Road. Kenny Gunn said that he advised them that before he could do any work to Gwynn Road

the Board of Supervisors had to authorize it. Kenny Gunn asked the Board of Supervisors  
**ITEM F, CONTINUED,**

to draft a letter to the City of Hernando requesting that the City do the engineering and acquire the right of way before the County would straighten out the road. Supervisor Eugene Thach made a motion and Supervisor John Caldwell seconded the motion to draft a letter to the City of Hernando asking the City to provide the engineering and to acquire the right of ways for Gwynn Road so that the County could straighten the road. The motion passed by a unanimous vote.

#### **10. Road Complaints**

County Road Manager Kenny Gunn said that his department has received several complaints from people who have school bus turnarounds on their property asking why the County has not provided repairs to the turnarounds as they have requested. Kenny Gunn stated that after checking out the request it was discovered that there was a delay at the Board of Education before the request were turned into the County and then having to wait on a Board Meeting for approval. No motions were made on this at this time.

County Road Manager Kenny Gunn said that during the week of continuous rain that water had gotten over several roads, and after checking out they found that some had culverts stopped up, but the road crew cleared this and found no damage to the roads. Kenny Gunn said that as of this date all roads were open to traffic.

Supervisor John Caldwell asked Kenny Gunn to contact the state department regarding Hwy 51 just north of Nesbit about the bad road condition and to see when they could repair the road. Supervisor Caldwell said that if the state doesn't repair it soon that the County needs to fix Hwy 51. No motions were made on this subject.

#### **11. Transfer Sheriff Vehicle to Village of Memphis**

Supervisor Gerald Clifton informed the Board of Supervisors that the Sheriff's Department has a vehicle they are replacing and he is requesting that the old vehicle be transferred to the Village of Memphis Police Department. At the recommendation of Supervisor Gerald Clifton and in accordance with Section 31-7-13 of the Mississippi Code, which states purchases, sales, transfers, or trades are made by a private treaty agreement or through means of negotiation, from any federal agency or authority, another governing authority or state agency of the State of Mississippi, or any state agency of another state; it is the intent of this section to allow governmental entities to dispose of and/or purchase commodities from other governmental entities at a price that is agreed to by both parties, and this shall allow for purchases and/or sales at prices which may be determined to be below market value is in the best interest of the taxpayers of the State, and after determining that such a transfer is in the best interest of the residents of DeSoto County. Supervisor Gerald Clifton made a motion and Supervisor Jessie Medlin seconded the motion to transfer one 1998 Ford Crown Victoria, VIN# 2FAFP71W6WX122136, Property # 19077, from the Sheriff's Department to the Village of Memphis Police Department at no charge based on the Board Attorney's approval. The motion passed by a vote as follows:

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

#### **12. Appreciation to County Employees for Chancery Court Move**

Chancery Clerk W. E. Davis said that he would like to let the Board of Supervisors know

his appreciation for all the support that he received from the ladies in his office, for Jim Bearden Director of Operations and Maintenance, and to the Sheriff's Department for all  
**ITEM F, CONTINUED,**

the trustee's that helped with the move. Chancery Clerk Davis said that they closed Chancery Court on Friday in the old location and were able to open Chancery Court on Monday in the new location. Everything went well and he really appreciated everyone's hard work.

### **13. Fire Rapid Intervention Team**

Director of Fire and EMS Bobby Storey asked that the Board of Supervisors consider having a Fire Rapid Intervention Team established for the purpose of fighting fires during the weekdays when many volunteer firemen are on their main jobs. Bobby Storey said that there are times when only two people are fighting fires in some districts of the County and this is not enough personnel. Supervisor Gerald Clifton asked how many people it would take. Bobby Storey said that there would be two ways to go with the program. The County could establish a five man team at a central location in the County, or establish two three men teams with one team located on the east side of County and one team located on the west side of the County. County Administrator David Armstrong asked if the County should do it now or should this be included in next year's budget. Supervisor Tommy Lewis asked Bobby Storey where the County should put the staff. Bobby Storey said that if the County used the one five man team that it probably should be located in Nesbit, but if the County used the two three men teams they should locate one at Lewisburg and the other team at either Eudora or Walls.

Supervisor John Caldwell said there is a concern about liability and that Board Attorney Bill Austin should look at this. Supervisor Caldwell asked what would be the OSHA standards, equipment certifications, and other multiple apparatus that would be required. Bobby Storey said that there would be a need for specific apparatus to be assigned.

Supervisor Eugene Thach asked if this had been discussed to see whose budget would cover this program. Supervisor Gerald Clifton asked if there were any state guidelines that would have to be followed. Board Attorney Bill Austin said that the alternative for what has been outlined, is if the teams are located in a Fire Protection District, the County could enter into a contractual relationship with the Fire Protection District and the Fire Protection Districts have taxing authority. Supervisor John Caldwell said that this will eliminate any payroll issues.

Bobby Storey said that the County is well covered at nighttime and weekends but during the daytime there is not good coverage for fires. Supervisor Jessie Medlin asked if any other counties have this type of program and suggested the County should look at different locations. Supervisor Tommy Lewis asked that the County look at the legal aspects and for Bobby Storey to consider locations to give a report for recommendation. Bobby Storey said that if this program is established that it will not change the insurance ratings for any one.

Supervisor Gerald Clifton made a motion and Supervisor Eugene Thach seconded the motion to take the recommendation for a Fire Rapid Intervention Program under advisement and for recommendations to be brought to the March 5, 2001 Board Meeting. The motion passed by a unanimous vote.

**CONTINUED,**

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to adjourn until Monday, March 5, 2001 at 9:00 a.m. The motion passed by a unanimous vote.

THIS the 20<sup>TH</sup>. day of February, 2001, these minutes have been read and approved by the DeSoto County Board of Supervisors.

---

Tommy Lewis, President  
DeSoto County Board of Supervisors