

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

**TOMMY LEWIS, PRESIDENT 2001, PRESIDING**

**May 21, 2001**

**A. CALL TO ORDER**

The May 21, 2001, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Tommy Lewis, Board President.

Chief Deputy Charlie Brown of the DeSoto County Sheriff's 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
- James Albert Riley-----Sheriff
- David Armstrong-----County Administrator
- William H. Austin, Jr.-----Board Attorney

**B. INVOCATION**

Supervisor Eugene Thach presented the invocation.

**C. OLD BUSINESS**

**1. Equestrian Arena – Johnson, Bailey, Henderson & McNeel**

County Administrator David Armstrong said Ms. Loraine Cady, Equestrian Committee member and Doug Thornton, of Johnson Bailey Henderson McNeel Architects, were present to seek the direction from the Board of Supervisors regarding the Equestrian Arena. David Armstrong said the contract from Johnson Bailey Henderson McNeel Architects had been looked over by the Board Attorney Bill Austin. David Armstrong said the contract was a standard 6% AAI contract and included the design of a Master Plan for the Equestrian Arena. David Armstrong said he is recommending the Board President to sign the contract.

Supervisor Tommy Lewis asked if the Equestrian Committee had given any directions as to the goals the arena should meet. Mr. Thornton said he would be meeting with the Equestrian committee on Friday, May 25, 2001. Supervisor John Caldwell said the price of one million dollars was the all-inclusive amount, which the Board of Supervisors had talked about. Supervisor Caldwell said the Board was looking for a total package with estimated costs.

Mr. Thornton said their firm had done an equestrian arena in Yalobusha County for \$670,000, but the County did all the dirt work for the arena.

## **ITEM C.1, CONTINUED,**

Supervisor Gerald Clifton said the bridge on Starlanding Road and the right of way needs to be looked at. Supervisor John Caldwell said this matter was already being addressed. MDOT is also looking at a red light at Hwy 51 and Starlanding intersection. Supervisor Jessie Medlin said the County could build the road into the equestrian center site.

Mr. Thornton said he will be attending the meeting on Friday, May 25, 2001 at 6:00 P.M. and that he appreciated this information for the beginning discussions. Supervisor John Caldwell said if the Cities want to expand the facility they can participate with the funding.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to grant authorization for the Board President to sign the Architect contract with Johnson Bailey Henderson & McNeel, P.A., for the Equestrian Arena. The motion passed by a unanimous vote.

### **2. Approval to Contract with Unifirst for Uniforms in Central Maintenance**

Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to authorize approval for the Board President to sign the contract with Unifirst for uniforms in Central Maintenance. The motion passed by a unanimous vote. **\*\*See Exhibit C.2\*\***

### **3. Board of Education – Committee to Meet Board of Education Representatives**

County Administrator David Armstrong asked to carry this item over until he could talk with the Board of Education to arrange a meeting with the committee. Supervisor Jessie Medlin said he would like for the County Road Manager Kenny Gunn to be present at the meeting. No motions were made on this item.

## **D. NEW BUSINESS**

### **1. John McCormack – Church Road Right of Way**

County Administrator David Armstrong said Mr. John McCormack had asked to speak to the Board of Supervisors about the right of way for his property. Mr. McCormack said the stakes that were put down by the contractor left off the deviation around his gated driveway. Mr. McCormack said when he asked the contractor about this deviation, he was told that the plans did not show the deviation around the gated driveway. Mr. McCormack said he had spoken with the County Engineer Tom Childress and was told that he needed to talk with Daniel Murphy, the County Consulting Engineer, who was in charge of this project. Mr. McCormack said he had tried several times to contact Daniel Murphy at his office, but he was never able to reach him and that Mr. Murphy did not return his calls. Mr. McCormack said he wanted the Board of Supervisors to issue a change order to notify the contractor of the correct right of way description or give him something in writing to show the contractor before the work started and could not be undone.

Supervisor John Caldwell asked the Board Attorney Bill Austin if the County could do this. Bill Austin said to ask Daniel Murphy what right of way has been acquired by the County. Bill Austin said he does not recommend doing anything until we see what the County has committed to do. The entire right of way has been paid for but the entire road has not been staked for construction. Supervisor Eugene Thach said if the right of way has been purchased and paid for then it is a finished deal for the County.

Mr. McCormack said the plans that are done are not correct and if they clear the land according to this plan it would be in violation of his right of way agreement. Tom Childress said what he has seen of the plans that Mr. McCormack has does not show the proper right of way that was purchased, but Daniel Murphy had assured him this would be handled and

corrected on the plans. David Armstrong said he has had two phone conversations with Daniel

**ITEM D.1, CONTINUED,**

Murphy and he said he would take care of this error on the plans for the right of way for Mr. McCormack.

Mr. McCormack said he just wants the contractor notified of change in plans before it is too late to make change to the plans. He wants the Board minutes to reflect the error in the plans on the construction.

Supervisor John Caldwell said the Board of Supervisors has to authorize the plans and any changes that need to be made before Daniel Murphy can do anything. If the construction plans don't show the offset, then the right of way description will be checked. Supervisor Tommy Lewis asked Vanessa Lynchard to contact Daniel Murphy to see if he was available to come to the Board Meeting.

Daniel Murphy said the staking for the right of way has not been completed for the Church Road West construction. Daniel Murphy said he was aware of the preliminary in the plans, but the plans were drawn before the County acquired the right of way. Since the right of way has been purchased, he will now make the changes required in the plans all along the project.

Mr. McCormack said the clearance stakes are down. Daniel Murphy said he has pulled the stake crew off the job and they have not completed setting the clearance stakes. Daniel Murphy said the construction crew would not start clearing property until he advises them to do so. Mr. McCormack asked when the construction stakes would be put out on his property. Daniel Murphy said the construction stakes are being put out now but he could not give a date now when they would reach his property. Mr. McCormack asked to be advised when this would take place.

The Board assured Mr. McCormack that Daniel Murphy would correct the plans according to the right of way purchased. No motions were made on this item.

**2. Extension of Interstate Blvd. (Land swap for ROW) – Billy Campbell-Holcomb Dunbar**

Attorney Billy Campbell, of Holcomb Dunbar, appeared before the Board of Supervisors representing the City of Horn Lake with a request for an agreement with DeSoto County for the acquirement of 0.12 acres of right of way and a 0.35 construction easement to the City of Horn Lake. In exchange, the property owner west of the Space Center agrees to convey 1.60 acres to DeSoto County. The City of Horn Lake agrees to construct a stub out off the extension of Interstate Boulevard to provide another point of access to the Space Center tract. The adjacent property owner agrees to construct the roadbed from the stub out to the current loop road on the Space Center property.

Board Attorney Bill Austin said he had walked the property with the developer and everything in the agreement is ok. Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion, based on the Board Attorney's approval and recommendation to the agreement, to approve the agreement with the City of Horn Lake for the acquirement of 0.12 acres of right of way and a 0.35 construction easement from DeSoto County and, in exchange, the property owner west of the Space Center agrees to convey 1.60 acres to DeSoto County. The motion passed by a unanimous vote. **\*\*See Exhibit D.2\*\***

**3. Joyce Riales - Comptroller**

**a. Supplemental Claims Docket**

Comptroller Joyce Riales presented the supplementary claims docket showing claims of \$517,355.65 that need to be paid for various departments as of May 21, 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 Jessie Medlin seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the  
**ITEM D.3.a, CONTINUED,**

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

Supervisor Tommy Lewis asked the County Administrator David Armstrong to have the Circuit Clerk prepare the election report, on the Flag Election, to have ready to submit to the State for reimbursement since the County was notified of the reimbursement opportunity by the State.

**b. Approval of Late Bill – Civil Defense Training**

County Administrator David Armstrong said the Sheriff’s Department had requested the County to pay a late bill in the amount of \$210.00 for Tom Ferguson for the SAR 2001 Conference in Colorado Springs. Supervisor Tommy Lewis made a motion and Supervisor John Caldwell seconded the motion to authorize the clerk to write the check in the amount of \$210.00 for registration fee for Tom Ferguson to the SAR 2001 Conference and to cause same to be paid from account 001-225-587. The motion passed by a unanimous vote. **\*\*See Exhibit D.3.b\*\***

**c. 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 Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve the investment of surplus funds to Peoples Bank & Trust, which was the high bidder that placed their bid on time for funds as follows:

<u>Date of Investment</u>	<u>Bank</u>	<u>Amount</u>	<u>Maturity Date</u>	<u># of Days</u>	<u>Interest Rate</u>	<u>CD#</u>
5/11/01	People Bank	\$10,000,000	7/17/01	67	4.126%	92582560

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

**4. Assistant Inventory Clerk – Bonnie Gatlin**

County Administrator David Armstrong said assistance was needed in the area of inventory control clerks. David Armstrong said he wanted to recommend that Brigitte Herring be appointed as an assistant inventory control clerk to help Bonnie Gatlin during periods of vacation and other necessary time away from office. David Armstrong said Brigitte Herring would have to be taken off the County Receiving Clerk list.

In accordance with Mississippi Code 31-7-107, the inventory control clerk shall be responsible for the maintenance of such system and such other personnel as may be required for the efficient operation of the inventory control system and shall not be a member of the Board of Supervisors. Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion, since the Board has determined that assistance was needed in the area of inventory control to appoint Brigitte Herring as assistant inventory control clerk and to remove her from the receiving clerk list. The motion passed by a unanimous vote.

**5. Use of Courthouse Main Courtroom May 27, 2001 – Marine Corp League**

Supervisor John Caldwell said he would like to have the Marine Corp League meeting in the

main Courtroom on May 27, 2001, to do the Charter for the League. Supervisor John  
**ITEM D.5, CONTINUED,**

Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the meeting of the Marine Corp League in the Courthouse main courtroom on May 27, 2001. The motion passed by a unanimous vote.

**6. Board of Education Request – Drainage Olive Branch Elementary School**

County Administrator David Armstrong presented the request from the DeSoto County School Board for assistance from the Board of Supervisors with drainage and erosion control at the Olive Branch Elementary School Playground. The school requests dirt and rock to be supplied by the County School and for the County to assist with the spreading of dirt and rock on the playground at Olive Branch Elementary School to improve the drainage. Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion for the County to assist with the playground at the Olive Branch Elementary School, provided the school supply dirt and rock necessary for proper drainage and preventive erosion. The motion passed by a vote as follows:

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

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

**7. Courthouse Renovation**

**a. Electronic Filing System – Approval to order on State Contract**

County Administrator David Armstrong said the County has received two quotes for the Electronic Filing System for the Circuit Clerk section in the Courthouse. The Associated Office Systems quote was for \$18,445.81 and the second quote from a different manufacturer was for \$22,630.00. The quotes were from the State Contract price, which has a 30% discount. David Armstrong said the recommendation to the Board was to accept the bid from Associated Office Systems for \$18,445.81. Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to approve the recommendation for the bid from The Associated Office Systems in the amount of \$18,445.81 for the Electronic Filing System in the Circuit Clerk section of the Courthouse. The motion passed by a unanimous vote. **\*\*See Exhibit D.7.a\*\***

**b. Authorization to Open Bids for Roller Shelving on June 7, 2001**

That on this date, the County Administrator, David Armstrong requested authorization to open bids on June 7, 2001 for the Roller Shelving for the DeSoto County Courthouse Renovation. Supervisor Tommy Lewis made a motion and Supervisor John Caldwell seconded the motion to authorize the County Administrator or his designee to open the bids on June 7, 2001 for the Roller Shelving for the DeSoto County Courthouse Renovation. The motion passed by a unanimous vote. **\*\*See Exhibit D.7.b\*\***

**c. Approval of Change Orders 6 & 7 – Courthouse Renovation**

County Administrator David Armstrong said a change order was necessary for additional conduits and outlets to be installed in the Courthouse Renovation Project to allow for the installation of additional electronic equipment at a later date and the cost for this change order was \$1,379.00. Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the change order #6 to the Courthouse Renovation

Project to allow for the installation of additional conduits and outlets to be installed at a cost  
**ITEM D.7.c, CONTINUED,**

of \$1,379.00. The motion passed by a unanimous vote.

County Administrator David Armstrong said Judge George Ready and Judge Mills Barbee have requested a change order to the plan for the Courthouse Renovation Project. The request that the main courtroom be upgraded to include the capability for an optical display system for evidentiary presentations. The change order will provide power, conduit, and outlets for communications to the future projection system in Courtroom 206 at a cost of \$1,834.50. Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the change order #7 to the Courthouse Renovation Project for the purpose of installing power, conduit, and outlets for communications to the future projection system in the Courtroom 206 at a cost of \$1,834.50. The motion passed by a unanimous vote.

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

**d. Approval for Change Order to Add Light in Circuit Clerks Filing Area**

County Administrator David Armstrong said he had received a request from Dale Thompson for a light to be added in the file room 266 in the Courthouse. The cost of the light would be \$150.00. Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to approve the request from Dale Thompson for a light to be added to the file room 266 in the Courthouse, at a cost of \$150.00. The motion passed by a unanimous vote.

**8. Making the Attorney General Approval of the Inter-Local Agreement for the Comprehensive Plan Part of the Minutes**

County Administrator David Armstrong said the Attorney General's office has approved the Interlocal Agreement between the Cities of Hernando and Olive Branch, the Village of Memphis and DeSoto County, Mississippi for Preparation of Comprehensive Plan and Zoning Ordinances. This approval needs to be made a part of the Board Minutes. Supervisor Gerald Clifton made the motion and Supervisor Eugene Thach seconded the motion to make the Attorney General's approval of the Interlocal Agreement for the Comprehensive Plan a part of the Board Minutes. The motion passed by a unanimous vote.

**\*\*See Exhibit D.8\*\***

**9. Acceptance of Bulletproof Vest Partnership Grant for Sheriff's Dept.**

County Administrator David Armstrong said the County has received notice of approval for the application for the 2001 Bulletproof Vest Partnership Grant Program. The amount of \$9,700.96 Federal funds are available to the County to be used to pay 50% of the cost of approved vest purchases. David Armstrong said he had spoken with Captain Frank Herring of the Sheriff's Department regarding the number of bulletproof vests required. The request was for fifty-four vests, which run about \$360.00 each, would cost the County \$19,440.00. After the grant funds were applied, the County would have to authorize a budget amendment for \$9,740.00 to the Sheriff's Department to handle this balance, since the funds are not in the budget.

Supervisor John Caldwell made a motion and Supervisor Gerald Clifton seconded the motion to accept the grant for the bulletproof vests provided the Sheriff's Department can find the match from within their current budget without an amendment. The motion passed by a unanimous vote. **\*\*See Exhibit D.9\*\***

**10. Approval to Appoint Receiving Clerk for Sheriff's Dept.**

County Administrator David Armstrong said he has received a request from the Sheriff's Department asking the Board of Supervisors approval of Tallulah Redding to the position of Receiving Clerk for the DeSoto County Sheriff's Department and to request deletion of

**ITEM D.10, CONTINUED,**

Belinda Dean from the position of Receiving Clerk in the Sheriff's Department. Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to approve the request from the Sheriff's Department for Tallulah Redding, to the position of Receiving Clerk and to delete Belinda Dean from the position of Receiving Clerk and to remove Tallulah Redding from signing purchase requisitions in the Sheriff's Department. The motion passed by a unanimous vote. **\*\*See Exhibit D.10\*\***

**11. Improvements to Parking Lot – National Guard Armory**

Supervisor Tommy Lewis said the County owns the building at the National Guard Armory and the parking lot is in need of repair. Supervisor Lewis said he had asked Kenny Gunn, County Road Manager, to look at the facility to see what the County needed to do. Kenny Gunn said he had looked at the National Guard Armory parking lot and that the County should put down 400 to 600 yards of material gravel and road gravel, which would cost the County \$1,300.00, and that it would take a full day of County labor to spread the gravel. The cost to haul the gravel would also be an expense. Supervisor Tommy Lewis made the motion and Supervisor Gerald Clifton seconded the motion for the County Road Manager Kenny Gunn to repair the National Guard Armory parking lot at the County's expense since this is a County facility. The motion passed by a vote as follows:

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

**12. Authorizing Michael Garriga to Represent the Board of Supervisors in Merritt's or Tommy's absence at MPO and Other Organizational Meetings**

County Administrator David Armstrong said he and Merritt Powell wanted to recommend that Michael Garriga, DeSoto County Deputy Planning Director, be authorized to represent DeSoto County at meetings of the Memphis Metropolitan Planning Organization in the absence of the President of the Board of Supervisors, or the Director of the Planning Commission. Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to approve the recommendation that Michael Garriga, DeSoto County Deputy Planning Director, be authorized to represent DeSoto County at meetings of the Memphis Metropolitan Planning Organization in the absence of the President of the Board of Supervisors, or the Director of the Planning Commission. The motion passed by a vote as follows:

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

**\*\*See Exhibit D.12\*\***

**13. Redistricting Resolution**

County Administrator David Armstrong said he has asked Bobby Chamberlain to draft a Resolution regarding DeSoto County's desire to remain in the District 1 Congressional District. Supervisor Eugene Thach made the motion and Supervisor Gerald Clifton seconded

the motion to draw up a Resolution stating DeSoto County's desire to remain in the District 1 Congressional District when the State does Redistricting. The motion passed by a unanimous vote.

**ITEM D, CONTINUED,**

**14. Approval of Pryor & Frazier Construction for Jail Addition**

County Administrator David Armstrong said the contract agreement with Pryor & Frazier Construction for the Jail Addition needs approval by the Board of Supervisors. Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the Board President to sign the contract with Pryor & Frazier Construction for the Jail Addition in DeSoto County. The motion passed by a vote as follows:

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

**\*\*See Exhibit D.14\*\***

**15. Approval to Accept Donation of Trailer to the Sheriff's Dept. from Crimestoppers**

Vanessa Lynchard, Director of Administrative Services, said the DeSoto County Crimestoppers, Inc purchased a trailer, VIN #46CFB1622YM000956, and wanted to donate it to the DeSoto County Sheriff's Department. Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to approve the donation of the trailer, VIN #46CFB1622YM000956, from the DeSoto County Crimestoppers, Inc. for the DeSoto County Sheriff's Department and add it to inventory and insurance. The motion passed by a unanimous vote. **\*\*See Exhibit D.15\*\***

**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. Approval of Resolution I-69**

Supervisor Eugene Thach said he attended the public hearing on the proposed I-69 routes through DeSoto County. Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion for DeSoto County Board of Supervisors to send a Resolution endorsing I-69 through DeSoto County and using the proposed eastern route through the County. The motion passed by a unanimous vote.

**2. Petition to Adjust - Approval of Homestead Exemptions**

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to approve the petition to adjust the homestead exemption supplemental roll as presented by the Chancery Clerk on the following:

<b>PARCEL NUMBER</b>	<b>LOCATION</b>
1069 3000.0 00022.00	Olive Branch

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

### 3. Approval to Declare County State of Emergency

In accordance with Section 33-15-17 Mississippi Code, each County shall have the power and

#### ITEM F.3, CONTINUED,

authority to appropriate and expend funds, make contracts, obtain and distribute equipment, materials, and supplies for emergency management purposes; provide for the health and safety of persons and property, including emergency assistance to the victims of any man-made, technological or natural disasters; and to direct and coordinate the development of emergency management plans and programs in accordance with the policies and plans set by the Federal and State emergency management agencies; to appoint, employ, remove, or provide, with or without compensation, rescue teams, auxiliary fire and police personnel, and other emergency management workers; to establish, as necessary, a primary and one or more secondary emergency operating centers to provide continuity of government, and direction and control of emergency operation during an emergency; subject to the order of the Governor, or the chief executive of the political subdivision, to assign and make available for duty, the employees, property or equipment of the subdivision relating to fire fighting, engineering, rescue, health, medical and related services, police, transportation, construction, and similar items or services for emergency management purposes either with or outside of the limits of the subdivision; subject to the order of the chief executive of the County or municipality or the Governor to order the evacuation of any area subject to an impending or existing man-made, technological or natural disaster; subject to the order of the chief executive of the County or municipality or the Governor, to control or restrict egress, ingress and movement within the disaster area to the degree necessary to facilitate the protection of life and property.

A local emergency, as defined in Section 33-15-5 Mississippi Code, may be proclaimed by the governing body of a municipality or County. The governing body shall review the need for continuing the local emergency at least every seven days until such local emergency is terminated, and shall proclaim the termination of such local emergency at the earliest possible date that conditions warrant. During a local emergency, the governing body of a political subdivision may promulgate orders and regulations necessary to provide for the protection of life and property, including orders or regulations imposing a curfew within designated boundaries where necessary to preserve the public order and safety. Such orders, regulations, amendments, and rescissions thereof shall be in writing and shall be given widespread notice and publicity.

T. H. Walker, Director of DeSoto County Civil Defense, appeared before the Board of Supervisors asking for the Board to declare a Proclamation of a Local Emergency for DeSoto County due to a storm that hit the County Sunday and Monday, May 20 and 21, 2001. T. H. Walker said the private property owners had sustained considerable damage to their homes. The assistance for County personnel to help with the cleanup and go onto private property was necessary. Supervisor Jessie Medlin said houses in the eastern part of the County had severe roof damage to homes.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion for the Board of Supervisors to declare a Proclamation of a Local Emergency for DeSoto County beginning at 9:30 A.M. on May 21, 2001. The motion passed by a unanimous vote. **\*\*See Exhibit F.3\*\***

Later it was discovered that substantial damage occurred on the West Side of the County from the storms on May 20, 2001. The Board of Supervisors agreed by telephone poll to make the emergency proclamation effective at 3:00 P.M. on May 20, 2001. The Board of Supervisors will ratify their individual approval at the Board of Supervisors meeting on June 4, 2001.

### 4. Shadow Oaks "C" Subdivision

County Road Manager Kenny Gunn said he had received a request from the developer of Shadow Oaks "C" Subdivision to have the Initial Construction Bond reduced from \$62,000.00 to a Final Construction Bond of \$29,000.00. Kenny Gunn said that Mr. Ivy has approved the reduction in bond after his visit to the subdivision. Supervisor John Caldwell

**ITEM F.4, CONTINUED,**

made the motion and Supervisor Jessie Medlin seconded the motion to approve the reduction of the Initial Construction Bond, in the amount of \$62,000.00, for Shadow Oaks "C" Subdivision, to a Final Construction Bond in the amount of \$29,000.00. The motion passed by a unanimous vote.

**5. Surplus Items at Central Maintenance – Auction June 9, 2001**

County Road Manager Kenny Gunn said he has phased out the low band radio systems that were in the County vehicles. The radios could not be used to talk across the County and he wanted approval from the Board of Supervisors to declare the radios as surplus inventory so they can be put in the Auction on June 9, 2001. Supervisor John Caldwell said the Board would need a serialized listing of the radios. Kenny Gunn said all the radios are on inventory now. Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to declare the radios as surplus inventory and approval for them to be auctioned on June 9, 2001.

**6. Compressors – Central Maintenance**

Supervisor Gerald Clifton said he had noticed on the road foremen's trucks that they all had new compressors on the trucks and asked Kenny Gunn if he had purchased the compressors for the trucks. Kenny Gunn said yes, that as tires were going flat on equipment when they are out in the County working, it saves time for the foreman to have the compressor on their trucks. Kenny Gunn said they also use the compressors to put bands on pipes with an air impact wrench. Kenny Gunn said he bought five compressors at a cost of \$1,500.00 per unit. Supervisor John Caldwell asked if the money was in his budget. Supervisor Gerald Clifton said the compressors were put on the foreman trucks and suggested he consider putting one on a service truck. Kenny Gunn said the foreman has to maintain the area of his two crews and has to be in the area and that is why he put the compressors on their trucks. Supervisor Jessie Medlin said they should not have to wait for a tire man and that should save down time, but to make sure the compressors are used for the County jobs. Supervisor Eugene Thach said if this was a judgement call, then the Board of Supervisors should have been consulted about the purchase. Supervisor John Caldwell said the purchase must go through the County purchasing procedure and he thought it was a good judgement. Kenny Gunn said he tried to operate as per the Board of Supervisors wishes. No motions were made on this item.

**7. BFI – Storm Damage**

Supervisor Jessie Medlin said the County should have BFI to set up dumpsters in the areas hit by the storm so the people could clean up their property, since most of it would go to the rubbish pit. Supervisor Medlin said most of the rubbish would be roofing, window screens, and fencing from the homes. Supervisor Tommy Lewis said the insurance companies would pay for this damage. Supervisor Medlin said the homeowner would put the rubbish on the streets and this would have to be picked up by the County's limb trucks or dump trucks, but if the dumpsters were in the area they could put the rubbish directly there.

Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion for the County Operations Manager to arrange with BFI to have several dumpsters placed in the recent storm areas to help the homeowners clean up their property. The motion passed by a unanimous vote.

**8. Starlanding Road**

Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion to authorize the County Engineer, Tom Childress, to begin engineering on the route of Starlanding Road from Hwy 51 westward to the railroad tracks. The motion passed by a unanimous vote.

**ITEM F.8, CONTINUED,**

Supervisor John Caldwell said the Board should have Daniel Murphy, Consulting County Engineer, to start acquiring the right of way on Starlanding Road East to Getwell Road. No motions were made on this.

**9. Southaven Power Station – Cogentrix**

At the recommendation of the Board Attorney, Bill Austin, Supervisor Tommy Lewis made the motion and Supervisor Gerald Clifton seconded the motion to authorize the Board Attorney to make the necessary changes to the Memorandum of Understanding Agreement with Southaven Power (Cogentrix) to allow an assignment to the lending institution. The motion passed by a unanimous vote.

**10. Risk Management Applicants**

County Administrator David Armstrong said he has received ten applications for the County's posted position of Risk Manager. David Armstrong said he would schedule interviews with these applicants to select the ones to present to the Board. No motions were made on this item.

**11. Billboards**

Michael Garriga appeared before the Board regarding the Flower's Billboard permits. Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to carry this item over until the Board meeting on June 13, 2001. The motion passed by a unanimous vote.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to adjourn until Monday June 4, 2001 at 9:00 a.m. The motion passed by a unanimous vote.

THIS the 21<sup>ST</sup>. Day of May 2001, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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Tommy Lewis, President  
DeSoto County Board of Supervisors