

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

**JESSIE MEDLIN, VICE PRESIDENT 2001, PRESIDING**

**July 11, 2001**

**A. CALL TO ORDER**

The July 11, 2001, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie Medlin, Board Vice President 2001.

Deputy Johnny Combes 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-----Absent  
Supervisor John Caldwell-----District 4  
Supervisor Tommy Lewis----District 5-----Absent  
W. E. ASluggo@ Davis-----Chancery Clerk  
Sheriff James Albert Riley-----Sheriff  
David Armstrong-----County Administrator  
William H. Austin, Jr.-----Board Attorney

**B. INVOCATION**

Supervisor John Caldwell presented the invocation.

**C. PLANNING COMMISSION**

The Planning Commission brought several items before the Board of Supervisors as evidenced by the portion of the minutes submitted by the Planning Commission. **\*\*See Exhibit C\*\***

**D. OLD BUSINESS**

**1. Economic Development**

County Administrator David Armstrong said he had received a call from Chris Gouras to inform the Board of Supervisors that a Resolution from the Board was required to accompany the application for the \$150,000 MDA grant, for the purpose of completing infrastructure related to water improvements to serve Brentwood Originals and thus creating economic development through the retention of jobs.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to authorize and approve a resolution for a grant on behalf of the County from the

**ITEM D.1, CONTINUED,**

Mississippi Development Authority (MDA) for the for the purpose of completing infrastructure related to water improvements to serve Brentwood Originals, and thus creating economic development through the retention of jobs. 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.1\*\***

**E. NEW BUSINESS**

**1. Approval to Appoint Teresa Johnson in Accounting as Assistant Receiving Clerk**

County Administrator David Armstrong said the Accounting Department was asking the Board of Supervisors for approval to make Teresa Johnson an assistant receiving clerk for the Accounting Department. Supervisor Eugene Thach made a motion and Supervisor John Caldwell seconded the motion to approve Teresa Johnson as an assistant receiving clerk for the Accounting Department, 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 his 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 vote as follows:

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

**2. Making the Secretary of State's Approval of the Inter-Local Agreement with the Village of Memphis Part of the Minutes**

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve making the Secretary of State's Approval of the Inter-Local Agreement between the Village of Memphis and DeSoto County, Mississippi for park and recreational facility improvements, a part of the Board minutes. 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 E.2\*\***

**3. Tax Exemption – Excel- Mark Aquadro**

Mark Aquadro of Watkins Ludlam Winter & Stennis, P.A., appeared before the Board of Supervisors to represent Exel, Inc., requesting approval of a resolution by the Board of

**ITEM E.3, CONTINUED,**

Supervisors of DeSoto County, Mississippi, in the matter of approving certain tax exemptions applicable to the construction of a warehouse and distribution center. Mr. Aquadro stated Exel, Inc. has applied for Mississippi Business Finance Corporation Industrial Development Revenue Bonds in the maximum aggregate principal amount of \$36,000,000. Mr. Aquadro said the MBFC requires a Resolution from the Board of Supervisors before they will approve the bond money.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve a Resolution of the Board of Supervisors of DeSoto County, Mississippi pertaining to tax exemptions, under Mississippi Code Section 57-10-255 including but not limited to sales and use taxes on all purchases required to construct a warehouse and distribution center by Exel, Inc., and related matters. 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 E.3\*\***

**4. Internet Usage Policy**

County Administrator David Armstrong presented a draft of an Internet Usage Policy, which was designed by Larry Wood, Director of Data Processing. David Armstrong said he had asked Larry Wood to draw up the guidelines necessary for County employee Internet Usage Policy. David Armstrong said the personnel policy manual has no policy for Internet Usage and he recommends the approval by the Board of Supervisors. David Armstrong said the Internet Usage Policy would be assigned to Section 24.14 of the County Personnel Policy Manual.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion at the recommendation of the County Administrator to approve the addition of Section 24.14 to the County Personnel Policy Manual regarding policy for Internet Usage by County employees. 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

Supervisor John Caldwell asked if there was a similar policy for software programs being used by County employees. Board Attorney Bill Austin said the Board could amend the regulation on Internet Usage to cover the software programs.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to amend the Internet Usage Policy to also cover guidelines regarding usage of software computer programs in the County Personnel Policy Manual. The motion passed by a vote as follows:

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

**ITEM E.4, CONTINUED,**

Supervisor Tommy Lewis     ABSENT

**\*\*See Exhibit E.4\*\***

**5. Approval of Contract with Carter Goble Associates for Jail**

County Administrator David Armstrong said the Board of Supervisors had approved the contract with Carter Goble Associates, Inc. for the assessment of the Juvenile Detention requirements, in the amount of \$7,650. David Armstrong said Mr. Bob Green from Carter Goble Associates, Inc. has been assigned as their project manager for the County. David Armstrong said Mr. Green was present and asked him to come forward and speak to the Board.

Supervisor John Caldwell asked Mr. Green if the \$7,650 fee included all expenses. Mr. Green said the fixed fee is all-inclusive. David Armstrong asked how long it would be before the County would get a report of the requirements for the juveniles. Mr. Green said he would spend today in DeSoto County to tour the jail facility to make inspections necessary and talk with personnel staff responsible for the juveniles. Mr. Green said a draft report could be made within eight to ten days. Supervisor Caldwell asked whose standards will the report be based on for the County to meet. Mr. Green said the American Correction Association standards and the Office of Juvenile Justice and Delinquency Prevention standards, and any standards necessary to meet national and federal requirements for funds would be used in the recommendations for the juvenile facility. Mr. Green said the national standards are advisory standards and the State of Mississippi does not have any standards on file. Supervisor Eugene Thach said if the County used the ACA standards, there should not be any problems with the State. Mr. Green stated the juvenile facility must meet space and operational guidelines required for operation.

Supervisor John Caldwell said Mr. Green would be working for the County and if his opinion is put in writing and in the Board minutes, there would be no written requirement. Mr. Green said he has been a consultant for 25 years with different Counties and he prepares a draft proposal for a work paper to get feedback from the Supervisors and the juvenile officers and others who deal with juveniles.

Supervisor Eugene Thach said the County cannot fund a separate building for juveniles. Mr. Green stated the facility needs to be separate and distinct, but can use the same staff resources and connected facility. The same officers can not be used for both juveniles and other prisoners.

David Armstrong said future growth adjustments need to be addressed. Mr. Green said the proposal would plan how to add beds and not support service areas. The architect plans should have areas where additional beds could be placed without adding to infrastructure. Mr. Green said due to the growth of juvenile offenders in DeSoto County, that he is not able to get a true reading for growth. Supervisor John Caldwell said there are obvious ways to house juveniles and not be required to have certain amount of space per person. Mr. Green said everything would be based on number of juveniles to be housed and to build a facility that would house 10 to 20 juveniles. Supervisor John Caldwell said he didn't want a recommendation beyond what the County can do.

Mr. Green said he would look at the basic separation view of juveniles' male and female, and the short sentences versus longer sentences for the juvenile offender. Housing in open areas causes operational problems, and the best way to house is to find out the basic category of juveniles and determine the most efficient way to house them. The design of the facility could cause additional staff requirements. Supervisor

Caldwell said a space analysis should be done. Mr. Green stated his objective would be to develop a master

**ITEM E.5, CONTINUED,**

plan that would allow the County to have the space change capability to add extra beds when the need for beds arises, or rearrange beds to meet specific housing needs.

Mr. Green asked if the State required the juvenile’s holding area to be separated from the adult holding area. Mr. Green said the use of electronic viewing equipment should be designed for the viewing of other areas and to have lines of site available for all areas.

Supervisor John Caldwell said to separate the boys from the girls and to separate the violent offenders from the non-violent offenders, and asked what other elements increase risk factors for juveniles? Mr. Green said there are separate requirements for female versus male, and if the areas are designed properly, then we must look at what the juveniles coming into the facility are being classified by offenses.

Supervisor Eugene Thach stated that Mr. Green would work up a draft of proposals for the Board to discuss. Mr. Green said his draft would be a working draft and there will be things that he will miss and he is relying on the Sheriff, the Board and others who work with the juveniles to supply information necessary. Mr. Green said if the proposal has requirements in the document that can’t be changed, the Board has to make the decision.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the contract agreement with Carter Goble in the amount of \$7,650 for the juvenile facility proposal requirements for DeSoto County. 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 E.5\*\***

**6. Storm Water Drainage Study – Inter-Local Agreement**

County Administrator David Armstrong said the County is under Federal mandate to do a storm water drainage study due to the growth of the County. The total cost for the program is \$140,000, which allows for a 50/50 match of funds. The Corps of Engineers will be responsible for 50% and the 50% balance will come from the County and Cities. The Council of Governments has checked off on this program.

David Armstrong said the Board needs to approve the interlocal agreement with the Cities for this program. Supervisor Eugene Thach asked if this is for all areas in the County. Board Attorney Bill Austin said there are concerns with the quality of runoff plus the volume of runoff. Bill Austin said when work is done on the ditches of creek areas, the dirt gets into the creek and this causes the quality of the water to change. Bill Austin recommended that the County be the demonstrative leader for the program.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion for approval of the interlocal agreement between the County and the City of Hernando, Horn Lake, Southaven, and Olive Branch, to construct and maintain a countywide stormwater drainage improvement program which is required by the Federal Clean Water Act. The motion passed by a vote as follows:

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

**ITEM E.6, CONTINUED,**

Supervisor Tommy Lewis	ABSENT
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**\*\*See Exhibit E.6\*\***

**7. Approval of Contract with IKON – Justice Court**

County Administrator David Armstrong said that the Justice Court is in need of a new copier. David Armstrong asked the Board of Supervisors for approval to enter into an agreement for a copy machine with IKON, which has the proposal to get all copiers on a contract that will expire June 2002. The cost will be \$170.00 per month for eleven months. Supervisor John Caldwell made a motion and Supervisor Eugene Thach seconded the motion to approve the agreement for the Justice Court office with IKON for a copy machine, with a cost of \$170.00 for eleven months, with said contract to expire June 2002. 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 E.7\*\***

**8. Approval of BFI Assignment of Interest**

County Administrator David Armstrong said BFI sent a letter to the Director of Operations and Maintenance Jim Bearden regarding a name change to the collection agreement with the County. BFITN's name will be changed to BFI Waste Systems, LLC, which will become effective January 1, 2002. David Armstrong stated there are no other changes on the agreement. Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded to motion to approve the change to the BFITN collection agreement to be BFI Waste Systems, LLC, effective on January 1, 2002. 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 E.8\*\***

**F. EXECUTIVE SESSION**

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

**G. OTHER ISSUES**

**1. West Sandidge Road**

County Administrator David Armstrong said the recent closing of West Sandidge Road by the City of Olive Branch was done, but the State Aid Bridge LSBP requires the

County to do an abandonment of the road to release funds committed to the bridge on West Sandidge Road. David Armstrong said the LSBP funds would be used for the Baldwin Road Bridge.

**ITEM G.1, CONTINUED,**

In accordance with Section 65-7-121 of the Mississippi Code, which states that the Board of Supervisors of any County may declare any section of the County road system abandoned if the section does not provide primary access to occupied properties, if traffic on the section has for a period of at least ten (10) consecutive years been intermittent and of such low volume that no substantial public purpose is being served thereby, if for a period of at least five (5) consecutive years the section of the County road system has not been maintained by the County, or if the public interest or convenience does not require the section to remain open to the public, or if it is in the public interest or convenience to close, vacate, and abandon the section. Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to abandon West Sandidge Road beginning at a point near the intersection of Latham Road and West Sandidge Road in Range 7 West of Township 2 South in an easterly direction approximately 7,920 L F to a Point in Range 6, West of Township 2 South. The closed portion of roadway is within the City Limits of the City of Olive Branch, Mississippi, DeSoto County. 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 G.1\*\***

**2. Bell South – Pay Phone Jail Facility**

County Administrator David Armstrong said Bell South has informed the Board Attorney that they are getting out of the pay phone business by the end of year 2001. The County has to give Bell South a 60 day notice of termination of agreement for pay phones to receive a 23% rebate back from Bell South. David Armstrong said the County would need to seek proposals for pay phones, mainly in the jail facility. Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion for approval of the letter of termination agreement to Bell South for pay phones used in County Buildings and to authorize the County Administrator to seek proposals for pay phones to be installed beginning January 1, 2002. 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

**3. Homestead Exemptions**

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the recommendation of the Chancery Clerk for correction to adjust the homestead exemption roll for the following:

Parcel Number 2069 3200.0 00022.04 - Greg Jones Property

The motion passed by a vote as follows:

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

**ITEM G.3, CONTINUED,**

Supervisor Tommy Lewis-----ABSENT

**\*\*See Exhibit G.3\*\***

**4. Jail Housing**

County Administrator David Armstrong said he had been asked to check to see if the County could house prisoners in mobile units. David Armstrong said he had located units being used in Columbus. The cost to buy these units runs \$58,900 per unit. David Armstrong said he did not check to see what the cost to lease the unit would be.

David Armstrong said Supervisor Eugene Thach advised him that the First Baptist Church in Southaven has two mobile units they want to get rid of. David Armstrong said he would like approval from the Board to seek further investigation for mobile units. David Armstrong said he had spoken with the Sheriff and he agreed the County needed to seek a location in the County for prisoner housing. David Armstrong said if the County used mobile units a fence would have to be constructed around the facility.

Supervisor John Caldwell said the idea of a portable building for prisoners sounds ok, but he wants the exact cost to operate. Supervisor Jessie Medlin said he wants the written requirements for prisoners in mobile units to be reviewed and adhered to before the Board votes to use them.

Board Attorney Bill Austin said the category of prisoners has to be determined as to who can stay in mobile units and others that they can't be. Supervisor Medlin said he wants to know about prisoners and requirements because the County wants to do it the right way. Supervisor Medlin asked David Kline, Architect for the Jail addition, if prisoners being housed could be placed with trustees being housed there. David Kline said a dormitory facility could be used on short-term basis for minor offence prisoners.

Supervisor Eugene Thach asked the County Administrator to continue to look at mobile units and what category of prisoners could be placed in the mobile units. Supervisor Jessie Medlin said he was open for the County to look at buildings to house prisoners, but they must be compatible for prisoner use and the cost must be what the County can fund. No motions were made on this item.

**5. Recording Board Minutes**

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the recording of Board Minutes for all Supervisor meetings, (Planning Commission, Board of Adjustments and etc.) conducted beginning in the new budget year and to maintain the recording for a 90 day period. The motion passed by a vote as follows:

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

**6. Approval of Contract with Circuit Clerk for Preservation of Records**

