

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

JESSIE MEDLIN, PRESIDENT 2002 PRESIDING

February 25 2002

A. CALL TO ORDER

The February 25, 2002, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie Medlin, 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. Sluggo Davis-----Chancery Clerk
- Chief Deputy Charlie Brown-----Sheriff’s Dept.
- David Armstrong-----County Administrator
- Bobby Chamberlin-----Board Attorney

B. INVOCATION

Supervisor Tommy Lewis presented the invocation.

C. OLD BUISINESS

1. Redistricting

Chris Watson, a Representative of Bridge & Slaughter Planning Consultants, said from the last work session with the Board of Supervisors two plans, Alternate C and Alternate D were developed. Mr. Watson said these plans were left for the Board to review and today he would like the Board to narrow down to one plan to be able to hold a public hearing. Mr. Watson said that Alternate D seems to be the plan the Board wants. Mr. Watson presented a copy of the data sheets for Alternate D, which gave the demographic profile with a 5.5% deviation.

Mr. Watson said they used Horn Lake Creek as boundary lines for District 3 and tried to stay with natural boundary lines where possible for all the Districts.

Supervisor John Caldwell asked what the 46.6% and the 5.5% represented on the data sheets. Mr. Watson said the existing district boundaries lines have a 46.6 % deviation in population and the new boundary lines are 5.5% deviation in population. The districts are allowed a 10% deviation in population by the Justice Department.

Supervisor Tommy Lewis asked what the next step would be, and if the County voting precincts should be addressed. Mr. Watson said yes, that the voting precincts have to change and be cleared by the Justice Department. Mr. Watson said he would like to send all the changes for District boundaries, precinct changes, Justice Court boundaries and Constable’s districts to the Justice Department at one time. Supervisor Lewis asked whose job it would be to see that this is done? County Administrator David Armstrong

ITEM C.1, CONTINUED,

said the contract with Bridge & Slaughter did not cover this. Supervisor John Caldwell asked Mr. Watson if this could be handled by Bridge & Slaughter with additional expenses to the County. Mr. Watson said yes. Supervisor Jessie Medlin asked if the Miller precinct changes that have been made should be sent in with these District and precinct changes. Mr. Watson said yes.

Board Attorney Bobby Chamberlin said the public hearing is not required but he recommends the Board do this. Mr. Watson said although not required, the Board should give a fifteen day notice regarding the public hearing.

Supervisor Jessie Medlin asked if the Board was ready to set a public hearing date. Supervisor Eugene Thach made the motion and Supervisor Gerald Clifton seconded the motion to post the Alternate D plan for redistricting at the Public Libraries and all City Halls, and to call for a public hearing to be held on March 18, 2002 at 9 a.m. for the Board of Supervisors plan and the Constables/Justice Court plan. The motion passed by a unanimous vote.

Supervisor Lewis asked how the Board wanted to proceed on the precinct changes. Supervisor Jessie Medlin asked Mr. Watson to start work on the precincts. Mr. Watson said he would get with the Circuit Clerk to get data resources and then meet with the County Administrator and make recommendations. Supervisor Medlin asked when this could be done. Mr. Watson said he would try to have the recommendation by the end of this day. Supervisor Medlin asked that they look at precincts to add also. Supervisor Lewis said the County has some large precincts that need to be divided. Supervisor Clifton said the precincts that are located in the schools cause a traffic congestion problem during elections. Mr. Watson said the population of the County was great enough that the use of the Civic Center might be used for elections. Bobby Chamberlin said the State has a statue limit on the size of precincts and that people have to vote in their precincts. Mr. Watson said there are also limits for certain types of voting equipment. Supervisor Thach said the Circuit Clerk should work with Mr. Watson to have everything done by April 1, 2002.

Mr. Armstrong said Chris Watson has worked above the call of duty on the redistricting project for DeSoto County. Mr. Watson said the high level of services is what Bridge & Slaughter promised the County.

D. NEW BUSINESS

1. Authorization to Bid Copier's for the County Offices

County Administrator David Armstrong said the County's copier contracts would expire on June 3rd, 2002, and that we have 27 copiers in County service at this time. The Purchasing Department is asking for permission to start seeking bids for the copiers. Jeannine Ruby, Director of Purchasing, said that vendors ask to be allowed a 30 day time frame to work on bids.

Supervisor Tommy Lewis made the motion and Supervisor Gerald Clifton seconded the motion to authorize the Purchase Clerk to obtain bids for copiers for the County offices and authorize advertisement, pursuant to Section 31-7-13(c), of the Mississippi Code of 1972, annotated, in a newspaper having a general circulation in DeSoto County, Mississippi. The motion passed by a unanimous vote.

2. Bids Under Advisement **a. Janitorial Supplies**

Jeannine Ruby, Director of Purchasing, appeared before the Board of Supervisors to present the bids for janitorial supplies for the County. Ms. Ruby said the County received nine bids for a total of one hundred ten items, and the recommendation is to go with Best

ITEM D.2.a, CONTINUED,

Chance Janitorial Supply, Inc. again this year.

Supervisor Jessie Medlin asked how the determination was made on the bidder. Ms. Ruby said that the bidders that did not bid on 50% of the items were not considered. The bidders were as follows:

<u>Vendor</u>	<u>Number of Items Bid</u>
Best Chance Janitorial Supply, Inc.	101
Zep Manufacturing	91
Hanco Manufacturing Co.	46
Ecolab Center	29
Jem Sales Inc.	31
Central Poly Corp Bid A	8
Central Poly Corp Bid B	7
All American Polly Bid 1	9
All American Polly Bid 2	9

Ms. Ruby said out of the 110 items, that Best Chance bid on 101 of these items for a total bid of \$1,378.85, and the next bidder was Zep Manufacturing Co. for a bid on 91 items at a total cost of \$3,442.57. Supervisor Tommy Lewis asked if this is taking the lowest bid. Ms. Ruby said yes. Supervisor Lewis asked if it would be feasible to break down to the low bidders by item. Vanessa Lynchard said it would not be cost effective to breakdown to multiple vendors due to the cost to process PO's and the time to manage paperwork. Board Attorney Bobby Chamberlin said he recommends using only one vendor.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the recommendation of the Purchasing Department and the Board Attorney to award Bid File #02-151-001 for the County Janitorial Supplies to Best Chance Janitorial Supply Inc. The motion passed by a unanimous vote. ****See Exhibit C.2.a****

b. Mid-Mount Deck Mower

Jeannine Ruby, Director of Purchasing, and County Road Manager Russell Dorris appeared before the Board of Supervisors regarding the Bid File 02-156-004 for Mid-Mount Deck Mower. Ms. Ruby said their recommendation is awarding the bid to Baker & Powell Equipment, Hernando, MS, for the purchase of the Alamo 60" Versa Mower at a cost of \$11,280 each. Supervisor John Caldwell said the requested bid was for one or more mid-mount deck mowers. How many is the County going to purchase? Russell Dorris said he wants to purchase two mid-mount deck mowers. Supervisor Caldwell questioned if the County specked out any vendors with the requirements. Ms. Ruby said no.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to approve the recommendation of the County Road Manager and the Purchasing Director to award the Bid File #02-156-004 to Baker & Powell Equipment, Hernando, MS for the purchase of two Alamo 60" Versa Mowers at a cost of \$11,280 each. The motion passed by a unanimous vote. ****See Exhibit D.2.b****

c. Tractor with Mid-Mount Boom Mower

Jeannine Ruby, Director of Purchasing, County Road Manager Russell Dorris and Jimmy Cox appeared before the Board of Supervisors regarding the Bid File 02-156-005 for a Tractor with Mid-Mount Boom Mower. Ms. Ruby said their recommendation is awarding the bid to Baker & Powell Equipment, Hernando, MS, for the purchase of a New Holland TS-110 Tractor with the Alamo 20' Boom Mower at a cost of \$70,728. Ms. Ruby said she had spoken with Russell Dorris, Jimmy Cox and Supervisor Tommy Lewis about the tractor and mower bids and the exception regarding the bid. Russell

ITEM D.2.c, CONTINUED,

Dorris said in his review of the bids, the other bidders did not meet the spec requirements regarding the safety during transporting the boom mower on the tractor. The safety reason is explained by the enclosed Exhibit D.2.c.

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to approve the recommendation of the County Road Manager and the Purchasing Director to award the Bid File #02-156-005 to Baker & Powell Equipment, Hernando, MS for the purchase of a New Holland TS-110 Tractor with the Alamo 20' Boom Mower at a cost of \$70,728. The motion passed by a unanimous vote. ****See Exhibit D.2.c****

d. Tractor with Mid-Mount Deck Mower

Jeannine Ruby, Director of Purchasing, County Road Manager Russell Dorris and Jimmy Cox appeared before the Board of Supervisors regarding the Bid File 02-156-006 for a Tractor with Mid-Mount Deck Mower. Ms. Ruby said their recommendation is awarding the bid to Baker & Powell Equipment, Hernando, MS, for the purchase of a New Holland TS-110 Tractor with the Versa Alamo 60" Deck Mower at a cost of \$60,375. Ms. Ruby said the other bidders did not quote for the correct spec requirements as requested. Supervisor Jessie Medlin said the ability to get parts from a local vendor in the County is an advantage for the County. Russell Dorris said the safety reason on the spec requirements when bidding was again the main reason for awarding the bid to Baker & Powell Equipment, as explained in Exhibit D.2. Supervisor John Caldwell said the standard 60 degree angle of the mower was sold everyday. Russell Dorris said the slope that the County has when cutting banks allows for debris to be thrown on the roadways, which is a safety hazard for the County. Supervisor Jessie Medlin said the County using lighter equipment to help cut down on mowers littering on the roadways would be good. Supervisor Caldwell said the County had tried alterations to stop this in the past but it didn't do any good.

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to approve the recommendation of the Road Manager and the Purchasing Director to award the Bid File #02-156-006 to Baker & Powell Equipment, Hernando, MS for the purchase of a New Holland TS-110 Tractor with the Versa Alamo 60" Mid Mount Deck Mower at a cost of \$60,375. 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

****See Exhibit D2.d****

e. Brentwood Water Line & Sewer

Nathan Husman, P. E. with Engineering Associates, appeared before the Board of Supervisors to present the recent Bid Tab for the Brentwood Utilities, which had five bids, submitted as follows:

Vendor	Base Bid	Alt. A	Alt. B
Delta Constructors, Inc.	\$224,971.25	\$198,714.25	\$242,221.25
Eubank Construction Co.	\$194,618.00	\$172,761.75	\$205,118.00
Freeland & Lemm	\$189,583.36	\$164,909.49	\$199,704.08
Tidwell Construction	\$255,895.50	\$226,953.40	\$255,673.50
Walker & Wells	\$236,786.00	\$215,787.00	\$266,786.00

Mr. Husman said after going over the bids, he is here today to recommend the Board of **ITEM D.2.e, CONTINUED,**

Supervisors award the bid to Freeland and Lemm, 1280 Big Orange Road, Cordova, TN 38018, contingent upon the approval of the funding source and contractor clearance by MDA. Mr. Husman said the total bid would be \$175,030.20 with the adjustments to the base bid for clerical errors, which is \$189,583.36, and the changes for Alternate "A" in the amount of \$35,067.94 and Alternate "B" in the amount of \$19,984.96. Mr. Husman said that alternate "A" was for a change in the PVC water line and alternate "B" was for a change to the wastewater force main. Mr. Husman stated this expense would come from the EDA Grant budget.

Board Attorney Bobby Chamberlin said due to Freeland & Lemm being the low bidder the Board could accept the recommendation.

Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion to approve the recommendation by the Board Attorney and Engineering Associates, the engineer for the project, to award the bid to Freeland & Lemm, Cordova, TN, contingent upon the approval of the funding source and the contractor clearance by MDA, and this being the low bidder for the project. 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 D2.e****

3. Authorization to Bid Western Division Waste Water Facility

Nathan Husman, P. E. for Engineering Associates and the Engineering Firm for the project, appeared before the Board of Supervisors to request authorization to go out for bid on the Western Division Waste Water Facility. Mr. Husman said this would only be an interim facility on the property, which would be in the area for the final Regional Utility Authority facility.

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to authorize the Purchase Clerk to obtain bids for the Western Division Waste Water Facility for the County and to authorize advertisement, pursuant to Section 31-7-13(c), of the Mississippi Code of 1972, annotated, in a newspaper having a general circulation in DeSoto County, Mississippi. 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

4. EMS – Lease of Tower from Stan Elam

County Administrator David Armstrong said the renewal on the lease for the tower with Stan Elam, used by EMS, is due. Mr. Armstrong said he had checked with E911 to see if their towers could handle the EMS equipment and advised that they are not sure their tower would be adequate this year, but they welcomed EMS to approach the E-911 Board on this request. Therefore we need to renew the lease.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to renew the lease with Mr. Stan Elam for the EMS repeater tower for the period through December 31, 2002, and to authorize the Clerk to cut the check for \$1,200 for

ITEM D.4, CONTINUED,

the yearly lease amount. The motion passed by a unanimous vote. ****See Exhibit D.4****

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5. Veterans Report – N. C. Ferguson

Mr. N. C. Ferguson, DeSoto County Veterans Service Officer, appeared before the Board of Supervisors to report on the Veterans being serviced through the County office. Mr. Ferguson said DeSoto County has 7,870 Veterans on record with Jackson, MS and the County is paying about \$.90 per Veteran to service them. Supervisor Jessie Medlin asked how many Veterans from this 7,870 were handled in DeSoto County. Mr. Ferguson said he services the Veterans who call the office and the one's that come into the office, and some days this could be five people and some days more. Mr. Ferguson said with the number of Veterans the County has, there should be a full time office to service them. Mr. Ferguson said the County has more Veterans than some Counties that have a full time office.

Supervisor Eugene Thach said the taxpayers are paying money for the Veterans to be served and the County needs a report stating how the County is serving the Veterans. Mr. Ferguson said he sometime goes to visit a Veteran who can't get to the office to help them receive benefits. Supervisor Tommy Lewis said the County is not here to make money on the Veteran's office, but they do want to service the Veterans. Supervisors John Caldwell asked how many calls are received at the 429-5011 office. Mr. Ferguson said the phone number is not in the phone book and people have to call the Courthouse to be given the number to call.

Supervisor Jessie Medlin said the County should get a space available for the Veteran's office. Supervisor Thach asked if a lot of the County Veterans used the Tennessee office or the Jackson, MS office. Mr. Ferguson said sometime they do, but there is an office in Memphis, TN that sees only Mississippi people. Mr. Ferguson said to get up to a full time position set up in the County would require legislation in Congress. No motions were taken on this item.

6. Making the Secretary of State's Approval of Interlocal Agreement for Tax Assessment and Collection for Southaven, Hernando, Horn Lake and Olive Branch Part of the Minutes

Supervisor Gerald Clifton made the motion and Supervisor Eugene Thach seconded the motion to accept the Secretary of State's approval of the Interlocal Agreement for Tax Assessment and Collection for the Cities of Southaven, Hernando, Horn Lake and Olive Branch, and to make it a part of the Board minutes. The motion passed by a unanimous vote. ****See Exhibit D.6****

7. School Bus Turnarounds

The DeSoto County Board of Supervisors received a letter dated February 12, 2002 from 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 school bus turnarounds can be built, maintained and improved, Supervisor Gerald Clifton made the motion to build, maintain, and improve the properties in the Superintendent's letter dated February 12, 2002, and to direct the County Road Manager to carry out this order of this Board forthwith. Supervisor Jessie Medlin seconded the motion for the following list:

Irma Isom, 3605 McCracken Rd., Hernando, MS, Bus #69
Phillip Maness, 1093 Mabry Rd., Lake Cormorant, MS, Bus #11

The motion passed by a unanimous vote. ****See Exhibit D.7****

Supervisor Jessie Medlin advised the new Road Manager Russell Dorris to go by what **ITEM D.7, CONTINUED,**

the School Superintendent requested be done to the school bus turnarounds.

8. Interlocal Agreement Between DeSoto County and the City of Hernando for the Hernando Civic Center

County Administrator David Armstrong said the City of Hernando has pledged to the County \$12,000 for the current fiscal year and \$12,000 for the upcoming fiscal year, for the purposes of assisting the County with the improvements to the Hernando Civic Center. The City of Hernando has submitted an Interlocal Agreement asking approval by the Board of Supervisors and for the Board to authorize the Board President's signature. The Agreement will then be sent to the Attorney General for approval.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion for approval of the Board President to sign the Interlocal Agreement with the City of Hernando and DeSoto County regarding the Hernando Civic Center. The motion passed by a unanimous vote. ****See Exhibit D.8****

9. Approval to Apply for JAIBG Grant

County Administrator David Armstrong asked for the Board of Supervisors approval to apply for the JAIBG Grant. Mr. Armstrong said the County is eligible to receive \$15,903 with a 10% match by the County.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to approve the Grant Writer to apply for the JAIBG Grant and the Board President to sign the application. The motion passed by a unanimous vote. ****Exhibit D.9****

10. Approval to Extend Waste Tire Grant until June 30, 2002

County Administrator David Armstrong asked the Board of Supervisors for authority of the Board President to sign the grant modification papers to extend the Waste Tire Grant until June 30, 2002.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to authorize the Board President to sign the grant modification papers to extend the Waste Tire Grant until June 30, 2002. The motion passed by a unanimous vote.

11. Chancery Clerk Allowances

On this date, the Chancery Court Clerk, W. E. Davis, presented an order of Allowances to the Board of Supervisors for the February 2002, Term in the amount of \$2,516.66. Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to approve these payments, pursuant to Section 25-7-9 of the Mississippi Code of 1972, Annotated. The motion passed by a unanimous vote. ****See Exhibit D.11****

12. Circuit Clerk Allowances

On this date, County Administrator David Armstrong presented, on behalf of Circuit Court Clerk Dale Thompson, an Order of Allowances to the Board of Supervisors for the Circuit Court for the January, 2002, Term in the amount of \$7,571.50; Vacation Day allowances to the Circuit Court Clerk for the January 2002, in the amount of \$2,880.00; County Court for the January, 2002, Term in the amount of \$2,635.50; Youth Court for the January 2002, Term in the amount of \$4,177.00; and allowances for assisting Election Commissioners in the amount of \$3,010, which he would like to not pay until a backup is received from the Circuit Clerk. Supervisor Eugene Thach made the motion and Supervisor Gerald Clifton seconded the motion to approve these payments, pursuant to Sections 25-7-13(2)(M), Sections 25-7-13(3), Section 25-7-

ITEM D.12, CONTINUED,

13(5), 43-21-205, and 23-15-225(3) of the Mississippi Code of 1972, Annotated, but to hold the allowances for the Election Commission assistance until a backup from the Circuit Clerk is received. The motion passed by a unanimous vote. ****See Exhibit**

D.12**

13. Approval to Participate in Countywide Easter Egg Hunt

County Administrator David Armstrong said a letter from David Grisham, with the DeSoto County Tribune, was sent to the Board of Supervisors asking for a contribution for the 7th annual DeSoto County Easter Egg Hunt. Mr. Armstrong said that the County donated \$1,000.00 to last year's event. County Administrator David Armstrong stated that the participation of people from outside the County is a good opportunity to advertise the resources of the County.

In accordance with Section 17-3-1, of the Mississippi Code of 1972, which states the Board of Supervisors of any county in Mississippi may, in their discretion, set aside, appropriate and expend moneys, not to exceed one mill of their respective valuation and assessment for the purpose of advertising and bringing into favorable notice the opportunities, possibilities and resources of such municipality or county, Supervisor Gerald Clifton made the motion and Supervisor Jessie Medlin seconded the motion to advertise DeSoto County Resources by contributing \$ 1,000.00 fee for the County Wide Easter Egg Hunt, to be held March 30, 2002 at the Olive Branch City Park in Olive Branch, and authorized the Clerk to write the check. The motion passed by a unanimous vote. ****See Exhibit D.13****

14. Interfund Loan

County Administrator David Armstrong said he had spoken with Demery Grubbs, Financial Advisor for the County, about the County applying for the additional \$5,000,000 loan from the State Development Bank Pool. Mr. Armstrong said because of the recent request to draw \$700,000 for the Airways Road project in Southaven, the Board needs to approve an interfund loan from the general fund to the State Development Bank Pool fund.

Supervisor John Caldwell asked if the \$700,000 would be available in the bridge funds and if it could be used to do the Airways Project. Mr. Armstrong said he would have to check with the commitments on the bridge fund.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to approve the interfund loan as follows:

From: General County Fund	001-000-053	\$650,000.00
To: State Development Bank Pool	383-000-148	\$650,000.00

The motion passed by a unanimous vote. ****See Exhibit D.14****

Mr. Armstrong said that Demery Grubbs would be at the Board meeting on March 4, 2002.

15. Tallahatchie County Inmates

County Administrator David Armstrong said he had received a phone call from the Sheriff's office in Tallahatchie County regarding an increase, effective March 1, 2002, on the housing of inmates, which will be \$35.00 per day per inmate. Mr. Armstrong said the location where the inmates are kept in Tallahatchie County is a private facility and they have increased their fees. Supervisor Gerald Clifton asked how many County inmates were at Tallahatchie. Mr. Armstrong said he spoke with Chief Deputy Charlie Brown this morning and was told about 80 inmates.

ITEM D.15, CONTINUED,

Mr. Armstrong said the new jail facility was running 90 days behind at a charge of \$500 per day in liquidated damages. The scheduled date of completion is June 7, 2002, and according to the architect this will not happen. Mr. Armstrong said he budgeted

\$686,000 for the housing of inmates at Tallahatchie and half of this has been spent already.

Supervisor John Caldwell said the County may need to send a note to the Cities about them paying for their inmates.

Supervisor Jessie Medlin said he thought the jail belonged to Tallahatchie County, not a private firm. Supervisor Caldwell stated it looks like the new jail will be crowded when we get it opened. Supervisor Thach said he had talked with other County Supervisors and they are charging the Cities \$10.00 per day per inmate. Supervisor Thach asked if the Cities use prisoners to do work in their facilities. Mr. Armstrong said yes. Supervisor Gerald Clifton said the Cities have said that if the County was losing money to house the City prisoners they would contribute funds. Supervisor Thach said the law does not state that the County has to provide a jail facility for the Cities.

Bobby Chamberlin said the Board has to authorize the change in the fee for the County inmates at the Tallahatchie facility. Supervisor Gerald Clifton made the motion and Supervisor Eugene Thach seconded the motion to approve the fee of \$35.00 per day per inmate to the Tallahatchie facility, beginning March 1st. The motion passed by a unanimous vote.

16. Approval of KSA Contract for the Juvenile Addition to the Jail

County Administrator David Armstrong said the Kline Swinney Associates contract for the addition and renovation to the DeSoto County Jail for a 32 bed juvenile facility has been looked at by the Board Attorney and requires the authorization by the Board of Supervisors. Mr. Armstrong said the contract states a fee of \$48,500 for the preliminary architectural. Board Attorney Bobby Chamberlin said the arbitration clause needs to come out.

Supervisor John Caldwell said the AIA architect contract is always written in the architect's favor and asked if there was any way not to use this format. Bobby Chamberlin said the County could draw up a contract, which the architect would have to agree to. Mr. Chamberlin said the AIA contract is written in good standard language, but the County can make some changes to it. To do this the Board would have to authorize the Chamberlin/Nowak Law Firm to change certain areas. Mr. Armstrong said he would like to see a \$1,000 a day fee for delayed completion in the contract. Bobby Chamberlin said contract changes need to be made on an individual basis.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to approve the contract with Kline Swinney Associates for the addition and renovation to the DeSoto County Jail for a 32 bed juvenile facility and to authorize the Board President to sign the contract. 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.16****

ITEM D, CONTINUED,

17. Inventory Disposition

The Board of Supervisors was given a list of equipment owned by the County that is either unrepairable or not cost effective to repair. Supervisor Tommy Lewis made the

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motion and Supervisor John Caldwell seconded the motion to accept the list from the Inventory Clerk pursuant to Section 31-7-107 of the Mississippi Code and did approve the disposition on the report as noted on Exhibit D.17 as follows:

a. Sheriff's Department

<u>Property #</u>	<u>Description</u>	<u>Serial #</u>	<u>Disposition</u>
30813	Harley Davidson Motorcycle	1HD1GKV111324914	Sold

****See Exhibit D.17.a****

b. Tax Collector

<u>Property #</u>	<u>Description</u>	<u>Serial #</u>	<u>Disposition</u>
123	Royal Calculator	81423769	Rubbish Pit
249	Royal Adler Calculator	41466141	Rubbish Pit
3311	Royal Adler Calculator	41463951	Rubbish Pit
30304	Canon Calculator	256497	Rubbish Pit
30651	Victor Calculator	47009187	Rubbish Pit
30245	Canon Calculator	207594	Rubbish Pit
30003	Royal Adler Calculator	41466384	Rubbish Pit
30940	Victor Calculator	055700102	Rubbish Pit
253	Royal Adler 112.3	41448433	Rubbish Pit

****See Exhibit D.17.b****

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. Interlocal Agreement with the Camp Creek Drainage District

County Administrator David Armstrong said he had received two estimates for the cost for work to be done along Holly Springs Road as requested by the Camp Creek Drainage District. The County can do the work for \$3,775 and an outside source would be \$4,500, with the work to take four days.

Board Attorney Bobby Chamberlin said an interlocal agreement would be required with the Camp Creek Drainage District for the ½ mile of Holly Springs Road, stating they will compensate the County for labor and material. This interlocal agreement would remain in effect for one year and there is no priority for the time frame for the work to be done. Bobby Chamberlin said the work could not be done until the Attorney General has approved the interlocal agreement.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to authorize an interlocal agreement with the Camp Creek Drainage District for the County to do the repair work along Holly Springs Road, with the cost for labor and material being reimbursed to the County by the CCDD. The motion passed by a

ITEM F.1, CONTINUED,

unanimous vote.

2. Horn Lake High School Parking Lot Repair

Supervisor John Caldwell said there was a pot hole in the parking lot of the Horn Lake High School and asked for the County to do all the labor and material expense to repair

the hole.

In accordance with Section 19-3-42, Mississippi Code of 1972 as amended, stating that in addition to the authority granted in subsection (1) of this section, the Board of Supervisors of any County is further authorized, in its discretion, to maintain public school grounds of the County and to grade, gravel, shell or overlay and/or maintain gravel, shell, asphalt or concrete roads, driveways or parking lots of public schools of the County if, before engaging in such work, the Board of Supervisors shall spread upon its official minutes the written request of the School Board for such work, the written approval of the Board of Supervisors for such work and the specific location of the school grounds or road, driveway or parking lot, to be worked. Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to build, maintain, and improve the properties of the Horn Lake High School parking lot upon receipt of the written request from the Board of Education, and to direct the County Road Manager to carry out this order of this Board forthwith, and instructed the Road Manager not to bill the Board of Education for the material expense in connection this repair. The motion passed by a unanimous vote. ****See Exhibit G.2****

3. Uncollectible County Fines and Bonds

County Administrator David Armstrong said the Vaughn & Labovitz Law Firm was present today to present a proposal to the Board of Supervisors regarding the collection of unpaid fines and bonds due the County. Mr. Armstrong said he had spoken with the Board Attorneys Tony Nowak and Bobby Chamberlin to make sure the County could proceed in this direction if the Board wants. Supervisor Gerald Clifton said this was money that the County was not getting.

Mr. Labovitz said the report he has from the County shows three years of fines and bonds in the amount of \$381,000 that have not been paid. Mr. Labovitz said when an issue of bankruptcy has occurred with a claim, there has been no action taken to get the County's money. Mr. Labovitz said last year alone there were 1850 cases of bankruptcy in DeSoto County. Mr. Labovitz said their proposal is to charge a 30% fee on any collection they receive for the County. Mr. Labovitz said the State statute allows an additional 25% fee to be collected on amounts owed in the State of Mississippi and 50% for collections outside the State, which help to pay court costs and fees when making collections. Mr. Labovitz said to be effective in collections, claims should be processed within a 90 day time frame and if fines are enrolled with the Circuit Clerk's office, this would allow the fines to be collected before homes are sold. There is a seven year enrollment allowed.

Mr. Labovitz said they are offering their services to work the Mississippi and Tennessee area to bring claims to court and get the County's money, and if we are hired by the Board of Supervisors, we can work with the County Administrator to work out the details on how the paperwork is handled.

Mr. Vaughn said the County is losing a tremendous amount of money through bonding companies not being required to pay for revoked bonds. Mr. Vaughn said the Board of Supervisors would need to approve their firm pursuing these collections.

Board Attorney Bobby Chamberlin said there is no down side for the County but questions what the 30% fee would go for. Mr. Armstrong said the Franklin contract would have to be looked at to be sure there were no conflicts. Mr. Labovitz said the Franklin Collection works by way of phone calls to collect fees. Supervisor Tommy Lewis asked what type of expenses there would be in collecting. Mr. Vaughn said the

ITEM F.3, CONTINUED,

expenses are mostly involved when trying to collect in Tennessee; there are fees that are assessed to file claims for collection.

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Board Attorney and the County Administrator to get a written agreement drawn up for the Board's consideration and to verify there was no conflict

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with the Franklin Collection contract, and that all claims would be presented to the Board before the collection process was started. The motion passed by a vote as follows:

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

Chancery Clerk Sluggo Davis stated that any fines that appeared on the reports that involved delinquent taxes would not be allowable for collection, because the County gets delinquent taxes paid in full. Supervisor Tommy Lewis asked what a good average on collections would be. Mr. Labovitz said he would not know until he started to bring cases in. Mr. Labovitz said he would like to present the first ten claims to the Board for the approval to proceed.

4. Authorization for Board President to Sign DEQ Permit

Nathan Husman, P. E. with Engineering Associates, appeared before the Board of Supervisors requesting authority for the Board President to sign the application for a permit to operate a wastewater disposal system to be submitted to the Mississippi Department of Environmental Quality.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to authorize the Board President to sign the permit application to the MDEQ. The motion passed by a unanimous vote of the Supervisors present. ****See Exhibit G.4****

5. Street Lights at Civic Center

Supervisor John Caldwell suggested the Board hold up on any request for funds from the Civic Center until the street lights have been installed on the road to the center. County Administrator David Armstrong said he would again talk with the Civic Center about the streetlights. No motions were made on this item.

6. Economic Development

Supervisor John Caldwell questioned the economic development that was occurring on the Commerce Street property. No motions were taken on this item.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to adjourn the meeting until March 4, 2002 at 9:00 am. The motion passed by a vote as follows:

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

THIS the 25TH. day of February 2002, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Jessie Medlin, President
DeSoto County Board of Supervisors