

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

JESSIE MEDLIN, PRESIDENT 2002 PRESIDING

April 1, 2002

A. CALL TO ORDER

The April 1, 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-----Absent
- W. E. Sluggo Davis-----Chancery Clerk
- Sheriff James Albert Riley---- -Sheriff
- David Armstrong-----County Administrator
- Tony Nowak-----Board Attorney

B. INVOCATION

Chancery Clerk Sluggo Davis presented the invocation.

C. APPROVAL OF MARCH MINUTES

The official minutes of the Board of Supervisors were read for the month of March 2002, pursuant to Section 19-3-27 of the Mississippi Code of 1972, Annotated. Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the minutes of the Board of Supervisors and the Planning Commission for March 2002. 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 | ABSENT |

D. OLD BUSINESS

1. Contract for Circuit Clerk – Redistricting

County Administrator David Armstrong said by State statue 23-15-225 (2) which states, for Counties with a total population of more than one hundred thousand (100,000) and not more than two hundred thousand (200,000), an amount not to exceed \$25,300, in the event of a redistricting which necessitates the hiring of additional deputy registrars, the Board of Supervisors may by contract compensate the County Registrar amounts in addition to the sums prescribed herein, in its discretion. David Armstrong said the Circuit Clerk’s contract would be \$25,000 and would start on October 1, 2002, for the new budget year, to be paid monthly. David Armstrong said the Board Attorney has looked at

ITEM D.1, CONTINUED,

the contract and there are a few minor language changes to the contract, but otherwise he is recommending the contract to the Board.

Circuit Clerk Dale Thompson said she spoke with the State Auditor and they recommended this contract.

Supervisor Eugene Thach said he thought that Bridge & Slaughter would do the precinct work. David Armstrong said the precinct work was not part of the agreement with Bridge & Slaughter. Dale Thompson said they are to provide the legal descriptions for the locations, but she has to enter the parameters of every street in the areas of a precinct. Supervisor Thach said Bridge & Slaughter was working with the Cities for their redistricting and this information would correspond with the County's. David Armstrong said he would speak with Bridge & Slaughter about their work with the Cities to see if they have the legal descriptions in CD format.

David Armstrong asked Dale Thompson if she would hire additional clerks to do the job. Dale Thompson said she would use the existing employees, but she may have overtime hours to get the job done.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to approve the Circuit Clerk's contract subject to minor language changes, in accordance with Mississippi Code Annotated, Section 23-15-225, which states, the registrar shall be entitled to such compensation, payable monthly out of the County treasury, which the Board of Supervisors of the County shall allow on an annual basis for Counties with a total population of more than one hundred thousand (100,000) and not more than two hundred thousand (200,000), an amount not to exceed \$25,300, in the event of a redistricting which necessitates the hiring of additional deputy registrars, the Board of Supervisors may by contract compensate the County Registrars, amounts in addition to the sums prescribed herein, in its discretion. The motion passed by a vote as follows:

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

****See Exhibit D.1****

E. NEW BUSINESS

1. Planning Commission

a. Flood Plain Ordinance Amendment – Public Hearing

County Administrator David Armstrong said the Planning Commission had advertised a public hearing at 9 a.m. on this day for the County Flood Plain Ordinance and that Michael Garriga, Assistant Planning Commission Director, and Jim McDougal, Consultant for the Planning Commission were present for Director of Planning Merritt Powell.

Supervisor Jessie Medlin opened the Public Hearing for the Flood Plain Ordinance. Supervisor Medlin requested to continue the public hearing until Wednesday, April 6, 2002. Jim McDougal said this Flood Plain Ordinance is basically a MEMA proposal and that 90% of the County's existing ordinance follows it. Mr. McDougal said the language definitions were the main differences. Supervisor Eugene Thach asked if the County Engineer was working on this. Mr. McDougal said yes, and that the Board Attorney has looked over and made comments for changes.

ITEM E.1.a, CONTINUED,

Supervisor Gerald Clifton made the motion and Supervisor Eugene Thach seconded the motion to continue the Public Hearing for the Flood Plain Ordinance Amendment until Wednesday, April 3, 2002. The motion passed by a vote as follows:

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

****See Exhibit E.1.a****

b. Establishment of a Community Flood Plain in Eastern DeSoto County

County Engineer Andy Swims said part of the new flood plain ordinance deals not only with public flood hazard areas, but also with community flood hazard areas.

Andy Swims presented a copy of the letter that was mailed to developer Ben Smith on the Estates of Center Hill Subdivision. Mr. Swims also presented copies of photos taken during the recent flooding in the subdivision. Mr. Swims said the road is not in a designated flood area, so he has established documentation by the photo and comments made by the area residents that would allow the area to be designated a Special Community Flood Plain Area.

Supervisor John Caldwell said we need to get a list of people outside the flood plain that have filed claims. Supervisor Caldwell said that some of the claims were handled by insurance companies and some of them by MEMA. Andy Swims said these claims need to be looked at to see what area of the County was involved and he will try to get a list of these.

Supervisor Medlin said we need to address some of these areas where subdivisions have been built in low areas. Supervisor Medlin said that Merritt Powell told him the Planning Department would not issue any building permits in this eastern area until the road has been elevated. Supervisor Medlin said the roads in this subdivision are not County roads and they need to be addressed with the developer of the subdivision. Andy Swims said this situation would fall under the area of the County Flood Plain Ordinance and needs to be addressed. Supervisor Medlin asked if anyone has spoken with the developer. Andy Swims said that Merritt Powell had spoken with the developer and advised him that the Planning Commission would hold up permits in this area until the Board of Supervisors can make a decision. Supervisor Medlin said he had observed this area subdivision and it needs to be addressed by the developer, especially the road elevation.

Supervisor Eugene Thach asked if the work that the Corp of Engineers would be doing on the Coldwater River would help this area. Andy Swims said this should help the area. Supervisor John Caldwell said that if the technical data supports a flood plain ordinance, then the County could hold permits for this subdivision. Andy Swims said documentation should be kept. Supervisor Medlin asked if the new ordinance would make clear the areas of concern from the past history.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion for the Planning Commission to hold the permits on the Estates of Center Hill Subdivision until the developer and engineer elevates the portion of the road that was observed flooded in this subdivision to the satisfaction of the Planning and Engineering Department. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
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ITEM E.1.b, CONTINUED,

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

****See Exhibit E.1.b****

c. MPO Appointment

Michael Garriga, Assistant Director of the Planning Commission, said the Memphis Metropolitan Planning Organization (MPO) met to discuss ways to get the Government to work with the Counties. They addressed concerns about interests of the Counties on issues and the requirement for necessary action required by the Counties. Mr. Garriga asked for the Board of Supervisors to submit recommendations to the Governor for an appointment to this organization who will represent DeSoto County.

Supervisor Jessie Medlin said the Board Attorney recommended a resolution to send down names for this position. Supervisor John Caldwell said in the past the County has not made suggestions, but let the Governor make his choice for the position. Supervisor Eugene Thach said current appointee at one time lived in the County, but now lives in Memphis and the County needs a representative from the County to attend to the interest of the County.

Mr. Garriga said there are quarterly meetings for the MPO and that Merritt Powell represents the County most of the time. Supervisor Thach said he feels like the County should do this.

Supervisor Gerald Clifton made the motion and Supervisor Eugene Thach seconded the motion to hold this item over until Wednesday, April 3, 2002 for the Director of Planning to make a recommendation for an appointee. The motion passed by a vote as follows:

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

2. Comptroller – Joyce Riales

a. Late Bill – Planning Commission

Michael Garriga, Assistant Director of the Planning Commission, said they usually sent five (5) people to the Mid South Planning and Zoning Institute conference to be held at the University of Memphis on April 5, 2002. It would be three (3) commissioners, Merritt Powell and he who would attend. The total cost will be \$395.00. Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to authorize the clerk to write the check in the amount of \$395.00 for the attendance of the Planning Commission designees to the Tennessee Chapter-APA conference being held April 5, 2002. The motion passed by a vote as follows:

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

****See Exhibit E.2.a****

ITEM E.2, CONTINUED,

b. Claims Docket

Comptroller Joyce Riales and Stephanie Hanks, accounting clerk, presented the claims docket showing claims that need to be paid for various departments as of April 1, 2002, in the amount of \$3,130,401.56.

Supervisor Eugene Thach asked who was responsible for the consultant fees under the Regional Utility Authority account. County Administrator David Armstrong said the RUA had hired Attorney Bill Austin to oversee their administrative operations and the County would be paying this, but it would come under the expenses incurred as a loan from the County and would be repaid.

Supervisor Eugene Thach asked where the County stood on the buildings for the Aviation and Civil Defense. Mr. Armstrong said Marvin Johnson was working on the building designs and would have them for the Board soon.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Eugene Thach made the motion and Supervisor Gerald Clifton seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Comptroller, except the portion of the Tax Assessor’s bill for Marsha Baughn, in the amount of \$7,425, and to hold payment to William Bryant until this matter is resolved. The motion passed by a vote as follows:

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

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 that 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 Eugene Thach seconded the motion to approve the investment of surplus funds to Trustmark National Bank, who is the high bidder to place 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>
3/22/02	Trustmark	\$5,000,000	7/02/02	102	1.91%	8611434

The motion passed by a vote as follows:

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

****See Exhibit E.2.c****

ITEM E.2, CONTINUED,

d. Approval to Ratify Bond Payments

Verified loan repayment documents for DeSoto County Account #71-61-5881-3T 5 \$10,000,000 Mississippi Development Bank Promissory Note dated October 9, 2000 were presented by copy to each Supervisor. Payment was made to Hancock Bank against the following accounts as follows:

<u>Account #</u>	<u>Description</u>	<u>Payment Amount</u>
001-801-800	Principal	\$20,833.67
001-801-801	Interest	<u>\$ 9,304.11</u>
		\$30,137.78

Verified loan repayment documents for the \$18,000,000 MS Development Bank Special Obligation Bonds, Series 2000 (DeSoto County, MS General Obligation Public Improvement Bond Project) Issue #0350, were presented by copy to each Supervisor.

Payment for variable rate interest to be made for thirty days to Trustmark Bank against the following account:

<u>Account #</u>	<u>Description</u>	<u>Payment Amount</u>
215-800-801	Interest	\$23,681.11

Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion to ratify the bond payments as described above. The motion passed by a vote as follows:

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

****See Exhibit E.2.d****

3. Approval of Travel

In accordance with Section 25-3-41 Mississippi Code of 1972, as amended, any official or employee of DeSoto County, Mississippi, is hereby authorized to travel during the period of March 4, 2002, to April 1, 2002, as necessary and incur travel expenses in the performance of their official duties for DeSoto County; that all such travel is hereby authorized contingent on funds being available in the departmental budget of the individual traveling.

Supervisor Eugene Thach made a motion and Supervisor John Caldwell seconded the motion to authorize DeSoto County employees to travel during the period of April, 2002, to May 6, 2002, as necessary, and incur travel expenses in the performance of their official duties for DeSoto County. The motion passed by a vote as follows:

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

4. Approval of Planning Assistance to States Agreement with Corp of Engineers

County Administrator David Armstrong said that at a recent Council of Governments **ITEM E.4, CONTINUED,**

(COG) meeting an agreement was made to contract with Neel-Schaffer, Inc., Engineers & Planners to work with the Corp of Engineers on a County-wide stormwater drainage

plan, as required by EPA.

David Armstrong said the agreement with the Corp of Engineers is for the preparation of comprehensive plans for the development, utilization and conservation of water and related resources of drainage basin, watersheds or ecosystems located within the boundaries of the County. Mr. Armstrong said the cost of the project would be \$140,000 over a two year period and that the County's portion is \$23,800 over a two year period. Mr. Armstrong said the Board Attorney Tony Nowak has looked over the agreement and made a few changes and the Corp has approved the changes. Mr. Armstrong said the lump sum of \$70,000 would be shared between the County and the Cities of Hernando, Olive Branch, Horn Lake and Southaven. Mr. Armstrong said the County could make the lump sum payment and then collect from the Cities. Mr. Armstrong said it would take someone in Planning to oversee the Flood Plain Ordinance in Phase II of the project. Mr. Armstrong said this would be a County-wide plan for the storm water drainage. Supervisor Eugene Thach asked how this would affect the Cities. Mr. Armstrong said that until the plan is presented he did not know the effect on the Cities. Supervisor John Caldwell said there is a publication, *Storm Water*, and he would like for the Board of Supervisors to see a copy, since it would talk about the requirements.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the Planning Assistance To States Agreement between the Department of the Army and DeSoto County, Mississippi for the National Pollutant Discharge Elimination System Phase II Permit. The motion passed by a vote as follows:

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

****See Exhibit D.4****

5. Approval of Bailiff Pay

Pursuant to Section 25-7-27, Section 1, paragraph (e), which allows for Constables working as Bailiffs to be paid as provided under Section 25-3-69, Mississippi Code of 1973, Annotated, Supervisor Gerald Clifton made the motion and Supervisor Eugene Thach seconded the motion to pay Joe Holmes the amount of \$160.00 for the month of March 2002; to pay Lee Hodge the amount of \$200.00 for the month of March 2002; and to pay Floyd Medlin the amount of \$160.00 for the month of March 2002, for their services as Bailiffs for DeSoto County Justice Court. The motion passed by a vote as follows:

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

****See Exhibit E.5****

6. Justice Court Report

At the recommendation of the Justice Court Clerk Linda Aldridge, Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to approve the Justice Court Report for the month of March 2002. The motion passed by a vote as follows:

ITEM E.6, CONTINUED,

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

4/01/02

Supervisor John Caldwell YES
Supervisor Tommy Lewis ABSENT

****See Exhibit E.6****

7. Sheriff's Employee Report

Supervisor Gerald Clifton made the motion and Supervisor Eugene Thach seconded the motion to acknowledge receipt of the Sheriff's Department Employee Report for the month of March 2002. The report is attached and made a part of the minutes in Exhibit E.7. The motion passed by a vote as follows:

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

****See Exhibit E.7****

8. Central Maintenance

a. Road Report and Work Schedule

Pursuant to Section 65-17-7 of the Mississippi Code of 1972, Annotated, Road Manager Russell Dorris presented the Road Report for February 26, 2002, thru March 25, 2002 and the Work Schedule for the month of April 2002.

Supervisor Eugene Thach made the motion and Supervisor Gerald Clifton seconded the motion to approve the Road Manager's Road Report and Work Schedule Report. The motion passed by a vote as follows:

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

****See Exhibit E.8.a****

b. Road Bond Report

Road Manager Russell Dorris presented the Road Bond Report to the Board of Supervisors. Supervisor John Caldwell asked if there were any problems on the bonds that expire this month. Russell Dorris said no.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to accept the Road Bond Report presented by the Road Manager. The motion passed by a vote as follows:

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

****See Exhibit E.8.b****

ITEM E, CONTINUED,

9. Approval of Publication of Board Proceedings

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the

motion to approve the publication of Board Proceedings in accordance with Section 19-3-33 of the Mississippi Code, which states that the Board of Supervisors may have its proceedings published in some newspaper published in the county, and cause the same to be paid for out of the county treasury. 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

10. Approval to Contract with Grassland Irrigation – Jim Bearden

Jim Bearden, Director of Operations & Maintenance, said the County has contracted with Grassland Irrigation for the last four years. Jim Bearden said the cost of \$85.00 monthly is the same rate as last year. Board Attorney Tony Nowak said this is a different contract format than the previous year contract, but everything is in order.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to accept the recommendation of the Director of Operations & Maintenance Jim Bearden and the Board Attorney to approve the contract with Grassland Irrigation for a one year contract to expire December 31, 2002 with a cost of \$85.00 monthly fee. 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.10****

11. Approval to Advertise County Resources – MAS Convention Issue June 2002

County Administrator David Armstrong asked the Board of Supervisors for approval to advertise in the MAS Convention Issue magazine. Mr. Armstrong said the Board has previously advertised on the inside front cover with a color picture of each Supervisor and a picture of the Administration Building. Supervisor Eugene Thach asked if the Convention Center picture had ever been used in the ad. Mr. Armstrong said he could not get a good picture of the Convention Center to be used in the past, but he could try to see if anything was available for the Board to look at. Mr. Armstrong said the deadline for the artwork would be May 1, 2002 but the contract for commitment is April 15, 2002. Mr. Armstrong said the cost of a color front inside cover would be \$1,105.00.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve advertising the DeSoto County Resources on the inside front cover, in color, in the MAS Convention Magazine Issue, at a cost of \$1,105, in accordance with Section 17-3-3, of the Mississippi Code of 1972. The Board of Supervisors did make a determination that the above request would advertise the resources and possibilities of DeSoto County and thereby advance the moral, financial and other interests of DeSoto County and authorized the clerk to write the check. The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
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ITEM E.11, CONTINUED,

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

Supervisor Tommy Lewis ABSENT

****See Exhibit E.11****

12. Approval of 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 March 2002 Term in the amount of \$1740.00. Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve this payment, pursuant to Section 25-7-9 of the Mississippi Code of 1972, Annotated. The motion passed by a vote as follows:

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

****See Exhibit E.12****

13. Approval to Open Bids for Laundry Washers for Jail on Apr. 12, 2002 at 1:00P.M.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to approve the County Administrator or his designee to open bids for the laundry washers for the County Jail on April 12, 2002 at 1:00 P.M. The motion passed by a vote as follows:

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

****See Exhibit E.13****

14. Making Attorney General’s Approval of Interlocal Agreement with the Hernando Civic Center a Part of the Minutes

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to accept the Attorney General’s approval of the Interlocal Agreement with the Hernando Civic Center 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	YES
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	ABSENT

****See Exhibit E.14****

15. Brentwood

a. Bids Under Advisement Western Division Waste Water Facility

Nathan Husman, Engineer with Engineering Associates Inc., said the bids that were received for the Western Division Wastewater Treatment Facility on March 28, 2002

ITEM E.15.a, CONTINUED,

had been tabulated and the apparent low responsible bidder is Delta Constructors, Inc. with a price of \$597,777 for “Base Bid”. Mr. Husman said they are recommending the Board of Supervisors award the contract to Delta Constructors, Inc. contingent upon approval of funding resources and receipt of Contractor clearance from MDA.

Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion to approve awarding the contract for the Western Division Wastewater Treatment Facility, based on the recommendation of EAI/WEI, LLC, to Delta Constructors, Inc., in the amount of \$597,777, contingent upon approval of funding resources and receipt of Contractor clearance from MDA. The motion passed by a vote as follows:

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

****See Exhibit E.15.a****

b. Approval of Board President to sign Contract with Freeland & Lemm for Water & Sewer Line Construction for Brentwood

Nathan Husman, Engineer with Engineering Associates Inc., said they are recommending the Board President to exercise the contract with Freeland & Lemm for the construction of the water and sewer lines for Brentwood Originals.

Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion to approve the Board President to sign the contract with Freeland & Lemm, based on the recommendations of EAI/WEI, LLC, for the construction of the water and sewer lines for Brentwood Originals. The motion passed by a vote as follows:

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

c. Walls Water Association Extension Fee for Brentwood

Nathan Husman, Engineer with Engineering Associates Inc., said a letter was received from the Walls' Water Association Engineer, Elliot & Britt Engineering, P.A., regarding the extension fee and tap fee for the Brentwood project. The extension fee for a new development connecting to existing lines is \$500 and the tap fee for new services is \$600 per meter. These fees are due and payable before commencement of construction on the new 12" main between Hwy 61 and the proposed new elevated tank. Mr. Husman said they are recommending the County pay the extension fee of \$500 and that Brentwood pay the meter fee of \$600 per meter.

Supervisor John Caldwell asked if the fire hydrants are to be included in this fee. Mr. Husman said he would check on this.

Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion to authorize the clerk to write the check for payment of the \$500 extension fee to the Walls' Water Association for the Brentwood project. The motion passed by a vote as follows:

ITEM E.15.c, CONTINUED,	Supervisor Jessie Medlin	YES
	Supervisor Eugene Thach	YES
	Supervisor Gerald Clifton	YES
	Supervisor John Caldwell	YES
	Supervisor Tommy Lewis	ABSENT

****See Exhibit E.15.c****

d. EDA Acknowledgement Letter to Proceed At Your Own Risk on the Brentwood Originals Project

Mr. James Curcio, Assistant Executive Director of the North Delta Planning & Development District, Inc., said the acknowledged response to the Board's letter of February 27, 2002, requesting EDA authorization to commence construction of infrastructure improvements for the Brentwood Originals Project, consisting of sewer system, sewer mains, water main, water tank, deep well and appurtenances prior to the completion of the processing of the County application for grant assistance has been approved to proceed entirely at your own risk. ****See Exhibit D.15.d****

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. Homestead Exemptions

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to approve the petition to adjust the homestead exemption supplemental roll as presented by the Chancery Clerk as follows:

Parcel No.	Parcel No.
2079-3001.0-00001.00	1088-2812.0-00122.00
1088-3302.0-01565.00	3073-0600.0-00001.01
1097-2501.0-00434.00	1079-3013.0-00056.00
1086-2304.0-00036.00	1085-2203.0-01358.00
3082-0300.0-0001.00	1079-3001.0-01352.00
1079-3025.0-00024.00	2061-1101.0-00137.00
1079-3010.0-00008.00	1067-2608.0-00013.00
1074-1905.0-00784.00	3074-1901.0-00079.00
1088-3401.0-00194.00	2081-0216.0-00094.00
2081-0104.0-00203.00	1088-3305.0-02333.00
1088-3302.0-01386.00	2065-2100.0-00018.02
1074-1912.0-00014.00	1065-2201.0-00041.00
1067-2615.0-00020.00	1097-2506.0-00482.00
2076-2301.0-00053.00	2076-2301.0-00054.00
1086-2409.0-00011.00	1088-3302.0-01620.00
2081-0103.0-00328.00	1079-3023.0-00241.00
1068-3404.1-00014.00	2071-1203.0-00026.00
1079-3025.0-00083.00	1078-3401.0-0003.00
1077-2603.0-00015.00	2063-0801.0-00023.00
3094-1803.0-00023.00	2085-2200.0-00003.00
2085-2200.0-0002.02	2078-2703.0-00006.00
2083-0603.0-000232.00	2055-2100.0-00009.00
1069-2905.0-00077.00	1086-1403.0-00135.00
1085-2207.0-01804.00	1088-2710.0-00002.00
1087-2608.0-00036.00	1086-2403.0-00208.00
1077-3506.0-00061.00	2074-1900.0-00013.00
1088-2705.0-02608.00	2076-2304.0-00611.00
1086-2308.0-00462.00	1065-2110.0-00077.00

ITEM G.1, CONTINUED,

The motion passed by a vote as follows:

Supervisor Jessie Medlin	YES
Supervisor Eugene Thach	YES
Supervisor Gerald Clifton	YES

Supervisor John Caldwell YES
Supervisor Tommy Lewis ABSENT

**** See Exhibit G.1****

2. Cell Phones

Supervisor Jessie Medlin asked the County Administrator to call other Counties to see if they had a policy on cell phones regarding a cap. Supervisor John Caldwell said the only problem with a cap is the ability to police the phones. Supervisor Caldwell said we don't want to penalize people who are doing County business. Vanessa Lynchard said the County receives a log on out going calls, but not incoming calls. Supervisor Eugene Thach said the County should get a corporate rate with minutes that would handle calls. No motions were made on this item.

3. County Road Map & Register

County Road Manager Russell Dorris said he had been going over the July 1, 2001 adopted road map and register and has found it to be short two roads. Mr. Dorris said the roads are on the map, but not on the register. Supervisor John Caldwell said he is not sure the road register complies with the State law. Mr. Dorris said it is not exactly right.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to approve, at the recommendation of the County Road Manager Russell Dorris, adding the following roads to the County road map and register:

- 1.Liberty Hill Road, intersecting with Starlanding Road south for 0.2 mile, T2S, R9W, section 21, DeSoto County, MS.
- 2.Oak Ridge Road, intersecting with Stateline Road south for 0.3 mile, T1S, R9W, section 24, DeSoto County, MS.

The motion passed by a vote as follows:

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

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

4. Olive Branch Thrift Shop

Supervisor Jessie Medlin said to use the Fairhaven building in Olive Branch for a thrift shop, it would have to be declared as surplus property and then the County could take bids for the sale of or to lease out the building. Board Attorney Tony Nowak said he and Bobby Chamberlin discussed this issue and that it can be done this way. Supervisor Eugene Thach said this would be at fair market value of the property. Supervisor Jessie Medlin said the County voting precinct would remain at the Fairhaven location so the building can't be sold. Chancery Clerk Sluggo Davis said the sale could be done with a lease restriction. Tony Nowak said the lease would be for the fair market value, as well.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the **ITEM G.4, CONTINUED,**

motion to declare the old Fairhaven Fire Department at 11885 Whispering Pine, Olive Branch, MS as surplus property with the understanding it has to be used for a voting precinct by whomever buys or leases the property, and to authorize all steps necessary to bid for the sale or lease of the property at fair market value, including an appraisal, if necessary. 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

Tony Nowak said he would check to see what the procedure to determine the fair market value of property for lease purposes would be.

5. Green River Road Utility Easement

County Road Manager Russell Dorris said KWP Utility Company, LLC has proposed a plan to construct a sewer effluent force main from the sewer treatment plant to the Mississippi River to minimize intrusion to the County Line Road between the old and new Highway 61 on the DeSoto/Tunica County line. Mr. Dorris said they would install an eight inch sewer line, three feet down, adjacent to the pavement. The route of the pipeline will run just north of Green River Road, boring new US 61 where it then will run mostly north of County Line Road, then Koehler Road, then bore old Highway 61, then cross the Levee and run to the river. Mr. Dorris said due to the Entergy substation located just to the north of the road, they have requested that the line run under the road approximately 780 feet. Mr. Dorris said they have placed a \$30,000 bond to cover the road. Supervisor Gerald Clifton said this should be changed to a \$50,000 bond.

Supervisor Eugene Thach asked if this was for the Tunica County treatment plant. Russell Dorris said yes, and the utilities have the right to be in the County right of way. Supervisor Clifton said the plans are to build a 17,000 acres development in this section and this requires a new sewer system. Supervisor John Caldwell said to request to make this available to DeSoto County and if it is under the road to install a 12 inch line. Supervisor Jessie Medlin said when they sign the agreement to make the statement, if the line has to be moved, at the County’s request, they have to pay for the relocation. Supervisor John Caldwell asked if the Regional Utility Authority had looked at this request. Supervisor Clifton said this sewer line would not be sufficient for industrial use. Supervisor Caldwell said the RUA has the authority to look at new lines in this section.

Supervisor Gerald Clifton made the motion and Supervisor Eugene Thach seconded the motion to approve the contract with KWP Utility Company, LLC subject to the review of project by the RUA and the ability for the RUA to tie into the sewer lines and the bonds for the road being \$50,000. The motion passed by a vote as follows:

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

****See Exhibit G.5****

6. Safety Meeting

Road Manager Russell Dorris said he appreciated the Board allowing him to take nine Central Maintenance employees to the recent safety seminar held in Tunica by the Road Managers Association. Mr. Dorris said there were 54 people in overall attendance at the meeting.

ITEM G.6, CONTINUED,

Supervisor Jessie Medlin asked Russell Dorris if the County has any signs that have slow on one side and stop on the other side and if the road crew had radios and walkie talkies in hand when stopping traffic. Mr. Dorris said he would check on the signs and they needed local radios for traffic area control. Mr. Dorris said the liability and safety for the County to use this would be important. No motions were made on this.

7. Overlay Contract

Supervisor Jessie Medlin asked the Road Manager Russell Dorris if Consulting County Engineer Daniel Murphy was working on the specifications for Getwell Road and McIngvale Road. Russell Dorris said yes. Supervisor Medlin asked how they were proceeding on the overlay requirements. Russell Dorris said they have marked the roads that require absolute overlay. Russell Dorris said Daniel Murphy had advised him that it would take \$50 a ton for the overlay requirements.

Supervisor John Caldwell said this should be \$2.5 million this year and by the time it is finished and billed it would run \$3 1/2 million.

Supervisor Jessie Medlin said some of the roads that have been built in the last three years are beginning to crack due to the last two years of dry seasons. County Administrator David Armstrong asked if there was any rule regarding the lifetime of a road. Russell Dorris said the amount of traffic is an issue on any road.

Supervisor Jessie Medlin said the roads where the Cities are to pay for half of the overlay should be included on the overlay contract. Supervisor Eugene Thach said that most of the roads in the City is destroyed by traffic. Russell Dorris said the condition of a road and the traffic count on the road would determine the priority of a road to have overlay.

Supervisor Jessie Medlin said for the Board to look at the list of roads for the overlay and to set it on the Wednesday, April 3, 2002 agenda to go out for contract. Supervisor John Caldwell said some of the overlay contract would carry over into the next budget year. No motions were made on this item.

8. MDOT Request to use Rubbish Pit

Supervisor Jessie Medlin said he had received a call from the MDOT Highway Department requesting to use the County rubbish pit to dump the clearing of pine trees on Hwy 305. Supervisor Medlin said they would have between 10 and 15 loads and that they would pay the standard dump fee. Supervisor Medlin said the clearing would take place in the Cockrum community where the storms hit in November.

Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to approve the use of the rubbish pit by MDOT to clear Hwy 305, in the Cockrum community, of the pine trees and for the standard dump fee to be paid by MDOT. The motion passed by a vote as follows:

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

9. Administration Building Fire Protection System

Director of Operations & Maintenance Jim Bearden informed the Board of Supervisors of the requirement to have the Administration Building fire protection system flushed and checked out. Mr. Bearden said this had not been done since the building was occupied in

ITEM G.9, CONTINUED,

March 2000 and this is a requirement every two years.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve the recommendation of Jim Bearden, Director of Operations & Maintenance, to flush the Administration Building fire system. The motion passed by a

vote as follows:

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

10. Resolution to State for Addition Highway Patrolmen

Justice Court Director Linda Aldridge asked the Board of Supervisors to send a resolution to the Mississippi Highway Patrol requesting that two more officers be assigned to DeSoto County to replace the loss of two officers being reassigned.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to approve the Board of Supervisors sending a resolution to the Mississippi Highway Patrol Division requesting two officers for DeSoto County. The motion passed by a vote as follows:

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

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion, to recess the meeting until Wednesday, April 3, 2002 at 9:00 am. The motion passed by a vote as follows:

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

THIS the 1ST. day of April 2002, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Jessie Medlin, President
DeSoto County Board of Supervisors