

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

JESSIE MEDLIN, PRESIDENT 2002 PRESIDING

August 5, 2002

A. CALL TO ORDER

The August 5, 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
- Sheriff James Albert Riley---- -Sheriff
- David Armstrong-----County Administrator
- Bobby Chamberlin-----Board Attorney

B. INVOCATION

Supervisor Tommy Lewis presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. PUBLIC HEARING 2002 TAX ROLLS

Supervisor John Caldwell made a motion and Supervisor Eugene Thach seconded the motion to open the public hearing on the subject of tax assessments as approved by this Board of Supervisors on July 1, 2002 and as advertised in *The DeSoto Times Today* on July 9, 2002, *The DeSoto Appeal* on July 11, 2002, and *The DeSoto Tribune* on July 24, 2002. The motion passed by a unanimous vote.

Supervisor Jessie Medlin called for anyone wishing to discuss the tax assessment as presented by the Tax Assessor on July 1, 2002, to come forward. Bill Bryant, Stephen Gullett, Pieter Zee and Don White, employees of the Tax Assessor’s office, were present to substantiate the assessments stated for the 2002 Tax Rolls.

1. Robert Vinson Jr. – Delta Bluff Apartments

Chancery Clerk Sluggo Davis said Mr. Robert Vinson called him Friday, August 2, 2002, and wanted to appeal taxes for 2002 on Delta Bluff Apartments, parcel 1098-2700.0-00001.09, based on the documents submitted. Bill Bryant said Mr. Vinson states in the documentation a 40% vacancy rate in the apartments. Mr. Bryant said the assessors do take into consideration the vacancy rate, but based on the purchase price submitted, \$7.4 million, for the apartments a 20% vacancy rate would equal an assessment on \$5.9 million value of property, whereas the actual assessment was done on \$5.8 million value. Stephen Gullett said the property was occupied at 80% in July 2001, and this year it was found to be 80% occupied in July 2002 according to apartment personnel. Mr. Gullett

ITEM D.1, CONTINUED,

said the adjacent property had an occupancy rate of 98%. Mr. Bryant said no matter which method of assessment is used, their assessment is still accurate.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve upholding the tax assessment by the Tax Assessor's office for the Delta Bluff Apartments, parcel 1098-2700.0-00001.09, for the 2002 Tax Rolls. The motion passed by a unanimous vote. ****See Exhibit D.1****

2. Nancy M. Hunt – Thrifhaven Inc. & Church Road Joint Venture

Chancery Clerk Sluggo Davis said he had received a fax from Nancy Hunt stating the withdrawal of the petition for reduction of assessment on parcel 2081-1203.0-00001.00, Church Road Joint Venture.

Andy Raines, Representative for Stokes Bartholomew Evans & Petree Public Accountant Firm, presented documentation for Thrifhaven Inc., parcels 1079-3105.0-00001.00, 1079-3105.0-00002.00, 1079-3105.0-00003.00, 1079-3105.0-00004.00 for reduction of assessment. Mr. Raines said these properties are located in the Goodman Collection Shopping Center on Goodman Road and Elmore Road. Mr. Raines said these buildings are rented on a month to month basis and they have a problem getting tenants due to the L-shape of the shopping center. Mr. Raines said they had a 34% vacancy on January 1, 2002. Bill Bryant asked what were they looking for in the assessment. Mr. Raines said they would like to get past 60% to 80% occupancy and this would have the buildings value where the tax assessment has it. Mr. Raines said they would like a one year tax relief and then the burden would be on the taxpayer to come back to the Board for why they need tax relief next year. This would allow time to get the occupancy up.

Supervisor Tommy Lewis said on the documents provided to the Board, the income and expense columns for the 2000 year and the 2001 year do not show any expenses for the 2000 year. Mr. Raines said the company has undergone a different accounting system and was not able to supply the expenses, but they should be the same as the 2001 expenses.

Don White said when they spoke to the building tenants, they expressed a desire to expand their business into the vacant units in the shopping center, but they could not get the management personnel to respond to their request for addition space.

Supervisor Eugene Thach said he feels that this shopping center is a hot spot in Southaven and that once Elmore Road is opened up, it would get more business in this shopping center. This is a good location for a shopping center to be profitable.

Mr. Raines said the building has a total of 19,500 sq. ft. and the month to month leases do not allow the shopping center to generate the assessed value of \$1,297,973 that has been placed on this shopping center. Bill Bryant said the buildings are assessed at \$40.00 per sq. ft. and the land at \$5.00 per sq. ft. and they consider the type of buildings located in the shopping center for the assessment.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve upholding the tax assessment by the Tax Assessor's office for Thrifhaven Inc., parcels 1079-3105.0-00001.00, 1079-3105.0-00002.00, 1079-3105.0-00003.00, 1079-3105.0-00004.00, for the 2002 Tax Rolls. ****See Exhibit D.2****

3. Summit Insured Equity

Chancery Clerk Sluggo Davis said these tax appeal papers were filed by William Parker, Easley, McCaleb & Associates, Inc. stating a written notice of appeal on the value placed on parcel 1086-2416.0-00001.00 and 1086-2416.0-00002.00 owned by Summit Insured Equity. Sluggo Davis asked if William Parker was present to discuss the tax appeal and

ITEM D.3, CONTINUED,

Mr. Parker was not present.

Bill Bryant said this property is the Kroger Store and Shopping Center located on Stateline Road in Southaven. Mr. Bryant said the property was appraised at \$4 million, but they assessed the property as \$3,718,654. Supervisor Tommy Lewis asked what is the difference in the appraisal and the assessed value. Mr. Bryant said \$77,328 is the difference. Supervisor Eugene Thach said he feels the assessment is in line. Mr. Bryant said the assessment is for the land and a 24 sq. ft. building.

Supervisor Eugene Thach made the motion and Supervisor Gerald Clifton seconded the motion to approve upholding the tax assessment by the Tax Assessor’s office for Summit Insured Equity, on parcel 1086-2416.0-00001.00 and 1086-2416.0-00002.00, for the 2002 Tax Rolls. ****See Exhibit D.3****

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to close the public hearing. The motion passed by a unanimous vote.

E. APPROVAL OF JULY MINUTES

The official minutes of the Board of Supervisors were read for the month of July 2002, pursuant to Section 19-3-27 of the Mississippi Code of 1972, Annotated. Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the minutes of the Board of Supervisors, with clarifications made by the Supervisors, for the month of July 2002. The motion passed by a vote as follows:

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

F. OLD BUSINESS

1. Courthouse Renovations

a. Report from Committee to Inspect

In accordance with Section 19-13-15 of the Mississippi Code Annotated, before the Board of Supervisors shall make a payment to any contractor for building or for doing any work on public building where the contract price exceeds \$1,000.00, they must first have the same inspected and accepted by a committee, and have the certificate of the committee, under oath filed and entered on the minutes of the Board. Such committee shall be appointed by the Board of Supervisors for that purpose and shall consist of at least two (2) members of the Board of other districts than the one in which the work is done. The Board shall not make the final payment on any such works or building without first having the same inspected as a whole and accepted by a committee of the Board, as herein before provided, and until the specifications are complied with and the work completed. Supervisor Eugene Thach said that he and Supervisor Jessie Medlin were appointed as the committee to inspect the Courthouse and they found everything to be in compliance upon inspection.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to approve the inspection of the Courthouse done on July 22, 2002 by the committee and it being accepted by the Board of Supervisors. The motion passed by a unanimous vote.

b. Making Certificate of Substantial Completion Part of the Minutes

County Administrator David Armstrong said the final bill for the completion of the Courthouse Renovation is on the docket for \$323,288. The Board should make the

ITEM F.1.b, CONTINUED,

Certificate of Substantial Completion a part of the Board minutes.

Supervisor Gerald Clifton made the motion and Supervisor Tommy Lewis seconded the motion to approve the Certificate of Substantial Completion for the Courthouse Renovation and to make it a part of the Board minutes. The motion passed by a unanimous vote. ****See Exhibit F.1.b****

c. Making Change Order #11 Part of the Minutes

County Administrator David Armstrong said Change Order #11 for the Courthouse Renovation was for a decrease of \$1,700 in the Contract Sum and needs to be made a part of the minutes. Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to approve Change Order #11 for the Courthouse Renovations and to make it a part of the Board minutes. The motion passed by a unanimous vote.

2. Signal Warrant Analysis Intersection Church Road and Tulane

County Engineer Andy Swims said he has received two proposals for the signal warrant analysis at the intersection of Church Road and Tulane Road. The one from Continental Engineering Inc. would consist of the following:

- a. Data collection
- b. Field surveying
- c. Traffic data collection
- d. Recommendation for improvements to the intersection
- e. Preliminary findings
- f. Conceptual plans
- g. Construction plans, specifications and right of way acquisition plans
- h. Construction contract administrative services

Andy Swims said the total cost for the Continental Engineering proposal is \$33,767, but this does not include cost for the signalization. The proposal from Neel-Schaffer Engineers is for the following:

- a. Design phase services
- b. Bidding phase services
- c. Construction phase services
- d. Surveying, traffic counts and right of way

Andy Swims said the total cost for the Neel-Schaffer proposal is \$35,500 and this also does not include the cost for the signalization. Andy Swims said the scope of services is the same for both consultants.

Supervisor John Caldwell asked if this had been taken to Daniel Murphy, Consulting County Engineer, to see if he could do the proposal. Andy Swims said Daniel Murphy has a full load at this time and this was the reason he solicited these proposals. Supervisor Caldwell said this intersection is a problem with site conditions and he had asked Road Manager Russell Dorris to work on it along with Andy Swims.

Supervisor Jessie Medlin said Church Road would have three lanes of road to Hwy 51. Supervisor Caldwell said the three lanes did not include the entire intersection at Tulane. Andy Swims said the engineers would have to make some assumptions in some areas on this intersection. Supervisor Caldwell said when he spoke to Daniel Murphy about this intersection, he said it would be 2 or 3 years before this signalization could be done. Andy Swims said the cost of the project would be \$50,000 to \$100,000.

Supervisor Jessie Medlin asked what the difference was on Church and Hwy 305. Andy Swims said he talked with MDOT about Hwy 305 to get information for what the County

ITEM F.2, CONTINUED,

needs to do. Supervisor Jessie Medlin said the State would control the light on Hwy 305. Andy Swims said Church Road is a County road in the City of Olive Branch and they don't have a signal in their plans. Andy Swims said he received a letter from Steve Bigelow, Engineer for the City of Olive Branch, stating they hope the light won't be required.

Supervisor John Caldwell asked what the completed time frame for the analysis would be. Andy Swims said he did not have one. Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to take the proposals under advisement from Continental Engineering, Inc. and Neel-Schaffer Engineers for the signal warrant analysis at the intersection of Church Road and Tulane Road. 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	YES

****See Exhibit F.2****

3. Railroad Crossing at Nail Road and Starlanding Road

Supervisor John Caldwell made a motion to approve Pickering Engineering to go to final engineering on the Nail Road Railroad Overpass and authority for the Board Attorney to request from the Railroad the approval for an at grade railroad crossing on Starlanding Road. The motion failed for lack of a second.

Supervisor Eugene Thach said he has a problem having a bridge at Nail, when there is a grade crossing at Church Road, Goodman Road and Stateline Road, which are high traffic roads. Supervisor Caldwell said this is the only solution for Starlanding to use the \$2.1 million from the Federal Government. If the County has to build a bridge over the railroad at Starlanding the cost to the County would be \$5 million, but it would only cost \$3.5 million for construction of a two lane at grade crossing at Starlanding and a five lane bridge on Nail Road. Supervisor Thach said the County should do the Starlanding Road crossing first. Supervisor Caldwell said the only solution for Starlanding without bringing Nail Road in would cost \$5 million. Supervisor Caldwell said the Railroad would not approve the grade crossing on Starlanding until the bridge is built on Nail Road. Supervisor Thach said there is not a lot of railroad traffic on these tracks. Supervisor Caldwell said the County has agreed to spend \$750,000 on the Nail Road widening and this could be used for the Railroad Bridge on Nail. Supervisor Caldwell said there would have to be some right of way acquisition done on Starlanding. Supervisor Jessie Medlin said the County's part for Nail would be \$2 to \$3 million with the Railroad Bridge. Andy Swims, County Engineer, said the standard cost for the engineering would be 12% of the construction cost. Supervisor Caldwell said he did not want two lanes at Starlanding, but this would give time to get more Federal money and then we may be able to do more than two lanes. Supervisor Tommy Lewis asked how the County was going to pay for the projects. Supervisor Caldwell said we couldn't include Starlanding until the Railroad gives approval of the plans for Nail Road Bridge and they approve a grade crossing on Starlanding. Supervisor Caldwell said we could take the engineering cost out of the \$750,000 allotted for the Nail Road widening.

Supervisor Thach said he wants the Railroad to come talk to the Board of Supervisors about it. Supervisor Caldwell said he, David Armstrong and Andy Swims have all talked to the Railroad already.

Supervisor Thach said the County should approach our Congressmen and Senators to have them approach the Railroad for permission to do a grade crossing on Starlanding.

ITEM F.3, CONTINUED,

Supervisor Caldwell made a motion to do this. The motion failed for lack of a second. Supervisor Tommy Lewis said he did not want a grade crossing on Starlanding.

Supervisor John Caldwell made a motion to approve going to final design on the Starlanding Road Overpass. The motion failed for lack of a second.

Supervisor Tommy Lewis said this project needs to be on the Capitol Improvement Plan. Supervisor Lewis said he would like for the Board to spend the next two weeks to see how the money could be secured for the Starlanding Overpass. Andy Swims said the designs are for a grade separation now. Supervisor Jessie Medlin asked if there are any grade crossings that can be closed as a pass off for having a grade crossing on Starlanding. Supervisor Lewis said Nail Road is a good candidate for a bridge crossing, but how the County can pay for this is the problem.

Later in the meeting Supervisor Eugene Thach said he would like for the Board to proceed with a four-lane underpass on Starlanding Road and to give the committed \$750,000 to Horn Lake for the widening of Nail Road so they can handle the railroad crossing. Supervisor John Caldwell said the Board must first approve going to final design for the four lane underpass on Starlanding and submit it to the railroad for approval.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to authorize the final design on a four lane underpass on Starlanding Road.

Supervisor Eugene Thach said the Starlanding underpass is what the Board committed to do. Supervisor Lewis said the catch is that Nail Road has more traffic. Supervisor Caldwell said Nail has a traffic count of 11,000 to 15,000 daily. Supervisor Lewis said Nail Road needs doing and the Federal Government gave \$1.2 million for Starlanding, but the traffic does not demand a four lane road. The problem is how are we going to pay \$3 million as the County's part. Supervisor Medlin restated that the railroad has to approve the road at the railroad crossing.

Supervisor Eugene Thach withdrew his motion and Supervisor John Caldwell withdrew his second.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to authorize the final design of a four lane road underpass at Starlanding Road and to authorize the Pickering Engineers to submit the final design to the railroad for approval. 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

G. NEW BUISINESS

1. Comptroller – Joyce Riales

a. Fiscal Year End

Comptroller Joyce Riales said the GASB 34 accounting system requires a change to the coding system. Ms. Riales said she would like to run the claims docket at the end of September, instead of the middle of September, under the current chart of accounts. Ms. Riales said this would eliminate a lot of manual journal entries. Ms. Riales said the docket for the first October meeting would be under the new chart of accounts.

Supervisor Jessie Medlin asked if all the bills would be paid. Ms. Riales said the docket

ITEM G.1.a, CONTINUED,

would be out on the 24th or 25th for the Board meeting. Supervisor Eugene Thach said

we should notify people of the delay. No motions were made on this item.

b. Approval of Interfund Loan

Comptroller Joyce Riales said an interfund loan in the amount of \$250,000 is needed to cover claims for the Brentwood Originals fund until the CDBG and EDA funds are received. County Administrator David Armstrong said the County has to spend 25% of the total cost before submitting claims and the County has spent \$508,828 so far, but we have to reach \$532,500.

Supervisor Gerald Clifton made the motion and Supervisor Jessie Medlin seconded the motion to approve the interfund loan as follows:

From: General County Fund	001-000-053	\$250,000
To: CDBG-Brentwood	051-000-148	\$250,000

The motion passed by a unanimous vote. ****See Exhibit G.1.b****

c. Claims Docket

Comptroller Joyce Riales and Stephanie Hanks, accounting clerk, presented the claims docket showing claims to be paid for various departments as of August 5, 2002, in the amount of \$3,891,581.50.

Supervisor Jessie Medlin asked if the notice was sent to employees on the cell phones regarding payment for personal use and if anyone had reimbursed the County. Stephanie Hanks said she has received some reimbursements. Supervisor Tommy Lewis asked that his cell phone bill be looked at, since it was higher than normal.

County Administrator David Armstrong said the final bills for Church Road West are on the docket.

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to approve the claims docket in the amount of \$3,891,581.50 and to authorize the clerk to write the checks. The motion passed by a unanimous vote. ****See Exhibit G.1.c****

d. 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 Gerald Clifton seconded the motion to approve the investment of surplus funds to Citizens Bank & Trust, 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>
7/30/02	Citizens Bank	\$5,000,000	11/26/02119	2.11%		5014312

The motion passed by a vote as follows:

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

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

ITEM G.1.e, CONTINUED,

e. 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	\$31,261.78
001-801-801	Interest	\$15,519.37
		\$46,781.15

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	\$23,178.08

Supervisor Gerald Clifton made the motion and Supervisor Eugene Thach 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	ABSENT
Supervisor Tommy Lewis	ABSENT

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

2. Presentation of Final Design of Juvenile Facility – Kline Swinney

David Kline, Representative with Kline Swinney, appeared before the Board of Supervisors to present the final design for the proposed juvenile addition to the County Jail. Jim Bearden, Director of Operations & Maintenance, and Kenny Evans, Director of Buildings & Grounds, were present to discuss any concerns the Board might have on the final plans.

David Kline said the plans are completed and that Jim Bearden and Kenny Evans have approved the plans and he was present today to obtain approval from the Board to proceed on the juvenile facility. Mr. Kline said once the Board gives their approval, we are ready to go out for bids.

Mr. Kline said when we began talking about the juvenile facility the construction cost originally was \$1,743,000, but due to the laundry room cost being so high, we have taken it from the existing jail renovation and added it to this phase of renovation. Also included are the replacement of the air conditioning system in the older sections of the jail; we replaced the roof unit and we upgraded the electric wiring in the existing jail. Mr. Kline said the overall cost for the juvenile facility would be \$2,120,641, but we are looking for the bids to be less than this estimate.

We have estimated a 14 to 16 month completion date and we will have to do some shuffling of the inmates and trustees. We will have to complete the juvenile section before we can start on the trustee section. Mr. Kline said there would be 32 juvenile beds in the facility and with this addition there will be an additional 74 beds to the jail and this

ITEM G.2, CONTINUED,

includes the 32 juvenile beds. Mr. Kline said there is an additional segregated area for the female inmates; fake windows on the building facing Hwy 51, which was requested by the City of Hernando along with keeping the big tree and sidewalks down the front, and parking will all be located on the west side of the jail.

Supervisor Jessie Medlin asked where the County stood in bond money for the jail at this time. County Administrator David Armstrong said that at this time the County has a jail balance of \$323,022 in expenses left on the bond.

Mr. Kline said they have written a change order for \$89,000 against the contractor for liquidation damages for the month of August and there was \$14,000 in a change order for the month of July that they signed for. Mr. Kline said the contractor was addressed in June and July concerning the progress of the jail renovation and about getting on schedule. The scheduled completion date on the jail is August 15, 2002, and we can not start construction on the juvenile facility until this jail renovation is complete, because we have to move the inmates.

David Armstrong asked to hold sending the bid invitation to the papers until Judge Mills Barbee has a chance to look at the final plans for the juvenile facility.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to authorize going out for bids on the juvenile facility addition to the jail. 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 G.2****

3. Approval to Amend Contract to Stroupe Pest Control for Jail Addition

County Administrator David Armstrong asked for this item to be carried over. Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to hold this item over. The motion passed by a unanimous vote.

4. Approval to add Assistant Receiving Clerk for Sheriff Dept. – Vidia Bowles

County Administrator David Armstrong said that the Sheriff's Department was asking the Board of Supervisors for approval to make Vidia Bowles an assistant receiving clerk for the Sheriff's Department. Supervisor John Caldwell made a motion and Supervisor Eugene Thach seconded the motion to approve Vidia Bowles as an assistant receiving clerk for the Sheriff's 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 unanimous vote. ****See Exhibit G.4****

5. Capitol Improvements Plan – Demery Grubbs

County Administrator David Armstrong said Demery Grubbs, Financial Advisor for DeSoto County, is present today to discuss plans for capitol improvements in DeSoto County.

ITEM G.5, CONTINUED,

Demery Grubbs said most major companies have a 5 year Capitol Improvements Plan to

help plan for financial planning in the future. Mr. Grubbs said due to the growth in DeSoto County in the last 5 years, the Board should look at a 3 year Capitol Improvements Plan for the County. Mr. Grubbs said he could talk with each Supervisor and the Road Manager to develop this plan from their objectives for the future. David Armstrong said the County has a Four Year Road Plan, but this does not include capitol projects.

Mr. Grubbs said he would like to start by developing a short range plan by having the Supervisors and department heads put together a wish list of things to get accomplished in the County. Mr. Grubbs said to begin by developing a master list and then have the Supervisors rank the list by priority. The list would go to each individual Supervisor to be ranked again. Anything that is taken off this list would be put on another list. Mr. Grubbs said the objective is to come up with 20 things on the list that the Board feels is important to the County and then decide what year to do the project and, when this is accomplished, how to pay for the project. We would also assess the budget impact of the project.

Supervisor John Caldwell stated we need to set perimeters on how to approach the projects, whether they are crisis management or long term management. Mr. Grubbs said the work sessions for the Board would deal with capitol improvements and public improvements and that we might have to shift projects. Supervisor Eugene Thach asked how this could tie into the road plan, since the state law requires the Supervisors to have a 4 year Road Plan. Mr. Grubbs said it could tie into the road plan due to the County development in areas of each Supervisor's wish list. Supervisor Caldwell said we want to be able to secure the right of way where projects would be.

Mr. Grubbs gave each Supervisor a form (Exhibit G.5) for them to start their list and put down what they individually want done. Supervisor Tommy Lewis asked if one Supervisor has something that is important, how do we express this importance. Mr. Grubbs said each Supervisor would have a chance to pull something from the list of things that had been taken off. Supervisor Thach said the Board makes the final decision about what would be put on the project list. Mr. Grubbs said they should work toward goals and objectives and that the Board should take 3 weeks to work on their list, then prioritize it.

Mr. Grubbs said he wanted to report to the Board where they stood on the County's \$18 million bond regarding the variable interest rate to a fixed interest rate. Mr. Grubbs said the interest rates are in good shape at this time and that he had just worked with Harrison County to do a fixed rate for 7 years at an interest rate of 4.5%. Mr. Grubbs said he could fix DeSoto County's 20 year Bond in at a 4.1% interest for 7 years, and after the 7 years it would go back to a variable rate. Mr. Grubbs said the variable rate is at 1.58% at this time, but it would be going back up soon. David Armstrong said if the Board wants to go to a fixed rate, the fixed rate would have to be budgeted. Supervisor Lewis asked Mr. Grubbs to see if they could do the full 20 years at a fixed rate.

Mr. Grubbs said they were able to take the County's Refund Bonds, the two 92 series and the one 94 series, which totaled \$8million and save the County \$298,483.88. Mr. Grubbs said it is mandatory by the State that there must be at least 2% savings to the County before they could do the bond refinancing. Mr. Grubbs said the cost of \$90,000 to do the refinancing has already been taken out of the total project savings to the County.

David Armstrong said he got another quote from a company to do a CIP plan for \$9,000. No motions were made on this item.

ITEM G, CONTINUED,

6. 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 July 1, 2002 to August 5, 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 Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to authorize DeSoto County employees to travel during the period of August 5, 2002 to September 3, 2002, as necessary, and incur travel expenses in the performance of their official duties for DeSoto County. The motion passed by a unanimous vote.

7. Making the Board of Education's School Budget 2003 a Part of the Board Minutes

In accordance with Section 19-11-11, and Section 37-57-105 of the Mississippi Code, County Administrator David Armstrong presented the approved budget for the Board of Education to the Board of Supervisors for acceptance into the Board minutes and the following Order to be made a part of the Board's minutes.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to accept the budget and Order for the Board of Education into the minutes of the Board of Supervisors. The motion passed by a unanimous vote. ****See Exhibit G.7****

8. Making the Attorney General's Approval of the Interlocal Agreement for a Crime Scene Investigation Vehicle a Part of the Board Minutes

Board Attorney Bobby Chamberlin said the Attorney General's office has approved the Interlocal Agreement for a Crime Scene Investigation Vehicle with each City in DeSoto County. Bobby Chamberlin said this is a two year agreement and the vehicle would be carried on the County's inventory. Bobby Chamberlin said the Sheriff's Department receives private funds to operate the vehicle. Bobby Chamberlin said the Board needs to make the interlocal agreement a part of the minutes.

Supervisor Eugene Thach made the motion and Supervisor Gerald Clifton seconded the motion to approve making the approval of the Attorney General's office for the Interlocal Agreement for a Crime Scene Investigation Vehicle a part of the Board minutes. The motion passed by a unanimous vote. ****See Exhibit G.8****

9. 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 Eugene Thach made the motion and Supervisor Gerald Clifton seconded the motion to pay Joe Holmes the amount of \$120.00 for the month of July 2002; to pay Lee Hodge the amount of \$80.00 for the month of July 2002; and to pay Floyd Medlin the amount of \$160.00 for the month of July 2002, for their services as Bailiffs for DeSoto County Justice Court. The motion passed by a unanimous vote. ****See Exhibit G.9****

10. Justice Court Report

At the recommendation of Justice Court Clerk Linda Aldridge, Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the Justice Court Report for the month of July 2002 attached as Exhibit G.10. The motion passed by a unanimous vote. ****See Exhibit G.10****

ITEM G.10, CONTINUED,

Supervisor John Caldwell asked if they had the computer programmed to define the crimes to do a report. Ms. Aldridge said they are still working on the programs.

11. Sheriff's Employee Report

Supervisor Gerald Clifton made the motion and Supervisor Tommy Lewis seconded the motion to acknowledge receipt of the Sheriff's Department Employee Report for the month of July 2002. The report is attached and made a part of the minutes in Exhibit G.11. The motion passed by a unanimous vote. ****See Exhibit G.11****

12. Central Maintenance

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

a. Road Report and Work Schedule

Road Manager Russell Dorris said the road crews have been spraying since April for the mosquitoes. Russell Dorris said they have tried to do source reduction by putting dirt in ditches that hold water. Supervisor Jessie Medlin asked if they had checked the sewer systems in the County. Russell Dorris said they are spraying areas and asking about private spraying. Russell Dorris said he has issued warnings to the road crews who work in these areas.

Supervisor Jessie Medlin said to remind the road crew about school starting up on August 12, 2002.

Supervisor Jessie Medlin 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 unanimous vote. **** See Exhibit G.12.a****

b. Road Bond Report

Road Manager Russell Dorris presented the Road Bond Report to the Board of Supervisors.

Supervisor Tommy Lewis said the bond on The Legends Subdivision expires today. Russell Dorris said the bond should have been reduced to a maintenance bond and he would check with Jim Ivy to make sure this was taken care of. Chancery Clerk Sluggo Davis said that if we don't call the bond before it expires today, the County would be out of luck. County Administrator David Armstrong asked Vanessa Lynchard to get Mr. Ivy on the phone while the Board discusses the bond on The Legends, Ranch Meadows (A,B,1st Add) and Spring Valley. Mr. Ivy was reached by phone and said he called the bank on Friday August 2, 2002, and everything was ready for the signing by the developer. Supervisor Tommy Lewis asked what amount was the bond. Mr. Ivy said it was a \$22,000 letter of credit on The Legends, but he had no information on the developer Dan Brown's subdivisions, Ranch Meadows and Spring Valley.

Supervisor Jessie Medlin 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 unanimous vote. ****See Exhibit G.12.b****

13. Approval of Publication of Board Proceedings

Supervisor Tommy Lewis made the motion and Supervisor Gerald Clifton 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 unanimous vote.

ITEM G, CONTINUED,

14. Approval of Assistant Inventory Clerk – Chancery Clerk

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to appoint Margie Calvi and Michelle Tyson as an assistant inventory clerk in

the Chancery Clerk's office. The motion passed by a unanimous vote.

15. Approval of Preliminary Disposition of Inventory

The Board of Supervisors were given a list of equipment owned by the County that is either unrepairable or not cost effective to repair. Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to accept receipts from the Inventory Clerk, pursuant to Section 31-7-107 of the Mississippi Code, and did approve the disposal of the items on the report as follows:

<u>Property #</u>	<u>Description</u>	<u>Serial #</u>	<u>Reason for Disposal</u>	<u>Location of Item</u>
4043	Sharp Fax Machine	3727331y	Not working	BOS office
31035	HP1050Cdesignjet plotter	SG07633109	Traded in for new model plotter	GIS Dept.
31138	Victor 1260 Calculator	059902458	Broken	Tax Collector –Hernando
30438	Epson LQ870 Printer	40U0059524	Duplicate tag 30521	Tax Collector –Hernando 30521
6091	IBM 3487 Computer	HG323K6851	Duplicate tag 30276	Justice Court 30276
201	Victor Calculator	7019254	Broken	Justice Court
30025	Ibico Calculator	50243884	Broken	Justice Court
09031	Royal Typewriter	53287706	Broken	Justice Court
10025	Smith Corona Typewriter	1118507	Broken	Justice Court
154	Texas Instruments Calculator	532543	Broken	Justice Court
264	Victor Calculator	12354923	Broken	Justice Court
202	Texas Instruments Calculator	533261	Broken	Justice Court
208	Texas Instruments Calculator	115012	Broken	Justice Court
30570	Nokia 6120 Cell Phone	12200133588	Out of date	Cnty. Admin. Office
12005	Mobile Com Pager	1504912	Broken	Cnty. Admin. Office
30967	Inacom Desk Scanner		Too costly to repair	Data Processing
31009	Gateway E1800 Computer	0024299479	Duplicate with property #31252	Cnty. Admin. Office
30535	Nokia Cell Phone	2530705993	Broken	Coroner Jeffery Pounders
30867	Nokia Cell Phone	11015263832	Broken	Coroner Jeffery Pounders
30173	Digital Mobile Phone	004183740	Upgraded	Coroner Jeffery Pounders
1033	Radio Scanner		Obsolete	Coroner Jeffery Pounders
4	Card Reader	7802200PR	Traded in for new equipment	Elections to ES&S
6001	Election Computer	7802200PR	Traded in for new equipment	Elections to ES&S
9036	Punch Card Counter	7706701PR	Traded in for new equipment	Election to ES&S

The motion passed by a unanimous vote. ****See Exhibit G.15****

Supervisor Tommy Lewis said to make sure they list the final location of the disposal on the form when items are destroyed.

ITEM G, CONTINUED,

16. Making the Agreement with DeSoto Health & Wellness Center, Inc. a Part of the Board Minutes

County Administrator David Armstrong said the fully executed agreement with DeSoto

Health & Wellness Center, Inc. has been received and needs to be made a part of the Board minutes. David Armstrong said the County required the hold harmless agreement to protect the County. David Armstrong said the County would not be charging any rent for the facilities and paying the utilities for the building. The County is responsible for the upkeep of the building regarding the repair of the heating, air conditioning and plumbing on the subject property.

Supervisor Gerald Clifton made the motion and Supervisor Tommy Lewis seconded the motion to approve making the agreement with DeSoto Health & Wellness Center, Inc. a part of the Board minutes. 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 G.16****

17. Chancery Clerk Allowance

On this date, Chancery Court Clerk W. E. Davis presented an Order of Allowances to the Board of Supervisors for the July 2002 Term in the amount of \$1,830.00. Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin 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 unanimous vote. ****See Exhibit G.17****

18. Transportation Safety

Supervisor John Caldwell said he had received a call asking if the County had insurance coverage on the vans that are used for transport. Supervisor Caldwell said that since the adjacent municipality has had problems with vans that are used at the Day Care Centers, the County should make sure we don't have the same problems.

Board Attorney Bobby Chamberlin said he would check to see if the State has anything on this, but that the state law does not have any requirements.

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to authorize the Board Attorney to investigate regulations and requirements on vans for transportation. The motion passed by a unanimous vote.

19. Appoint Committee to Inspect 2nd Floor Renovation of the Administration Building

In accordance with Section 19-13-15 of the Mississippi Code Annotated, before the Board of Supervisors shall make a payment to any contractor for building or for doing any work on a public building where the contract price exceeds \$1,000.00, they must first have the same inspected and accepted by a committee, and have the certificate of the committee, under oath filed and entered on the minutes of the Board. Such committee shall be appointed by the Board of Supervisors for that purpose and shall consist of at least two (2) members of the Board of other districts than the one in which the work is done. The Board shall not make the final payment on any such works or building without first having the same inspected as a whole and accepted by a committee of the Board, as herein before provided, and until the specifications are complied with and the work completed.

ITEM G.19, CONTINUED,

Supervisor John Caldwell and Supervisor Gerald Clifton agreed to be the inspection committee for the 2nd Floor Renovation of the Administration Building. Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to appoint Supervisors John Caldwell and Gerald Clifton to the inspection committee for the 2nd Floor Renovation of the Administration Building. The motion passed by a

unanimous vote.

20. Making the Interlocal Agreement for Resurfacing Goodman Road a Part of the Board Minutes

Board Attorney Bobby Chamberlin said the Mississippi Attorney General has approved the interlocal agreement between Olive Branch and DeSoto County for expansion of Goodman Road and this needs to be made a part of the Board minutes. Bobby Chamberlin said the City of Olive Branch would pay the first \$67,384.75 incurred on the resurfacing project and the balance of the expense would be split equally between the County and the City of Olive Branch.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve making the Interlocal Agreement for Resurfacing Goodman Road a part of the Board minutes. The motion passed by a unanimous vote. ****See Exhibit G.20****

H. EXECUTIVE SESSION

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

I. OTHER ISSUES

1. Fogg Road

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to authorize Road Manager Russell Dorris to remove the brick entranceway located on the County right of way, at the residence belonging to M. T. Skaggs, 3805 Fogg Road South, Hernando, MS 38632. The motion passed by a unanimous vote.

2. Homesteads

Supervisor Eugene Thach 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.

<u>PARCEL NUMBER</u>	<u>LOCATION</u>
1088-3402.0-00540.00	County

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

3. Williams-Sonoma Taxes

Mark Aquadro, with Watkins Ludlam Winter & Stennis, P. A., appeared before the Board of Supervisors regarding the Certificate of Hewson Properties, Inc. and Williams-Sonoma, Inc. with an agreement to make payments in lieu of taxes. Mr. Aquadro said the MOU issued in August 1998 with MDA, DeSoto County and the City of Olive Branch was negotiated for the payment of a fee in lieu of ad valorem taxes, including taxes levied for school district purposes, in accordance with Section 27-31-104 of the Mississippi Code of 1972 as amended (the "Fee-in-Lieu Statute"), which requires a minimum capital investment of \$100,000,000 in order to be eligible for this provision for 10 years. Mr. Aquadro said this certificate is to certify to the County that it has met the \$100,000,000

ITEM I.3, CONTINUED,

minimum capital investment requirement. Mr. Aquadro said the fee would be for the 2003 taxes.

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to approve making the Certificate of Hewson Properties, Inc. and Williams-

Sonoma, Inc. regarding agreement to make payments in lieu of taxes a part of the Board minutes. The motion passed by a unanimous vote. ****See Exhibit I.3****

4. Handicap Bus

Supervisor Tommy Lewis asked where the County stood on having the handicap bus. Vanessa Lynchard, Director of Administrative Services, said that Mid-State Opportunity has two buses to operate, but they are having some problems and issues with personnel. Ms. Lynchard said Mid-State Opportunity has stated that the buses are in need of repair also. Supervisor Jessie Medlin said if the County is involved in the transportation we should make sure the County residents are getting served. Supervisor Eugene Thach said the County has been funding this organization even though a state program runs it. Supervisor Medlin said the people who run the program is where the problem is. Supervisor Lewis said they are not serving the County and these people deserve a dependable program. Parents have to make arrangements if their handicaps are not going to be picked up daily.

Vanessa Lynchard said that Mid-State Opportunity personnel and DeSoto Industries personnel had a meeting to work out problems they were having. Ms. Lynchard said the County has been talking with North Delta to see if they could operate the buses. No motions were taken on this item.

5. Civic Center Road Lights

County Administrator David Armstrong said the lights have been installed and are working on the Civic Center Road.

6. Fairhaven County Building

Board Attorney Bobby Chamberlin said the appraiser's bill for \$900 on the Fairhaven Fire Department Building, to determine the rental value of the property, needed to be approved by the Board and set up for payment.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the vote to approve payment of the \$900 bill for the rental appraisal that was done on the Fairhaven Fire Department Building and to authorize the clerk to write the check. 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	YES

7. Fleming Foods Building

Board Attorney Bobby Chamberlin said the appraisal on the property where the Fleming Foods is located would be completed by August 12, 2002, and put on the Board's agenda for August 19, 2002. County Administrator David Armstrong said this agreement was done to sell the building at \$10.00 and the land at the appraised value. David Armstrong said at 44 acres of land there and this would be money to be put in the general fund for the coming budget year. No motions were made on this item.

ITEM I, CONTINUED,

8. Regional Utility Authority – Waggoner Engineering

Board Attorney Bobby Chamberlin said the Engineering Firm for the Regional Utility Authority said the County may be entitled to some credits on Brentwood. The County may be able to use the land as a portion of the accrued expenses to meet in the EPA application for funds. Bobby Chamberlin said the land would have to be appraised to

get the value.

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to authorize hiring an appraiser for the land at Brentwood. 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	YES

9. Sheriff's Department Grant

Board Attorney Bobby Chamberlin said the Sheriff's Department wants to apply for a grant that requires information on employment of Sheriff personnel. Bobby Chamberlin said they have asked him to do an audit on their records for this grant application and would like approval from the Board to do this.

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion approving the Board Attorney doing the audit on the employment records for the Sheriff's Department. 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	YES

10. County Road Map and Register

Jim McDougal, County Transportation Coordinator and Planner, appeared before the Board of Supervisor to distribute updated copies of the County Road Map and Register. Mr. McDougal said the Supervisors should look over these to see if they need to add or take off any roads. No motions were made on this item.

11. County Assessed Valuation

Chancery Clerk Sluggo Davis reported that the updated assessed valuation for August 1, 2002, was \$836,411,237. This is an increase for one month of \$2,946,139. County Administrator David Armstrong said last year's assessed valuation for August 1, 2001, was \$773,713,672. No motions were made on this item.

12. Tax Appeal Form

Bill Bryant, Tax Assessor Consultant, said the Tax Assessor's office has designed a tax appeal form that should be used by the protestors of taxes in DeSoto County. Mr. Bryant said the information on the form is more structured toward information that is required when a protest is requested. Mr. Bryant said the form requires them to be more prepared to consider the protests. Mr. Bryant asked the Board of Supervisors to take this form under advisement for approval. No motions were made at this time.

CONTINUED,

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion, to recess the meeting until Wednesday, August 7, 2002, at 9:00 am. The motion passed by a unanimous vote.

THIS the 5TH day of August 2002, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Jessie Medlin, President
DeSoto County Board of Supervisors