

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

JESSIE MEDLIN, PRESIDENT 2002 PRESIDING

OCTOBER 7, 2002

A. CALL TO ORDER

The October 7, 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

Board Attorney Bobby Chamberlin presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF SEPTEMBER MINUTES

The official minutes of the Board of Supervisors were read for the month of September 2002, pursuant to Section 19-3-27 of the Mississippi Code of 1972, Annotated. Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to approve the minutes of the Board of Supervisors, with clarifications made by the Supervisors, for the month of September 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 |

E. OLD BUSINESS

1. Tulane & Church Road Intersection Improvements

County Engineer Andy Swims and County Transportation Planner Jim McDougal appeared before the Board of Supervisors to discuss the response from MDOT on the request for approval of the intersection improvement study done on Church Road and Tulane Road. Jim McDougal said the County has received a letter from Ray Balentine, P.

ITEM E.1, CONTINUED,

E., State Planning Engineer with MDOT, stating the approval to use the MPO funds for the purpose of performing an intersection improvement study of Church Road and Tulane Road. Jim McDougal said the study cost proposal was \$12,500. Andy Swims said this amount would allow Continental Engineering to do an analysis for the overall recommendations. Andy Swims said the Board had requested to make sure the funds were available from MPO before awarding the contract to Continental Engineering.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve the contract with Continental Engineering for the signal warrant analysis at the intersection of Church Road and Tulane Road at a cost of \$12,500 to be paid for with the MPO funds. The motion passed by a unanimous vote. ****See Exhibit E.1****

2. Bridgetown Drainage Recommendations

County Engineer Andy Swims appeared before the Board of Supervisors to give the recommendations regarding the Bridgetown Drainage between Okeechobee Drive and Victoria Drive east of Itasca Drive. Andy Swims said the results from the underground video and TV study supplied the information necessary to make the determination of how to repair the drainage problem.

Andy Swims said the drainage pipe was a 30 inch pipe, then goes down to a 24 inch pipe, then goes into a 36 inch culvert. There was rust in the bottom of the pipe. Some deterioration was evident but in general the invert appeared to be still in tack. However, few locations showed complete deterioration.

Below is a list of comments made with recommendations regarding the attached map (exhibit F.2) for the different sections of the drainage pipe.

1. Invert is rusted out 100% for the first 10' +/- . Appears intact beyond this. However, invert is deteriorated. Recommend flowable fill as a precaution only. Debris build up in the invert 20" before pipe decreases in to a 24" pipe.
2. Invert appears intact from here to Inlet No. 1 but deteriorated. Joint doesn't appear to be sealed well but no apparent sink holes – may be grouted well outside of pipe. Recommend flowable fill as a precaution only. Will need to cut a hole in top of pipe to pump. Seal back with mastic (tar) and old pipe scraped.
3. Inlet No.1 is a concrete box in fair condition. Recommend to grout any apparent void around Inlet No. 1.
- 4&6. Drainage from along Okeechobee Cove appears to hit fence line which acts as a dam. Installing inlets as shown on map is one solution. However, sinkholes east of the fenceline don't appear to be due to drainage pipe deterioration but scouring from water, all crossing a low point at the fence line. Removal of a fence section and/or rip rap would help correct problem.
5. Invert appears intact from Inlet No. 1 to Inlet No. 2 but somewhat deteriorated. Recommend flowable fill as a precaution only.
7. Invert is rusted out 100% below Inlet No. 2. Recommend replacing with a concrete box type inlet. Adjacent 24" diameter tree may be killed as a result.
8. Invert appears intact from Inlet No. 2 to Inlet No. 3 but somewhat deteriorated. Recommend flowable fill as a precaution only. Since this run is so long (264 feet), pipe will need to have a hole cut in top of pipe to pump at halfway point. Seal back with mastic (tar) and old pipe scraped.
9. This box is built with concrete blocks; the cause of sink holes appears to be poor seal at pipe joint and between blocks. Recommend removing top for a closer inspection. Grouting joints may seal box.
- 10 & 12. Invert appears generally intact from Inlet No. 3 to the outlet at the lake. Some complete deterioration of the invert was observed. Recommend flowable fill. Gravel and debris was observed below Inlet No. 5 and just upstream of Inlet No.

ITEM E.2, CONTINUED,

4.
11 & 13. No TV inspection was done on this section of pipe. Sinkholes have appeared just recently. A visual inspection at Inlet No. 7 showed significant invert deterioration and pipe may need to be replaced between Inlet No. 7 and Inlet No. 8.

Supervisor Jessie Medlin asked if the whole length of pipe was necessary on the repair. Andy Swims said he recommended installing the flowable fill the full length of pipe to extend the life of the pipe. Andy Swims said the cost would be about \$1,600 for the flowable fill. Andy Swims said that Inlet 6, 7 and 8 is a different drainage system and he did not do a study on this section of pipe, but he noticed that Inlet No. 6 has a sink hole that is real bad.

Supervisor Gerald Clifton asked if the Itasca Drive flooding problem would be eliminated by these repairs. Andy Swims said repairs would only fix the sinkhole problems. Improvements to flooding would only be minimal but additional inlets would let the water drain off better for some areas. Supervisor Medlin asked about the discussion of lining the pipes that had been discussed previously. Andy Swims said he did not think this would have to be done. Andy Swims said he discussed this with County Road Manager Russell Dorris and they both feel that the County could use flowable fill pumped in every 100 to 150 feet; this would be less costly than the lining of the pipes, which would cost a lot more. Supervisor Clifton asked if this would be a permanent fix. Andy Swims said this would last about 10 years, but that some of the inlets are made of blocks and they need to be sealed. Andy Swims said the extended drainage pipe in front of Ann Tutor Jones, Inlet No. 2, has a bad sink hole and he recommends replacing this with a concrete box type inlet.

Andy Swims said a lot of utilities run thru this property. Russell Dorris said some of the sinkholes are outside of the area above the pipe's surface and that the property belonging to Tommy Burks, that has the fence, is not located near any of the inlets. Supervisor Tommy Lewis said he did not feel the fence was causing the flooding, but the problem was somewhere else. Supervisor Lewis said he is concerned there might be an underground spring located there causing the problem. Andy Swims said water does collect along this fence line at a certain point. This is the low point along the fence line. Supervisor Thach said to install an inlet at this point.

Supervisor Lewis said we need to fix what we can first and then look at the other section. Russell Dorris said to figure what areas need to be fixed would be a slow process. Russell Dorris said there are several consistencies of fills and they would have to use what works best. This is a good process, but not a cure-all. Supervisor Medlin asked what would stop the fill from going into the lake. Andy Swims said if the pipe is wet the fill will flow and that they would cut holes in sections of the pipe to be able to see the flow going through. Andy Swims said there is some debris in the pipe system that would need to be cleaned out; the cost of the fill would be about \$1,500; the cost to install two (2) inlets would be \$1,500 each; and the cost to remove a 24 inch 30 foot tall tree would need to be looked at. Russell Dorris said the tree is close to the utilities and close to a house and it might cost \$1,500 to have it removed.

Supervisor John Caldwell said this is not a road project and the Board needs a different budget set up for drainage problems on property, since the Board has gotten special legislation to do drainage on private property. Supervisor Caldwell said the Board does not have the authority to take this project out of the road funds and it would have to come out of the general funds. Board Attorney Bobby Chamberlin said to take the funds out of the road fund, the Board would need an Attorney General's Opinion and it would take less than 30 days to get an answer, but the Board can take the funds out of the general fund and not need to get an AG Opinion.

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the
ITEM E.2, CONTINUED,

motion to authorize the County Engineer and Road Manager to go forward on the repairs to the Bridgetown Drainage Project and to authorize a Budget Amendment for \$10,000 out of the Contingency Fund to set up a budget account for Drainage Repairs, and to authorize the Board Attorney to write for an Attorney General's Opinion for the use of road funds being used for drainage repairs. The motion passed by a unanimous vote.
****See Exhibit E.2****

Supervisor Eugene Thach suggested that the funds come out of the bridge fund and not the general fund. Supervisor Tommy Lewis said when there in an endangerment to life he feels the Board could take the funds from the general fund.

Andy Swims said the drainage lines would go through the sewer area of the homes and the Board needs to authorize the Attorney to draw up papers for the property owners to sign to get the right of way easement necessary for the repairs.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to authorize the Chamberlin/Nowak Law Firm to draw up documents for the property owners to sign for the right of way easements. The motion passed by a unanimous vote.

F. NEW BUISINESS

1. Sidewinder Road – Joe Thompson

Joe Thompson, 570 Bankston Road, Hernando, MS appeared before the Board of Supervisors to discuss the situation regarding Sidewinder Road. Mr. Thompson said promises have been made to straighten out the curve on Sidewinder Road and the overlay or reseal of the road.

Road Manager Russell Dorris said the County has leveled and repaired the surface area of Sidewinder Road and in certain areas the County has resealed the road. Mr. Dorris said the County has improved the curve, laid gravel, and he feels like this would hold the road up through the coming winter months and give the County time to prepare for the overlay necessary.

Supervisor Jessie Medlin asked Mr. Thompson if he lived on Sidewinder Road. Mr. Thompson said he owned property down Sidewinder Road. Russell Dorris said that there is 2.7 miles of Sidewinder Road and to overlay this amount of road would cost the County approximately \$150,000.

Mr. Thompson said that the road resealing equipment was brought in to reseal the road, but the neighbors in the area wanted the road overlaid, and after a few days the equipment was taken away. Mr. Thompson said he felt that the road was good enough to be sealed and not have to wait for the overlay. Russell Dorris said he felt that the road is in good enough shape for now. Supervisor Jessie Medlin said that most people in the County want their roads overlaid, not sealed. Mr. Thompson said he was thinking about the cost to the County and feels that the cheaper route to reseal the road would be sufficient for the road. Supervisor Eugene Thach said the County tries to rock and chip a road on the front end before they overlay the road. Mr. Thompson said he feels like politics was involved to keep from resealing the road just because the other residents on the road don't want it resealed and the County has spent very little money on Sidewinder Road. Mr. Thompson said he feels like the people on the road dictated what the County does to the road. Supervisor Thach said if the road is in good shape to be overlaid, this is the best process for the road. Supervisor Medlin said to pave the road would be the best for the County, since it would be several years before any work would be required on the road, but if the County reseals the road, then they would have to reseal the road again next year.

ITEM F.1, CONTINUED,

Supervisor Thach said this Board can put Sidewinder Roan on a priority for it to be paved in the next year's overlay contract. Mr. Thompson said he doesn't feel that politics should determine what happens on the road. Supervisor Medlin said no one dictates to this Board what gets done on a road, but there is not enough money to do all roads. Supervisor Tommy Lewis made the motion to amend the overlay contract to add Sidewinder Road. Supervisor Thach said to do this, Supervisor Lewis would have to take a road off the overlay contract. The motion made by Supervisor Lewis failed for lack of a second.

Mr. Thompson said when the road was opened up a portion of the road was in District 4 and a portion was in District 5. Supervisor Medlin said the Federal law determines when the County has to be redistricted.

Supervisor Thach said the County has \$400,000 to spend for next year's overlay. Mr. Thompson said he knew that the Board would not do anything when he came down to speak, but he wanted to get it on record.

Supervisor Thach said, in all fairness, the Road Manager is the only one who could make the decision that the road is in the best condition and that it would be better for the County if it was overlaid. Mr. Thompson said he had said what he wanted to say to the Board. No motions were made on this item.

2. Comptroller – Joyce Riales

Comptroller Joyce Riales and Sarah Clenney, Accounting Clerk, appeared before the Board of Supervisors to present the following items:

a. 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	<u>\$16,131.93</u>
		\$47,393.71

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	\$23,745.20

Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to ratify the bond payments as described above. The motion passed by a unanimous vote. ****See Exhibit F.2.a****

b. Interfund Transfer of Metro Seized Funds

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to carry this item over until Wednesday, October 9, 2002, Board meeting.

ITEM F.2, CONTINUED,

c. Claims Docket

Comptroller Joyce Riales and Sarah Clenney, accounting clerk, presented the claims docket showing claims to be paid for various departments as of October 7, 2002, in the amount of \$2,585,777.68.

Supervisor John Caldwell asked what time frame the payment to Bill Bryant for the assessments was for. Sarah Clenney said this amount is for the September close out.

Supervisor Tommy Lewis asked for the Cingular phone plans for the Family & Children to be looked at. Supervisor Lewis stated that the phones with the charges of \$190.67 and \$124.10 might not be on the right kind of plan. Supervisor Jessie Medlin requested a memo being sent to all departments stating that all changes to the Cingular phones, paid for by the County, must be approved and done by the County Administrator's Office. Supervisor Eugene Thach requested to hold the bill to Cingular until the Administrator's office could verify the charges.

Supervisor John Caldwell asked if the Hacks Cross Road acquisitions of right of ways were reimbursable. Supervisor Jessie Medlin said we don't know until the project is complete.

County Administrator David Armstrong said at the recent Council of Governments meeting a discussion was held on the animal control situation in DeSoto County. Mr. Armstrong said that Mayor Greg Davis stated the County could retain the animal shelter allotment to the City of Southaven to help with the construction of a County Animal Shelter. Mr. Armstrong advised the Comptroller Joyce Riales to not cut the check in the amount of \$14,375 to the City of Southaven. Supervisor Jessie Medlin stated that Mayor Davis had informed the Board that he did not include the County allotment for the animal shelter in the Southaven Budget for 2003.

The Board questioned the Entergy bill for the Nesbit Fire being under the Custody of Prisoners account. Sarah Clenney said this is coded by the Sheriff's Department for the Search and Rescue Division. The Board advised the Comptroller to pay the bill this month under this account, but to move this item under the Search & Rescue Budget.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve the claims docket, with the exceptions; holding the Cingular bill from Family & Children until the Administrator's Office could verify their charges; to not write the check to the Animal Shelter in the amount of \$14,375; to pay the Entergy bill as presented under Custody of Prisoners, but to verify with the Sheriff's Department and change the code to the Search and Rescue budget, and to authorize the clerk to write the checks for the balance of the claims docket. The motion passed by a unanimous vote. ****See Exhibit F.2.c****

3. Metro Narcotics

County Administrator David Armstrong requested to carry items (a), (b) and (c) over until the Wednesday, October 9, 2002 Board meeting. David Armstrong requested the Board of Supervisors approval for item (d) to allow the Metro Narcotics to negotiate a contract with Bud Black Auction.

- a. Approval to Pay Attorney Fees Awarded by Court**
- b. Approval to Add Forfeitures to Inventory**
- c. Approval to Determine Certain Inventory as Surplus for Auction or Use or Destruction**

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to hold the above items over until the Wednesday, October 9, 2002 Board

ITEM F.3, CONTINUED,

meeting. The motion passed by a unanimous vote. ****See Exhibit F.3.a.b.c****

d. Approval to Negotiate with Bud Black Auction

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to approve the Metro Narcotics negotiation with Bud Black Auction. The motion passed by a unanimous vote. ****See Exhibit F.3.d****

4. 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 October 7, 2002 to November 4, 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 John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to authorize DeSoto County employees to travel during the period of October 7, 2002 to November 4, 2002, as necessary, and incur travel expenses in the performance of their official duties for DeSoto County. The motion passed by a unanimous vote.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to recess until 1:15 p.m. The motion passed by a unanimous vote.

5. Approval for Board President to Sign the Certificate of Substantial Completion – DHS Building

County Administrator David Armstrong said the punch list has been completed on the construction of the new DHS Building. The Committee to Inspect the DHS Building, consisting of Supervisors Jessie Medlin and Eugene Thach, has done their inspection and recommended approval for the completion of payment to the contractor. Mr. Armstrong said the Board needs to approve the Board President to sign the Certificate of Substantial Completion for the DHS Building.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve the Board President to sign the Certificate of Substantial Completion on the DHS Building. The motion passed by a unanimous vote. ****See Exhibit F.5****

6. Approval of Notice of Privacy Policy with Mississippi Public Entity Services, Inc.

County Administrator David Armstrong said the Board President is required to sign the Mississippi Public Entity Services, Inc. Notice of Privacy Policy in regards to the County's participation in the Mississippi Public Entity Workers' Compensation Trust. Mr. Armstrong said this agreement states that no one can call to get information regarding an employee who participates in this plan. Board Attorney Tony Nowak said this agreement is a standard form and it is ok for the Board President to sign the document.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to acknowledge receipt of the Privacy Policy Agreement from Mississippi Public Entity Services, Inc. regarding the Workers Compensation Trust and to approve the signature of the Board President. The motion passed by a unanimous vote. ****See Exhibit F.6****

ITEM F, CONTINUED,

7. Approval to Increase Rate for Mail-Out of Car Tags

Tax Collector Joey Treadway appeared before the Board of Supervisors for approval to

increase the rate on car tag mail outs to \$2.00. Mr. Treadway said if a customer comes in to pick up their car tag, the \$2.00 would be taken off the amount due for the car tag. Supervisor John Caldwell asked why a person had to wait two weeks to pick up a Veteran Car Tag. Mr. Treadway said they did not have the new plates in and the State has been slow to send the tags to the County and there are a lot of the plates that they don't have.

Mr. Treadway said this is the 5th year for the requirement for handicap plates, that you must bring in a letter stating the eligibility for handicap and the expired disability plate. Mr. Treadway said the State Tax Commission requires this proof for issuance of the handicap plate.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the request from Tax Collector Joey Treadway to increase the mail out fee for car tags to \$2.00. The motion passed by a unanimous vote.

8. Making the Tax Collector's Insolvency List a Part of the Minutes

Tax Collector Joey Treadway appeared before the Board of Supervisors regarding the Insolvency Tax List for the County. Mr. Treadway said the personal property was \$435,327.88, which is only a 4.96% delinquency. Mr. Treadway said the County delinquency rate is better than any other County in the State. County Administrator David Armstrong said the County stated a 5% delinquency rate. Mr. Treadway said the only problem we have is from Mobile Homes and we still have 29% insolvency in collection, which is a statewide problem. David Armstrong said if new legislation that would require lot owners to be responsible for the taxes could take place, this rate could be reduced. Board Attorney Bobby Chamberlin said this legislation has not passed, but he would work on it.

Supervisor Gerald Clifton asked how they determined the insolvency. Mr. Treadway said his office started mailing out notices for collection by September 1 for taxes to be paid by January 31. Mr. Treadway said they collected \$75,000 in taxes this year by personal contact. Mr. Treadway said all personal property taxes that are delinquent are filed with the Circuit Clerk and then turned over to the Sheriff to collect. Mr. Treadway said the Sheriff's Department had done an exceptional job with the collection of the taxes. Mr. Treadway said that out of collectable taxes there was less than 1% in total collection by the Sheriff's Department.

In accordance with Section 27-49-1 of the Mississippi Code, The Board of Supervisors accepted the verbal report offered by the Tax Collector. Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to accept the Insolvency List as presented by the Tax Collector as follows:

	<u>Billed</u>	<u>Delinquent</u>
Personal Property Tax	\$8,768,998.86 \$	\$435,327.88
% Delinquent 4.96%		
Collected since end of fiscal year - \$79,522.42		
Public Utilities	\$2,377,450.49	\$21,694.03
Collected \$2,355,756.46		
*Assessments Contested-Partial Payments Collected **See Exhibit F.8**		
Mobile Home Taxes	\$150,11.94	\$43,535.74
% Delinquent 29%		

ITEM F.8, CONTINUED,

Realty Uncollected: \$221,260.75
 Due to Bankruptcy Proceedings: (\$218,178.77)

Sold to State: \$2,936.38
Special Assessments Delinquent: (\$145.60)

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 F.8****

Supervisor Gerald Clifton said he had been questioned about when a person owns 2 or 3 vehicles that belongs to a company out of state, do they have to tag the vehicles in Mississippi? Joey Treadway said if a vehicle is domiciled half a week, they must have a Mississippi tag. The Board Attorney Bobby Chamberlin said this falls under the domicile clause. Joey Treadway said to be eligible for homestead exemption, you have to have a vehicle registered in the County. Supervisor Eugene Thach said the law states that they have 30 days to buy a tag.

9. Approval for Board President to Sign Certification of DeSoto County as a Drug Free Work Place for MPE Workers Discount

County Administrator David Armstrong said the County receives a 5% discount on the insurance rates by being a participant in the Drug-Free Workplace Program. Mr. Armstrong said the Board President is required to sign the certificate stating the County's participation in this program.

In accordance with the requirement of Section 71-3-207, Mississippi Code of 1972, as amended in connection with the County's application for a 5% premium discount authorized under the Drug-Free Workplace Workers Compensation Premium Reduction Act, Section 71-3-201 through 71-3-225, Mississippi Code of 1972 as amended, the duly elected/appointed President of the Board of Supervisors is familiar with the official policies, proceedings and minutes of the County and its Board of Supervisors, the Board of Supervisors on behalf of the County, established and maintains a drug free workplace program that complies with the requirements. Supervisor Eugene Thach made the motion and Supervisor Gerald Clifton seconded the motion to approve the Board President to sign the certificate stating the County's participation in this program. The motion passed by a unanimous vote. ****See Exhibit F.9****

10. Approval of Advertising County Resources – Amanda Harmon

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to advertise DeSoto County Resources by contributing \$ 250.00 to Amanda Harmon. 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. The Board of Supervisors noted that a pin must be worn during the competition, advertising the resources of DeSoto County. The motion passed by a unanimous vote. ****See Exhibit F.10****

ITEM F, CONTINUED,

11. Approval of New Vehicles – EMS

Director of Fire & EMS Bobby Storey appeared before the Board of Supervisors for approval to go out for bid to purchase two vehicles for EMS personnel Mike Hancock

and Paul LaBlanc. Mr. Storey said they are requesting to get two Durango 4-wheel drive vehicles, which would cost approximately \$22,000 each. County Administrator David Armstrong said the FY03 budget had \$50,000 for the purchase of the two vehicles.

The Board questioned how the vehicles would be used. Mr. Storey said one vehicle would be used to carry the investigation equipment necessary for Fire Investigator Mike Hancock, and the vehicle would be used to transport medical supplies and patients in areas that an ambulance can not get to during ice and snow.

The Supervisors advised Mr. Storey that once the new vehicles have been put into service, the old vehicles that are being used must be put into the County auctions.

Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion to approve going out for bid to purchase two Durango 4-wheel drive vehicles for the Fire & EMS Department and sell the existing vehicles in an auction. The motion passed by a unanimous vote.

12. Approval of Copier Lease/Rental Agreement – Sheriff’s Dept.

Supervisor John Caldwell made the motion and supervisor Eugene Thach seconded the motion to approve the copier lease/rental agreement with Copyplus Inc., for a Minolta EP1030 copier for the Sheriff’s Department, at a rental of \$76.00 for 33 months. The motion passed by a unanimous vote. ****See Exhibit F.12****

13. Approval of Final Inventory Dispositions

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to accept receipts from the Inventory Clerk pursuant to Section 31-7-107 of the Mississippi Code and did approve the disposition on the report as follows:

a. Chancery Court

Asset #	Serial #	Description	Reason For Disposal	Location of Items at Preliminary Approval	Disposed By	Location of Final Disposal
259	5507508	Sony 4 track recorder	Traded in	Rhodes Lauck		
6238	4529027	Toshiba computer	Belongs to State			
6239	4526949	Toshiba computer	Belongs to State			
30385	00453258061A9	NEC cell phone	out of date	Vanesa Lynchard	Larry Morrow	BFI

b. County Court

Asset #	Serial #	Description	Reason For Disposal	Location of Items at Preliminary Approval	Disposed By	Location of Final Disposal
30816		Universal calculator	Broken	V. Lynchard	Larry Morrow	BFI

c. EMS

Asset #	Serial #	Description	Reason For Disposal	Location of Items at Preliminary Approval	Disposed By	Location of Final Disposal
1022		Maxon VHF Portable	Sold to ACI in 1999	ACI property		
4072		Maxon Radio	Sold to ACI in 1999	ACI property		
4073		Maxon Radio	Sold to ACI in 1999	ACI property		
14052	1FDKF37FSTEA33520	1996 Ford Ambulance	Burned 12/3/99	Insurance Co. got it		

ITEM F.13.c, CONTINUED,

30339	8977	Life Pak 5	Burned in ambulance	Insurance Co. got it		
30355	113807797	Pulse Oximeter	broken	County Admin office	Larry Morrow	BFI
30365	335243532	GE TV	struck by lightening	trashed in BFI dumpster		BFI

30351	40696	Physis Control Life Pak 5	fell apart broken	BFI dumpster		BFI
30274	35905	Canon calculator	broken	BFI dumpster		BFI
30362		Texas Insturment calculator	broken	BFI dumpster		BFI
30403	51936D	RJ11 switch box	not operational	Destroyed w/EMS bldg.-jail		
11161	15013776	BC855XLT scanner	not an inventory item	Eudora EMS		
30364	FG6TT12172	HP Deskjet printer	broken	EMS put in BFI		BFI

d. Data Processing

Asset #	Serial #	Description	Reason For Disposal	Location of Items at Preliminary Approval	Disposed By	Location of Final Disposal
6041	35077	Decision data display	Broken		Larry Morrow	
6129	077577	Decision data display	Broken		Larry Morrow	
6231	BVL538B00	Impression monitor	Broken		Larry Morrow	
6035	88B0542	IBM 3197 display	Broken		Larry Morrow	
6060	23A5056	IBM 3487 display	Broken		Larry Morrow	
6166	23B6201	IBM 8556	Broken		Larry Morrow	
6141	35021	Decision data 3597	Broken		Larry Morrow	
30102		software	Not an inventory item	Server AS400		Server AS400
8333	2387241	IBM 3487 display	Broken		Larry Morrow	
708217		IBM software	Not an inventory item	IS		IS
730096	5948	Figitone scanner	Duplicate w/731854	Chancery		Chancery
10027		Air conditioner	Courthouse renovation		Contractor	
8096	88K8323	IBM G41 monitor	Broken		Larry Morrow	
30794	40U0066681	Epson LQ870 Prt.	Broken		Larry Morrow	

e. Sheriff Dept.

Asset #	Serial #	Description	Reason For Disposal	Location of Items at Preliminary Approval	Disposed By	Location of Final Disposal
30295	466AVY4890	MTS portable radio	Duplicate w/30265			Sheriff dept.
30316	9329355	Cannon 35mm camera	Broken	BFI	Larry Morrow	BFI
30317	1531144	Olympus Camera	Broken	BFI	Larry Morrow	BFI
30557	2FAPPNW9YX112753	2000 Ford Crown Vic	Wrecked 1-14-01	Insurance		Insurance
30631		HP deskjet printer	Broken	BFI	Larry Morrow	BFI
30648		Car kit mobile phone	out of date		Larry Morrow	
30768	9KE58874	Micro telephone recorder	Duplicate w/30951			Sheriff dept.
30919	690WA5894R	Motorola 2way radio	Broken	Kenny Evans	Kenny Evans	BFI
30920	690WA5911PV	Motorola 2way radio	Broken	Kenny Evans	Kenny Evans	BFI
30921	69QQA558TM	Motorola 2way radio	Broken	Kenny Evans	Kenny Evans	BFI
30938		Autp document scanner	Duplicate w/30853	Sheriff dept.		Sheriff dept.
30962	22615467427	Nokia Cell Phone	out of date	BFI	Larry Morrow	BFI
31302	2FAFP71W22X117090	2002 Crown Vic	Wrecked use for parts	Cent. Maint		Cent. Maint
30009	2FAFP71W4XX117261	1999 Crown Vic	Wrecked use for parts	Insurance		Insurance
3214	5899H37590	Lenox 2T air conditioner	Not an inventory item	Sheriffs Dept		Sheriffs Dept
4050		Flass attachment	Not an inventory item	Sheriffs Dept		Sheriffs Dept
30734	Z645712	Fire safe	Not an inventory item	Sheriffs Dept		Sheriffs Dept
30911		safe	Not an inventory item	Sheriffs Dept		Sheriffs Dept

ITEM F.13.e, CONTINUED,

11163	MD23HM	Time recorder	Not an inventory item	Sheriffs Dept		Sheriffs Dept
12152		Search light	Broken	Aviation		Aviation
30486	10502529	Kenwood radio	Broken	BFI	Larry Morrow	BFI
31011	8665XR8876	Motorola GTX radio	Warranty Return	Intergrated Comm.		Intergrated Comm.

31012	8665XP6191	Motorola GTX radio	Warranty Return	Intergrated Comm.	Intergrated Comm.
31013	866FYN3037	Motorola GTX radio	Warranty Return	Intergrated Comm.	Intergrated Comm.
31015	866FZG8094	Motorola GTX radio	Warranty Return	Intergrated Comm.	Intergrated Comm.

f. Youth Services

Asset #	Serial #	Description	Reason For Disposal	Location of Items at Preliminary Approval	Disposed By	Location of Final Disposal
4002	4749470	Carousel slide projector	Broken	Youth Services	Kenny Evans	Landfill
11120	24124	Regency scanner	Broken	Youth Services	Kenny Evans	Landfill

g. DA Office

Asset #	Serial #	Description	Reason For Disposal	Location of Items at Preliminary Approval	Disposed By	Location of Final Disposal
4094	514280	Canon Calculator	Broken	Maint. Dept.	Kenny Evans	
160	2330145	Sanyo Transcriber	Broken	Disposed 2000		
1031		IBM Typewriter	Broken	Disposed 1999		
5035	4EBHE027740	Answer Machine	Broken	Disposed 1999		

The motion passed by a unanimous vote. ****See Exhibit F.13.a.b.c.d.e.f.g****

14. Approval of Preliminary Inventory Disposition – Sheriff Dept.

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 John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to accept receipts from the Inventory Clerk pursuant to Section 31-7-107 of the Mississippi Code and did approve the preliminary inventory disposition on the report from the Sheriff’s Department as noted on Exhibit F.14 as follows:

Asset #	Serial #	Description	Reason For Disposal	Location of Items at Preliminary Approval	Disposed By	Location of Final Disposal
246	6D170893	Sharp calculator	Broken	Sue's Office		
3097	P507760	PC Computer	Broken/obsolete	Sue's Office		
3351	7002841	Typewriter	Broken	Sue's Office		
6186	41NE178625	Printer	Broken	Sue's Office		
6196	B6005899	Computer	Broken	Sue's Office		
6274	SR1011	Computer	Broken	Sue's Office		
6282	25-4032	Keyboard	Broken/obsolete	Sue's Office		
9020	56208477	Typewriter	Broken	Sue's Office		
9022	N/A	Royal Spellwell	Broken	Sue's Office		
9040		Shredder	Broken	Sue's Office		
9093	N/A	Typewriter	Broken	Sue's Office		
30027	79222	Nimbus Computer	Broken	Sue's Office		
30442	916EHGA2B0064	SVGA 17" Monitor	Broken	Sue's Office		
30443	916EHGA2B0058	SVGA 17" Monitor	Broken	Sue's Office		
8283	579TWW0716	MTX 800 Radio	Broken/ Not repairable	Sue's Office		

15. Approval of Fixed Asset Inventory Report FY02

In accordance with Section 31-7-107 of the Mississippi Code, which states that the inventory control clerk, pursuant to regulations promulgated by the State Auditor, shall perform physical inventories of assets of the county on or before October 1 of each year and shall file with the Board of Supervisors, in triplicate, a written report of such

ITEM F.15, CONTINUED,

inventory.

Vanessa Lynchard, County Inventory Control Clerk, introduced the inventory assistant clerks consisting of Sue Williams, from the Sheriff’s Department, Kim Northcutt, from Central Maintenance, Michelle Tyson, from Buildings & Grounds and Margie Calvi,

from the Chancery Clerk's office, to the Board of Supervisors. Ms. Lynchard said these ladies worked hard and she would like to commend their efforts to accomplish the inventory task for this year's inventory report that they were presenting today.

Ms. Lynchard said they have added E911 to the inventory this year and this has not been on the past year's inventory. Ms. Lynchard said the inventory began FY02 with \$35,923,343.04 and the final figures to be sent to the State office was \$47,271,928.82.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the Fixed Asset Inventory Report for FY02 for the following:

<u>Asset Description</u>	<u>Beginning Balance</u>	<u>Additions</u>	<u>Deletions</u>	<u>Ending Balance</u>
Mobile Equipment	5,109,457.14	1,867,563.88	648,339.73	6,328,681.29
Furniture & Equipment	4,201,755.54	886,379.21	232,653.42	4,855,481.33
Land	1,936,945.96	557,703.00		2,494,648.96
Buildings	19,066,101.54	3,215,083.99	173,340.00	22,107,845.53
Other	526,123.29	1,190.00	1,525.35	525,787.94
Leased	2,423,406.00	4,335.00	36,205.53	2,391,535.47
Construction in Progress Infrastructure	2,662,553.57	5,905,394.73		8,567,948.30
TOTALS	35,926,343.04	12,437,649.81	1,092,064.03	47,271,928.82

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

Supervisor Eugene Thach asked Vanessa if she planned to continue being the County Inventory Control Clerk. Ms. Lynchard said she felt that she should try to understand how the inventory would be affected with the implementation of GASB, and the staff that is in place would be doing much of the work from this day forward. Supervisor Thach said her job, as Director of Administrative Services, requires a lot of her time and he did not want her to be over burdened.

16. 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 John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to pay Joe Holmes the amount of \$160.00 for the month of September 2002; to pay Lee Hodge the amount of \$160.00 for the month of September 2002; and to pay Floyd Medlin the amount of \$200.00 for the month of September 2002, for their services as Bailiffs for DeSoto County Justice Court. The motion passed by a unanimous vote. ****See Exhibit F.16****

17. Justice Court Report

Justice Court Clerk Linda Aldridge appeared before the Board of Supervisors to present the Justice Court Report for the month of September 2002. Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve the Justice Court Report for the month of September 2002 attached as Exhibit F.17. The motion passed by a unanimous vote. ****See Exhibit F.17****

ITEM F, CONTINUED,

18. Sheriff's Employee Report

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to acknowledge receipt of the Sheriff's Department Employee Report for the month of September 2002. The report is attached and made a part of the minutes in Exhibit F.18. The motion passed by a unanimous vote. ****See Exhibit F.18****

19. Central Maintenance

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

a. Road Report and Work Schedule

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 unanimous vote. **** See Exhibit F.19.a****

b. Road Bond Report

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

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to accept the Road Bond Report presented by the Road Manager and to authorize the release or reduction of the maintenance bonds as listed in exhibit (F.19.b), but to hold the check on the Evening Shade Subdivision until after the punch list is completed. The motion passed by a unanimous vote. ****See Exhibit F.19.b****

20. Approval of Request from BOE for School Bus Turnarounds

The DeSoto County Board of Supervisors received a letter dated September 25, 2002, from DeSoto County Superintendent Jerry Baird requesting the County to maintain the properties, which are used as school bus turnarounds. Supervisor John Caldwell said the County is not authorized to maintain parking areas for the schoolbuses. Supervisor Caldwell asked the County Administrator to verify with the school officials if the areas designated were actual turnarounds or if they were driveways, where buses are parked and to advise the school officials that driveways can not be authorized by the County to be maintained.

In accordance with Section 19-3-42, Mississippi Code of 1972 as amended, stating that the school bus turnarounds will be built, maintained and improved, Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to build, maintain, and improve the properties in the Superintendent's letter dated September 25, 2002, and to direct the County Road Manager to carry out this order of this Board forthwith for the following schoolbus turnarounds:

Name	Address	Bus #
Johnny Combs	4180 Poplar Corner, Walls	84

And other properties, as requested, if the Board of Education advises they are not driveways. 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.20****

ITEM F, CONTINUED,

21. Approval of Stewart Estates Road Agreement

Supervisor Jessie Medlin said he had spoken with the property owner William Bell who has built a home at the end of the Stewart Estates Subdivision. The road was stubbed out and the property owner's contractor was to build the road to his property, but this was not done. The County determined the hill would have to be cut on the road in front of the property and they did so. When the County cut down the hill there was not

enough roadway to pave. Supervisor Medlin said he talked with the property owner and he has agreed to pay for the road to be paved. He is not a part of the subdivision, but he is attached to the existing subdivision roadway. The hill has been cut down and has gravel on the roadway at this time. Supervisor Medlin said Stewart Estates roads are a part of the overlay contract. Supervisor Medlin said the Board had approved the Board Attorney to draw up documents for the property owner to sign stating he would pay the actual cost up to \$4,000 for the paving of this road.

Supervisor John Caldwell asked if this was subject to an Attorney General's Opinion. Board Attorney Tony Nowak said the Attorney General says the County can do this as long as there is a written agreement with the landowner and the County.

Supervisor Caldwell said he is concerned that small developers would want the County to do the road work. Supervisor Medlin said he just wants the landowner to pay his share of the paving since this is a County road. The County changed the hill and the landowner was responsible for paving his part of the road.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve the Board President to sign the document agreement, after the property owner William Bell has signed, for the payment to the County in the amount not to exceed \$4,000 for a portion of the paving of Stuart Estates Drive. 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.21****

22. Approval of Publication of Board Proceedings

Supervisor Eugene Thach made the motion and Supervisor John Caldwell 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	YES

23. Approval of Chancery Clerk Allowances

On this date, Chancery Court Clerk W. E. Davis presented an Order of Allowances to the Board of Supervisors for the September 2002 Term in the amount of \$810.00.

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the **ITEM F.23, CONTINUED,**

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 F.23****

24. Appointment to the Civic Center Board

This item was held over until a later date.

25. Approval of Acceptance of Grants

Brigette Herring, County Grant Administrator, appeared before the Board of Supervisors to discuss the Board's acceptance of the grants applied for by the County.

a. Metro Narcotics

Brigette Herring said the County has been approved for the subgrant application for the Multi-jurisdictional Narcotics Task Force program in the amount of \$157,064 representing the federal amount with the 25% County match being \$52,354. Ms. Herring said when the application was made, the Metro Narcotics Division did not receive personnel raises or the total amount of health insurance requested. Ms. Herring said Metro would like for the Board to accept the grant for the \$157,064 and then send a budget amendment to the Division of Public Safety Planning requesting that the \$10,000 budgeted for overtime be eliminated and be used instead for a 5% pay increase for all personnel and the remainder being applied to the health insurance. Ms. Herring said Metro was not awarded funds for additional personnel or equipment this year.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve the Board President to sign the grant acceptance documents for the Multi-jurisdictional Narcotics Task Force program in the amount \$157,064. The motion passed by a unanimous vote. ****See Exhibit F.25.a****

b. Youth Court Victims Witness Coordinator

Brigette Herring said the County has been approved for the subgrant application for the Victim/Witness program in the amount of \$19,626, which is what the County requested in the grant application. Ms. Herring said the County is responsible for providing a 25% match for the Youth Court Victims Witness Coordinator Grant in the amount of \$6,542.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve to Board President to sign the grant acceptance documents for the Victim/witness program in the amount of \$19,626. The motion passed by a unanimous vote. ****See Exhibit F.25.b****

c. MDHS, TANF Adolescent Offender Program (AOP)

Brigette Herring and Susan Boyce, the Program Director for AOP, appeared before the Board of Supervisors to discuss the AOP program to be operated under the supervision of the Youth Court. County Administrator David Armstrong said the five employees of the AOP program that will become County employees. Supervisor John Caldwell asked if they would work for the Board of Supervisors or for Judge Barbee. Mr. Armstrong said they work for the Board of Supervisors under the direct supervision of Judge Barbee. Mr. Armstrong said that the grant includes funding to cover the cost of insurance for the 5 employees, but the County would be responsible for paying any claims for these employees. Supervisor Caldwell asked why these employees did not have to go through the same hiring procedure of the County as other employees hired by the Board of Supervisors.

Mr. Armstrong said Judge Barbee appeared before the Board of Supervisors requesting approval for application for this grant to be implemented by the County,

ITEM F.25.c, CONTINUED,

due to the need in the County. Mr. Armstrong said the Federal grant, which is administered by the State would fund the total expense for the operation of this program up to \$185,454, but that the County is responsible for the operation of the program including the cell phones, inventory, employees, transportation van, lease on building, purchasing, receiving and any contracts for the program. Supervisor Caldwell asked what inventory was involved, and if it would be State inventory or County inventory.

Supervisor John Caldwell said he would like for the Board to go into executive

session to discuss the employment areas of the AOP, but that he has no problem with the other items under the grant. The Board agreed to go into an executive session to discuss employment personnel before making any decisions on the other issues involving the AOP Grant.

The Board came out of executive session to finish their discussion on the AOP Grant issues. Supervisor Jessie Medlin said the Board needs to approve all of the items, with the exception of item #4, the monthly lease on the van, which has to be reviewed by the Board Attorney, will have to verify that the Board can enter into monthly leases. The Board also needs to authorize Vanessa Lynchard to conduct an inventory of all items being used under the AOP Grant and to add items to the County inventory.

- 1. Accept grant, authorize Board President to sign request for cash, and authorize Comptroller to set up budget**
- 2. Approval to accept contracts**
- 3. Approval of Cellular phone contracts**
- 4. Ratify lease on van or authorize Board President to sign monthly lease**
- 5. Transfer inventory to County**
- 6. Authorize Susan Boyce to sign Purchase Requisitions**
- 7. Authorize Brian Ayers to be Receiving Clerk**

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve all of the above items, with the exception of item #4, the monthly lease on the van; to approve acceptance and authorize the Board President to sign the MDHS, TANF Adolescent Offender Program (AOP); to authorize Vanessa Lynchard to conduct an inventory of all items being used under the AOP Grant and add it to the County inventory; to appoint Susan Boyce to sign the purchase requisitions based on the Mississippi Code, Section 31-7-101, which states the Supervisors of each County in the State shall establish a Central Purchasing System, with approval of the Board of Supervisors, and shall authorize personnel to sign purchasing requisitions when necessary, and shall appoint assistant receiving clerk Brian Ayers; the receiving clerk and his assistants shall be solely responsible for accepting the delivery of all equipment, heavy equipment, machinery, supplies, commodities, materials and services purchased by the County. The motion passed by a vote as follows:

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

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to authorize Vanessa Lynchard, Director of Administrative Services, to review the cell phone plan being used by AOP with the purpose of transferring the AOP cell phones to the County plan. The motion passed by a vote as follows:

ITEM F.25, CONTINUED,

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

26. Animal Shelter

County Administrator David Armstrong said he attended the Council of Governments

meeting along with Supervisors Jessie Medlin and Eugene Thach. Mr. Armstrong said there was a lengthy discussion held on the animal shelter situation regarding the County and the Cities.

Mr. Armstrong said the County no longer has a veterinarian to handle the euthanizing animals. The County has picked up 1800 animals this year and there have been 300 animals euthanized. Mr. Armstrong said Memphis has plans to build a new animal shelter, but it would be 2 or 3 years before it would be ready. The City of Southaven has advised they won't cut the County off from taking animals as long as we are making an effort to do something in regards to a County shelter. Supervisor John Caldwell asked don't we own a shelter. Supervisor Tommy Lewis said that under the original contract with the City of Southaven there was not a cut off date for the County to build an animal shelter. Mr. Armstrong said Southaven has since mailed the County a letter stating a cut off date of October 1, 2002 to cease taking animals from the County. Supervisor Jessie Medlin said he only became aware of the problem the first time the Mayor came to the Board to address the problem concerning the animal shelter overcrowding. Supervisor Lewis said the Board never agreed on the front end that the County would build an animal shelter. Vanessa Lynchard said the Board of Supervisors have ratified the animal shelter contract, but the City of Southaven has not.

Supervisor Eugene Thach asked if the landfill site could be used to build an animal shelter. Supervisor Medlin said he is for the County building an animal shelter and to have a formula based on population to charge fees for the area Cities that want to use it. Supervisor Medlin said the County should put the shelter on the landfill where it needs to be and not put it where it would interfere with the rest of the property. David Armstrong said the County would have to have an interlocal agreement with the cities regarding the animal shelter. Supervisor Caldwell said the County would not want to take in animals that are sick and have them euthanized before the owner is contacted. Supervisor Jessie Medlin said the County owned the fire department building that is leased by Olive Branch and they turned it into an animal shelter. Supervisor Lewis asked how much land is at the Olive Branch site. Supervisor Medlin said it is not large enough and the Humane Society runs the shelter at Olive Branch. Supervisor Thach said the Humane Society would be involved when the County builds an animal shelter.

Supervisor Caldwell said the County should look at having the shelter in the center of the County and the Board might want to look at locating it at Central Maintenance. This area is fenced in and they have discussed having security at the Central Maintenance location. Supervisor Lewis asked who has a number to say how big the shelter should be. Supervisor Clifton said the County needs a commitment from the Cities that are willing to use the location. Supervisor Medlin said if the landfill was used for the shelter, that there is space that could be used for runs.

Supervisor Medlin made the motion and Supervisor John Caldwell seconded the motion to let the County Administrator negotiate with Marvin Johnson, since he has site plans on both areas, Central Maintenance and the landfill, to discuss the animal shelter location and to put the Cities on notice by sending a letter if they want to be involved with the County animal shelter. The motion passed by a unanimous vote.

ITEM F.26, CONTINUED,

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to form an animal shelter committee consisting of Supervisor John Caldwell, Supervisor Eugene Thach, County Administrator David Armstrong and Director of Operations & Maintenance Jim Bearden. The motion passed by a unanimous vote.

G. EXECUTIVE SESSION

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

H. OTHER ISSUES

1. Whitten Place Subdivision

Supervisor Eugene Thach said a new home owner has moved into Whitten Place Subdivision and had called him regarding water coming on to his property. Supervisor Thach said he had called the Road Manager Russell Dorris to go and take a look at this situation. Russell Dorris said there is a 60 inch pipe under the road that takes water into the ditch down to the low land and onto this property. Russell Dorris said the County did not put the pipe in the property driveway, which has been in place for 3 or 4 years, but it is not carrying the water efficiently. Russell Dorris said this is back up from the roadway.

Supervisor Thach said the County approved the subdivision and this culvert serves as a road ditch. Supervisor Jessie Medlin said the County does not approve the culverts. Supervisor Thach said water goes down the ditch 10 or 15 feet from the road. Supervisor Medlin said the County only checks culverts on a road right of way that effect the road. No motions were made on this item.

2. Morning Star Road & Harper Road

Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion to carry the inspection report for Morning Star Road and Harper Road item over until the Wednesday, October 9, 2002, Board Meeting. 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	NO

3. Hacks Cross Road

Supervisor Jessie Medlin advised the Board that the Burlington Northern Santa Fe Railroad crossing on Hacks Cross Road would be closed for repairs from Monday, October 7, 2002 until Friday, October 11, 2002. Supervisor Medlin asked the Road Manager to make sure all signs were in place for this.

4. Central Maintenance Equipment Bid

County Road Manager Russell Dorris appeared before the Board of Supervisors for approval to advertise for bids for lease/purchase for one or more pieces of equipment for Central Maintenance as follows:

1. Tandem axle dump truck
2. Single axle boom/dump truck

ITEM H.4, CONTINUED,

3. 90 hp tractor, with mid (side) mounted, long boom mower
4. 90 hp tractor, with 10' hydraulic (2 section) mower
5. 90 hp tractor, with 15' hydraulic (3 section) mower
6. 90 hp tractor, with 10' mechanical (2 section) mower
7. 90 hp tractor, with 15' mechanical (3 section) mower

Supervisor Tommy Lewis asked why the Road Manager was looking at mechanical equipment. Mr. Dorris said mechanical is cheaper than hydraulic. Supervisor Jessie Medlin said he had asked the Road Manager to look into mechanical equipment, since hydraulic equipment is so costly to repair. Mr. Dorris said there are advantages to both

types of equipment, but the mechanical equipment could run between \$4,000 to \$7,000 less than the hydraulic, and he would like to look at it.

Mr. Dorris said they would need to seek bids on financing from various lending institutions for 3, 4 and 5 years. We also should ask for a guaranteed buy back and financing after 3, 4 and 5 years to include various yearly payments with one residual/balloon payment after each yearly period. The residual/balloon payment should equal the guaranteed buy back for the chosen term of financing.

Supervisor Tommy Lewis asked how many tractors the Road Manager was running. Mr. Dorris said we try to run 12 tractors, but only 11 are running at this time. Mr. Dorris said he would be putting some of the tractors up for sale in the spring of next year.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve advertising for bids for the above listed equipment with the options requested by the Road Manager Russell Dorris regarding financing and specification on the equipment. 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	YES

****See Exhibit H.4****

5. Inter Fund Loan - Brentwood

Comptroller Joyce Riales said an interfund loan is needed to cover expenditures made from the Brentwood Originals Fund until the EDA reimbursement is received.

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the Inter Fund Loan for Brentwood Originals as follows:

From: General County Fund	001-000-054	\$250,000
To: Brentwood Originals	051-000-149	\$250,000

The motion passed by a unanimous vote. ****See Exhibit H.5****

6. Jail Prisoners

Supervisor Jessie Medlin advised Linda Aldridge that there would be an additional \$10 fee on prisoners being sent to the County Jail. County Administrator David Armstrong said the County has no legal authority to collect the \$10 in fines at Justice Court. Board Attorney Tony Nowak said there is no statute for the collection of fees in Justice Court. Supervisor Medlin said the Cities would be assessing the \$10 to their Court fines to give

ITEM H.6, CONTINUED,

to the County and they will lobby thru the municipal league to change this to \$20.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to authorize the Chamberlin/Nowak Law Firm to research and prepare local and private legislation to allow the County to assess as Court fines whatever the State allows for prisoners and to write up an agreement with the Cities to pay \$20 by the beginning of the next budget year and the County would pay in house medical and the Cities would pay outside medical cost. The Cities will support the County's efforts thru seeking legislation help to assess the prisoners \$20 per day. The motion passed by a unanimous vote.

7. Hacks Cross Road

Tony Nowak said he has bills from the DeSoto Times in the amount of \$2,052.80 for advertising regarding the right of ways on Hacks Cross Road. Tony Nowak said he needs authority to pay these bills. County Administrator David Armstrong said to put this on the County claims docket to be paid October 21, 2002.

8. Brentwood Originals

Tony Nowak said he had received a letter from Mr. Brata's attorney regarding the Brentwood Originals property that has been conveyed over to DeSoto County. Tony Nowak said Mr. Brata's attorney has requested that the Board of Supervisors execute an IRS form 8283 acknowledging receipt of the transfer and authorize the Board President to sign the form.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the Board President to sign the IRS form 8283, regarding the transfer of property to DeSoto County from U. S. Development, Inc., D. Joseph Brata, President. The motion passed by a vote as follows:

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

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

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

THIS the 7TH day of October 2002, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Jessie Medlin, President
DeSoto County Board of Supervisors