

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

JESSIE MEDLIN, PRESIDENT 2002 PRESIDING

OCTOBER 21, 2002

A. CALL TO ORDER

The October 21ST, 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 Riley-----Sheriff's Dept.
David Armstrong-----County Administrator
Bobby Chamberlin-----Board Attorney

B. INVOCATION

Chancery Clerk Sluggo Davis presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. OLD BUSINESS

1. Planning Commission

Supervisor Eugene Thach made the motion and Supervisor Gerald Clifton seconded the motion to carry the following (a) and (b) items over until Wednesday, November 6, 2002:

- a. **Major Subdivision – District 1 - Myers Road Farms (6090)-Application is for final subdivision approval 7 lots on 26.7 acres. Subject property is located on the wet side of Myers Road and south of Byhalia Road, zoned Agricultural. Section 4, Township 3, Range 5.**
- b. **Major Subdivision – District 1 - Byhalia Creek Farms (6091) – Application is for final subdivision approval for 33 lots on 114 acres. Subject property is located on the south side of Byhalia Road and west of Myers Road, zoned Agricultural. Section 4, Township 3, Range 5**

The motion passed by a unanimous vote.

ITEM D.1, CONTINUED,

c. Minor Lot Subdivision– District 2 – Gary Smith Minor Lot SD (6093) – Application is for two lots of 1.5 acres and 4.7 acres. Subject property is located on the west side of Sandige Road and north of Pleasant Hill Road, zoned Agricultural-Residential. Section 12, Township2, Range 7

Merritt Powell, Director of the Planning Commission, said Supervisor Eugene Thach had requested to carry this item over from the October 9, 2002 Board meeting to give him a chance to look at the property. Merritt Powell read the minutes from the Board of Adjustments meeting.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to approve the minor lot subdivision requested by Gary Smith for two lots of 1.5 acres and 4.7 acres, located in Section 12, Township 2, Range 7 of DeSoto County. The motion passed by a unanimous vote.

2. Morning Star Road & Harper Road – Committee Inspection

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to carry this item over. The motion passed by a unanimous vote.

3. Approval of Lease Agreement for Van for AOP

Vanessa Lynchard said she did not have a copy of the lease agreement at this time. Supervisor Eugene Thach made the motion and Supervisor Gerald Clifton seconded the motion to carry this item over until the lease agreement could be obtained. The motion passed by a unanimous vote.

Later in the Board meeting, Susan Boyce, Director of AOP appeared before the Board of Supervisors with a copy of the van lease agreement from Enterprise Rent-A-Car. The Board Attorney said the statute states the lease has to be the same amount or less than the State's rental services. County Administrator David Armstrong said the lease date began October 1, 2002 for the County. After the Board Attorney looked at the lease agreement presented by Ms. Boyce, it was determined to be less than the State's rental services.

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the van lease agreement with Enterprise Rent-A-Car presented by Ms. Boyce and to ratify the lease for the October 1, 2002 date. The motion passed by a unanimous vote. ****See Exhibit D.3****

4. Approval of Cell Phone Contracts for AOP

County Administrator David Armstrong said the cell phones are in the approved budget for AOP. The Board needs to approve the contract for the two phones. One phone for the Director Susan Boyce will be for the Nation Plan that has 900 minutes with rollover minutes for a monthly cost of \$69.99 and the phone cost of \$19.99; the other phone will be for the van and it has the Home Plan of 250 minutes with 1,000 minutes for nights and weekends at a monthly cost of \$29.99 and the phone cost of \$19.99. Mr. Armstrong said he is recommending approval for these contracts with Cingular and they are a part of the County system. Supervisor Jessie Medlin asked if all the cost was covered by the State grant. Mr. Armstrong said yes.

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to approve the Cingular cell phone contracts for the AOP for the operation of one phone at \$69.99 monthly and the other phone at \$29.99 monthly. The motion passed by a unanimous vote. ****See Exhibit D.4****

5. Report from Committee to Inspect 2nd Floor Administration Bldg.

County Administrator David Armstrong said construction is complete on the 2ND. Floor
ITEM D.5, CONTINUED,

Administration Building for the District Attorney's office, but the Board's committee to inspect the completion needs to look at it and give their report. Mr. Armstrong suggested to have the report on the November 4, 2002 Board meeting. No motions were made on this item.

6. Approval for Board President to Sign Metro Narcotics Interlocal Agreement with the Cities

County Administrator David Armstrong said the Metro Narcotics Interlocal Agreement with the Cities is a standard agreement that is done once a year. Mr. Armstrong said the grant has already been approved and he is recommending approval by the Board for the Board President to sign the agreement.

Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion to approve the Board President to sign the Metro Narcotics Interlocal Agreement with the Cities. The motion passed by a unanimous vote. ****See Exhibit D.6****

7. Approval of Interlocal Agreement with Cities for Election Equipment

County Administrator David Armstrong said the Board Attorney recommended the County to have an interlocal agreement with the Cities for the Election Equipment. Mr. Armstrong said there are four (4) agreements, one with each City.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to approve the interlocal agreements with the Cities for the election equipment based on the recommendation of the Board Attorney. 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

Mr. Armstrong said a recent appropriations bill from the Federal Government states that a local government will be reimbursed for the replacement of punch card election equipment and there is retroactive language in this Bill back to 2000.

E. NEW BUSINESS

1. Pam Howell - Lisa Stewart – Flooding Langston Road

Pam Howell and Lisa Stewart, County residents, appeared before the Board of Supervisors requesting assistance from the County to correct a flooding condition that happens on Langston Road every time it rains. Ms. Stewart said she has lived in a trailer at 5300 Langston Road for 5 years and she has been flooded out about 25 times. Ms. Stewart said the road has become eroded and the ditch is full of water all the times. Ms. Stewart said her children can not attend school sometimes due to the flooding conditions on the road. Supervisor Jessie Medlin confirmed with Ms. Stewart the exact location of where she lives. Supervisor Medlin said he was aware that there are problems in this area and he had asked Road Manager Russell Dorris to take a look at the area. Supervisor Medlin said there is a lake on the property across the road and at one time beavers had caused some problems and they have cut the bank on the pond and unstopped a portion that was flooding. Russell Dorris said he had sent the Beaver man out to check for beaver dams that would be causing some problems, but they did not find any. Russell Dorris said there is a pipe under the road out to the other side, but there is no ditch there to take the water off, so the water collects up and floods the road and low areas around Langston Road. Russell Dorris said the elevation of the pond levy causes water to back up in the ditch also.

Supervisor Eugene Thach said it sounds like this low lying area can not be corrected and will
ITEM E.1, CONTINUED,

always have flooding.

Supervisor Medlin suggested to let the County Engineer and Russell Dorris investigate the flooding on Langston Road and to talk with the Soil Conservation personnel about the lake problems. Supervisor Medlin said the property owner of the lake and the Soil Conservation could work together to locate a ditch that would carry the water off.

Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to authorize County Engineer Andy Swims and Road Manager Russell Dorris to assess the area of Langston Road and make recommendations, and to ask the Soil Conservation Department to look at the property. The motion passed by a unanimous vote.

2. Historic DeSoto Museum – Bob Barber & Brian Hicks

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to carry this item over. The motion passed by a unanimous vote.

3. Approval of Workers Compensation Local Agent

County Administrator David Armstrong said Harris Madden & Powell, Inc. had the County workers compensation insurance up until last year when the County went with MPE. Mr. Armstrong said it has been recommended for the County to have a local agent, since the insurance office is located in Jackson, MS. Mr. Armstrong said Ric Stallings has asked to be the County's MPE agent, but to also allow him to shop to get the best proposal for next year's proposals for the County's workers comp insurance. Mr. Stallings would be able to work with the County Safety Officers on claims to advocate in any disputes regarding the applications of classification, payroll, etc.

Supervisor Jessie Medlin asked if MPE would supplement the salary for Mr. Stallings. Mr. Stallings said the insurance is paid through the premiums charged to the County in the initial quotes. Mr. Stallings said he couldn't talk with MPE on behalf of the County unless he has been hired as the local agent. Mr. Stallings said as the County's agent he would be able to shop for insurance to get the best policy for the County. Mr. Stallings said there are not as many insurance companies writing workers comp as in the past. Several major insurance companies have gone out of business.

Supervisor Eugene Thach asked what the County was paying for workers comp insurance. Mr. Armstrong said he would have to get these figures. Supervisor Medlin asked Vickie Richmann, Personnel Director, if she knew the figures on the workers comp insurance. Ms. Richmann said no.

Mr. Stallings said the insurance council does a loss ratio based on the frequency and severity of a company's claims over the last 3 years. Anything over the ratio will add to the insurance cost and anything under the ratio will give a discount. The current year's claims will not be taken into consideration in the calculation until 2004.

Mr. Stallings listed the following as a scope of services provided by Harris Madden & Powell:

1. Assist the County in preparation for the annual audit.
2. Review and analyze annual audit calculations.
3. Act as the County's advocate in any disputes regarding the applications of classification, payroll, etc.
4. On-call to meet with the auditor to review classification assignment and payroll distributions.
5. Meet with the safety personnel and department heads to review and establish internal controls.
6. Local Representative available for emergency claims consultations.
7. Assist loss control representatives.

ITEM E.3, CONTINUED,

8. Annual review and monitoring of Experience Modification Rating Factor.
9. Review policies and coverages with the County on annual basis.
10. Monitor the financial status of the MMP Trust and their re-insurance throughout the year.
11. Manage and market the account for annual renewal.
12. Local Representative with the County's best interest as Priority #1.

Supervisor Gerald Clifton said if an employee is in an area where he normally doesn't work, would this change the coverage? Mr. Stallings said no. Mr. Armstrong said that different departments pay different rates based on the employees exposure.

Mr. Stallings said when claims are left open too long and not closed out efficiently, this could cause rates to be higher when a company is seeking proposals. Mr. Stallings said under the County's present policy the insurance premiums go into a pooled trust and because of the exposure someone needs to monitor the trust due to insurance companies closing. Supervisor Clifton asked if an insurance rating could be monitored. Mr. Stallings said you would have to have financial statements to monitor the ratings. Supervisor Clifton asked who would pay the insurance claim if the company went into re-organization. Mr. Stallings said the company would eventually pay the claim, but it would take a long time.

Supervisor John Caldwell asked what other local municipalities do Harris, Madden & Powell represent. Mr. Stallings said they handle the Cities of Horn Lake, Olive Branch and some in Tennessee.

Supervisor Thach asked what would be the percentage of commission built into the insurance proposal. Mr. Stallings said the commission percentage would be between 3 or 4 percent.

Supervisor Medlin asked Vickie Richmann what she could add to Mr. Stallings comments. Ms. Richmann said she had worked with Mr. Stallings and he is a good rep and he has a good understanding of the insurance program.

Supervisor Thach asked if other insurance companies have agents to do this type of work. Mr. Armstrong said the County has not shopped for a local agent. Supervisor Thach said the County expenses are paid for by the taxpayers and the County should seek proposals. Mr. Armstrong said the County would put out general proposals for the workers comp insurance, but today we are asking to have a local agent with MPE as the insurance carrier. Supervisor Medlin asked if the County could have a proposal from Harris, Madden & Powell when the new proposals are requested. Mr. Stallings said yes, he would also present different proposals. Supervisor Medlin said this would let the County start early to seek proposals. Supervisor Thach said he has a problem when the County deals with just one company's proposal. Mr. Stallings said that sometimes an agent has to search long and hard to get companies to give a quote. Supervisor Thach said the County has been told that if an agent gets to a company first they won't give a quote to other agents and this locks out other proposals. Mr. Stallings said an agent has to be persistent to get quotes from companies and that to write a policy for a County is a different program.

Supervisor Tommy Lewis said MPE is the current insurance carrier and agent at this time, so does it cost extra in the policy for an agent. Mr. Stallings said the agent fee is automatically built into the premium.

Mr. Stallings said this year the workers comp insurance would probably go up 17% over last year's policy and that rates change from year to year. MPE only gives a 5% discount and they go from January to January for rates. The rates are never the same because of the rules from the State.

Supervisor Lewis asked where could he save the County money. Mr. Stallings said he would get rates from a company and play different companies against each other to get the price down. This is what an agent should do. Supervisor Lewis said he thinks this is a good idea that the County has an agent. Mr. Stallings said there is not a line item for the agent fee on a

ITEM E.3, CONTINUED,

proposal. Supervisor Thach said could the Board ask to have a breakdown. Mr. Armstrong

said the County would need someone to interpret the proposal and that he believes this could save the County money on the workers comp claims. Supervisor Medlin said the County Safety Officers are doing a good job, but the County needs someone who understands insurance. Supervisor Thach said this is the first time he has heard about this proposal for an agent and he would like for others in the County to be given a chance to present their proposal as an agent for the County.

Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to approve Mr. Stallings proposal and authorize the Board Attorney to work with Ric Stallings of Harris, Madden, & Powell, Inc. to handle all paperwork necessary to make him the County's Local Agent for Workers Comp Insurance. The motion passed by a vote as follows:

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

Supervisor Eugene Thach said his dissenting vote was because having only just heard about the proposal he has not had time to research it. He feels other insurance agents in the County should be able to quote on the local agents.

4. Safety Officers Monthly Report

County Administrator David Armstrong presented the Safety Officers' Report to the Board of Supervisors. Supervisor John Caldwell asked that the Safety Officers' sign their reports.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve the Safety Officers' Report and make them a part of the Board minutes. The motion passed by a unanimous vote. ****See Exhibit E.4****

5. Comptroller – Joyce Riales

Comptroller Joyce Riales and Sarah Clenney, Accounting Clerk, appeared before the Board of Supervisors to present the following accounting matters.

a. Late Bill – (1) TDL Contractors, (2) MAGPPA

Joyce Riales said there are three late bills that need to be approved by the Board for payment. The TDL Contractors bill is for work done on the DA's office in the amount \$75,674 and the MAGPPA Conference registration fee in the amount of \$115 each for Jeannine Ruby and Vanessa Lynchard.

County Administrator David Armstrong said the balance due on the DA's office is \$46,681 and this includes the retainage amount of \$15,030.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve the late bills from TDL Contracts in the amount of \$75,674 and the MAGPPA registration fees in the amount of \$230. The motion passed by a unanimous vote.

b. Supplemental Claim Docket

Sarah Clenney presented the supplemental claims docket. Supervisor Jessie Medlin asked why a TDL payment was listed under Economic Assistance. Ms. Riales said this was for the new DHS building and it was set up under the department with a fund number for the construction. Supervisor Medlin said when the committee inspected the facility, they felt that a sidewalk was needed behind the building and that any money left over should be used to construct the sidewalk.

ITEM E.5.b, CONTINUED,

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code

Annotated, Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Comptroller in the amount of \$592,590.54. The motion passed by a unanimous vote.

Supervisor Eugene Thach asked the Comptroller Joyce Riales what the County ended with for the year. Ms. Riales said the general fund balance was \$8,164,033 for the end of September.

c. Interfund Transfer of Metro Seized Funds

At the recommendation of Comptroller Joyce Riales, Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to authorize and instruct the Chancery Clerk, pursuant to Section 41-29-185 of the Mississippi Code of 1972, as amended, to transfer the following forfeited funds that were seized by Metro Narcotics:

<u>Case Number</u>	<u>Defendant</u>	<u>Date Seized</u>	<u>County Receipt</u>	<u>Amount</u>
DC-02-0176	Steven Hall	8/3/02	13938	\$ 125
DC-02-0172	Bobby D. Burton	8/1/02	13938	67
DC-02-0185	Charles Green	8/23/02	13938	3,481
DC-02-0182	James McElroy	8/21/02	13938	352
DC-0056-1-01	Thomas B. Brownlee	3/27/01	12072	167
			Total	\$4,192

Transfer From 123-900-951 Metro Narcotics Seized \$4,192.00
 Transfer To 120-000-387 Metro Narcotics Forfeitures \$4,192.00

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

d. Interfund Transfer – Metro Narcotics Grant

In accordance with the provisions set forth in Section 19-11-11 of the Mississippi Code, the Board of Supervisors did discuss an Inter-Fund Transfer from the General Fund for the Fiscal year beginning October 1, 2002, and ending September 30, 2003. At the recommendation of the Comptroller, Joyce Riales, Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to approve the Inter-Fund Transfer to the Metro Narcotics/Grant Fund as follows:

Lower	001-900-951	General Fund.	\$26,177
Increase	035-000-387	Metro Narcotics/Grant	\$26,177

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

e. Repayment of Interfund Loan – Metro Narcotics

Comptroller Joyce Riales said approval is needed for the interfund loan repayment. The loan was approved on September 25, 2002. Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to approve the following repayment of an interfund loan as follows:

From: Metro Narcotics Grant	035-000-149	\$12,750
To: General County Fund	001-000-054	\$12,750

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

ITEM E.5, CONTINUED,

f. Approval of Final Budget FY02

The Comptroller Joyce Riales presented the finally Amended Budget FY October 1, 2001- September 30, 2002 to the Board of Supervisors as follows:

Fund #		Budgeted Revenues	Budgeted Beginning Cash & Investments	Total	Budgeted Expenditures	Budgeted Ending Cash & Investments	Total
001	General County	\$ 23,629,555	\$ 8,500,000	\$ 32,129,555	\$ 24,935,334	\$ 7,194,221	\$ 32,129,555
002	General County Mandatory	\$ 710,200	\$ 707,022	\$ 1,417,222	\$ 707,022	\$ 710,200	\$ 1,417,222
050	Hacks Cross Road	\$ 420	\$ 222,831	\$ 223,251	\$ 223,251		\$ 223,251
051	Brentwood Originals	\$ 2,490,000		\$ 2,490,000	\$ 2,490,000		\$ 2,490,000
052	CDBG-New DHS Building	\$ 1,650,000		\$ 1,650,000	\$ 1,650,000		\$ 1,650,000
101	Support Volunteer Fire Dept.	\$ 736,529		\$ 736,529	\$ 736,529		\$ 736,529
102	Circuit Court Administrator	\$ 121,500	\$ 65,000	\$ 186,500	\$ 125,753	\$ 60,747	\$ 186,500
104	DeSoto County Law Library	\$ 40,700	\$ 23,933	\$ 64,633	\$ 64,633		\$ 64,633
105	Forfeitures/Metro Narcotics	\$ 83,488	\$ 35,000	\$ 118,488	\$ 99,702	\$ 18,786	\$ 118,488
106	Chancery Court Administrator	\$ 3,357		\$ 3,357	\$ 3,357		\$ 3,357
107	County Court Admin. Fund	\$ 2,335		\$ 2,335	\$ 2,335		\$ 2,335
111	State Emergency Mgmt Oper.	\$ 20,500		\$ 20,500	\$ 20,500		\$ 20,500
112	DeSoto Solid Waste	\$ 1,484,625	\$ 746,205	\$ 2,230,830	\$ 1,491,570	\$ 739,260	\$ 2,230,830
115	Metro Narcotics Grant	\$ 211,971		\$ 211,971	\$ 211,971		\$ 211,971
117	Motor Vehicle Registration	\$ 53,650	\$ 61,170	\$ 114,820	\$ 96,765	\$ 18,055	\$ 114,820
119	LLEBG-Video Recording Grant	\$ 3,090		\$ 3,090	\$ 3,090		\$ 3,090
123	Narcotics/Seized Spec. Rev.	\$ 31,300	\$ 63,000	\$ 94,300	\$ 48,000	\$ 46,300	\$ 94,300
156	Co Wide Road Mt/Construction	\$ 3,546,795	\$ 1,000,000	\$ 4,546,795	\$ 4,413,479	\$ 133,316	\$ 4,546,795
160	Bridge & Culvert	\$ 3,630,737	\$ 2,500,000	\$ 6,130,737	\$ 5,296,423	\$ 834,314	\$ 6,130,737
170	State Aid Road Funds	\$ 150,000		\$ 150,000	\$ 150,000		\$ 150,000
210	92B, G/O Ref.1.525M 10/04 Exp.	\$ 225,373	\$ 53,896	\$ 279,269	\$ 279,269		\$ 279,269
211	\$3.5 Mil Courthouse Renov.	\$ 293,682		\$ 293,682	\$ 293,682		\$ 293,682
212	Admin. Building I & S	\$ 486,535	\$ 60,000	\$ 546,535	\$ 546,535		\$ 546,535
213	E-911 \$2,775,000 Bldg. Fund	\$ 332,797		\$ 332,797	\$ 332,797		\$ 332,797
214	98 \$4,655 M Ref., Exp. 04/13	\$ 289,005	\$ 25,000	\$ 314,005	\$ 314,005		\$ 314,005
215	\$18,000,000 G/O Debt Retire.	\$ 620,799	\$ 205,000	\$ 825,799	\$ 825,799		\$ 825,799
220	County Road Int. & Sinking	\$ 1,626,000	\$ 275,000	\$ 1,901,000	\$ 1,870,328	\$ 30,672	\$ 1,901,000
240	DeSoto School Int. & Sinking	\$ 23,482	\$ 117,687	\$ 141,169	\$ 141,169		\$ 141,169
290	Walls Sewer District Debt Serv.	\$ 23,268	\$ 20,000	\$ 43,268	\$ 43,268		\$ 43,268
291	Civic Center Debt Service	\$ 2,077,120		\$ 2,077,120	\$ 2,077,120		\$ 2,077,120
361	Courthouse Renovation Constr.	\$ 11,500	\$ 1,048,466	\$ 1,059,966	\$ 1,059,966		\$ 1,059,966
381	E-911 System Upgrade Constr.	\$ 534,738	\$ 902,047	\$ 1,436,785	\$ 1,436,785		\$ 1,436,785
382	\$18,000,000 G/O Bond Constr.	\$ -	\$ 16,037,655	\$ 16,037,655	\$ 15,387,149	\$ 650,506	\$ 16,037,655
383	State Development Bank Pool	\$ 6,666,773	\$ 350,000	\$ 7,016,773	\$ 6,008,989	\$ 1,007,784	\$ 7,016,773
501	Self-Funded Health Insurance	\$ 3,001,620	\$ 975,000	\$ 3,976,620	\$ 3,204,000	\$ 772,620	\$ 3,976,620
Totals		\$ 54,813,444	\$ 33,993,912	\$ 88,807,356	\$ 76,590,575	\$ 12,216,781	\$ 88,807,356

Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to accept the finally Amended Budget for Fiscal Year 2002 into the minutes. The motion passed by a unanimous vote. ***See Exhibit E.5.f**

6. Chancery Clerk Allowance

Chancery Court Clerk, W. E. Davis presented an order of Allowances to the Board of Supervisors for the October 2002 term in the amount of \$2,216.66. Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to approve these payments, pursuant to Section 25-7-9 of the Mississippi Code of 1972, Annotated. The motion passed by a unanimous vote. **See Exhibit E.6**

7. Approval of Contract with Butler, Snow, O’Mara, Steven & Cannada, PLLC for County’s Continuing Disclosure Statement

County Administrator David Armstrong presented a letter from Butler, Snow, O'Mara, Stevens and Canada, who have served as Bond Council for DeSoto County for several years.
ITEM E.7, CONTINUED,

The letter stated the County's SEC responsibility to file a Disclosure Statement for Bonds before March 29, 2003. The letter again offered the services of Butler, Snow, O'Mara, Stevens and Canada to prepare the statement at a fee not to exceed \$1,000.00. Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to authorize Butler, Snow, O'Mara, Stevens and Canada to prepare the DeSoto County Bond Disclosure Statement at a fee not to exceed \$1,000.00, with the report being filed on or before March 29, 2003 and authorize the Board President to sign their contract. The motion passed by a unanimous vote. ****See Exhibit E.7****

8. Approval of Inventory Dispositions

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 disposition on the report as noted on Exhibit E.8 as follows:

a. Coroner – Preliminary & Final

Asset #	Serial #	Description	Reason For Disposal	Location of Items at Preliminary Approval	Disposed By	Location of Final Disposal
10086		Vehicle Charger	Broken	BFI		BFI
160	2330145	Sony Transcriber				
1031		IBM Typewriter				

b. Building & Grounds – Preliminary

Serial #	Description	Reason For Disposal	Location of Items at Preliminary Approval	Disposed By	Location of Final Disposal
71952	Delta 10" Saw	Motor Burned Up	Maintenance Dept		BFI
273515T	Dayton 1/2 Bench Grider	Broken	Maintenance Dept		

c. Tax Assessor – Final

Asset #	Serial #	Description	Reason For Disposal	Location of Items at Preliminary Approval	Disposed By	Location of Final Disposal
109	75448689	Royal 300PD	No Print		Kenny Evans	Landfill
106	41126514	Royal 100P	Will not print some #'s		Kenny Evans	Landfill
107	518-715	Victor 610	Broken		Kenny Evans	Landfill
196	2E37319	Canon P102 Calculator	Broken		Kenny Evans	Landfill

d. Maintenance Dept. – Final

Asset #	Serial #	Description	Reason For Disposal	Location of Items at Preliminary Approval	Disposed By	Location of Final Disposal
3327	049800244943	Hoover Vacuum Cleaner	Not necessary to inventory	Various locations Bldgs & Grounds		
9065	176093	Veresamatic Comm Vacuum	Not necessary to inventory	Various locations Bldgs & Grounds		
10040	04C252891	Crosley Range	Not necessary to inventory	Various locations Bldgs & Grounds		
16020	176083	Windsor Vac	Not necessary to inventory	Various locations Bldgs & Grounds		
16157	FCX4801570X334	Roper Range	Not necessary to inventory	Various locations Bldgs & Grounds		
30035	98160V2407	Rigid vacuum	Not necessary to inventory	Various locations Bldgs & Grounds		
30036		24' Extension ladder	Not necessary to inventory	Various locations Bldgs & Grounds		

30498	030000483089	Hoover windfunnel vac.	Not necessary to inventory	Various locations Bldgs & Grounds
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ITEM E.8.d, CONTINUED,

30499	079900015101	Hoover caddy vacuum	Not necessary to inventory	Various locations Bldgs & Grounds
30500	039900293455	Hoover steamvac cleaner	Not necessary to inventory	Various locations Bldgs & Grounds
30508	039900293457	Vacuum cleaner	Not necessary to inventory	Various locations Bldgs & Grounds
31473		24' Extension ladder	Not necessary to inventory	Various locations Bldgs & Grounds
31475	39900293457	Hoover steamvac cleaner	Not necessary to inventory	Various locations Bldgs & Grounds
31476	101C	Dirt Devil vacuum cleaner	Not necessary to inventory	Various locations Bldgs & Grounds

The motion passed by a unanimous vote. ****See Exhibit E.8.a.b.c.d****

9. Approval to Transfer Inventory from the Sheriff’s Dept. to Data Processing

The Board of Supervisors were given a list of equipment owned by the County that is at the Sheriff’s Department and needs to be transferred to the Data Processing Department. Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to accept receipts from the Inventory Clerk pursuant to Section 31-7-107 of the Mississippi Code and did approve the transfer on the report as noted on Exhibit E.9 as follows:

Asset #	Serial #	Description	Transfer From:	Transfer To:	Responsible Party	Initials
6077	23A8747	IBM 3487 Display	Sheriff's Dept.	Data Processing		
6256	41-60279	IBM Remote Controller	Sheriff's Dept.	Data Processing		
30300	23C760018808668	IBM Terminal	Sheriff's Dept.	Data Processing		
6225	2.2334	IBM Computer & Keypad	Sheriff's Dept.	Data Processing		

The motion passed by a unanimous vote. ****See Exhibit E.9****

10. Approval for additional Receiving & Purchasing Authority at Central Maintenance

County Administrator David Armstrong said the Board needs to authorize receiving and purchasing authority for Gail Bernard and Kim Northcutt, from Central Maintenance, for the new County Drainage account from the general fund. Currently they have the authority for account funds 156 and 160, which are the Road and Bridge funds. Mr. Armstrong said Ann Richmond is already authorized as Receiving Clerk to receive for all departments.

The Mississippi Code, Section 31-7-101, 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 and receiving reports when necessary. Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to authorize Kim Northcutt to sign purchase requisitions for the drainage account and Gail Bernard to sign the receiving reports for the drainage account, both employees of Central Maintenance. The motion passed by a unanimous vote.

11. Approval for the Tax Assessor to Purchase Uniforms

Purchasing Director Jeannine Ruby appeared before the Board of Supervisors regarding the request from the Tax Assessor asking the County to purchase 27 long sleeve and 27 short sleeve golf shirts for the Tax Assessor personnel. Ms. Ruby said the shirts would become County property like the Sheriff’s Department uniforms, and they would have to be turned in to the County when personnel left County employment.

County Administrator David Armstrong said there was not a line item in the FY03 budget to do this purchase. Vanessa Lynchard, Director of Administrative Services, said the Tax Assessor wanted his personnel, who assess property in the County, to be recognized as

County employees. Supervisor Jessie Medlin said they need some type of identification as County

ITEM E.11, CONTINUED,

personnel. Supervisor Eugene Thach suggested that the Board Attorney look into this situation and make a recommendation to the Board. Supervisor Gerald Clifton asked if their vehicles were marked with the County logo. Vanessa Lynchard said there are magnetic signs that can be attached to the vehicles. Board Attorney Bobby Chamberlin said the purchase of the shirts for the Tax Assessor was legal for the Board to do. Supervisor Medlin said he would prefer they're having nametags for the employees, similar to the Planning Commission employees.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to carry this item over for further discussion with the Tax Assessor. The motion passed by a unanimous vote.

12. Approval to Bid for Two Motorcycles – Sheriff's Dept.

County Administrator David Armstrong said the Sheriff's Department has requested approval from the Board of Supervisors to seek bids for two motorcycles. Mr. Armstrong said the Sheriff's Department has budgeted for 15 new vehicles in the FY03 budget year and they will count this as part of their vehicle allotment in the budget.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to authorize going out for bid on two motorcycles for the Sheriff's Department. The motion passed by a unanimous vote.

13. Bids Under Advisement – Civil Defense / Aviation Buildings

County Administrator David Armstrong said that when the County started the process for the new buildings for the Civil Defense and Aviation, the cost estimate by Marvin Johnson, Architect, was \$800,000. Mr. Armstrong said he advised Marvin Johnson to revise where necessary and he came back with an estimated cost of \$450,000. Mr. Armstrong said the Bids that were received on October 16 for the EMA/Aviation Building were as follows:

<u>Bidder</u>	<u>Base Bid</u>
1. Hasco, Inc.	\$ 999,300
2. Murphy & Sons Inc.	\$ 858,500
3. TDL Contractors Inc.	\$ 927,000
4. Omega General Contractors	\$ 978,868
5. Wagner Construction Co.	\$1,021,000
6. Metro Construction Co.	\$1,150,717
7. Wells Construction Co.	\$1,077,000
8. Creative Construction Co.	\$1,220,443
9. Billy C. Burnette, Inc.	\$1,286,000
10. Panola Construction Co.	\$1,088,500
11. Patton & Taylor Ent. LLC	\$ 989,098
12. Worsham Brothers Inc.	\$1,062,000

Mr. Armstrong said that since all of the bids came in over the cost estimate, Marvin Johnson recommended that the Board reject all bids and go back to design. Supervisor John Caldwell said the low bidder was Murphy & Sons and asked for their breakdown of cost. Jim Bearden said the Aviation section was the reason for the increased cost along with the expense for the site work.

Jim Bearden said he was concerned with the 175 ft of recessed area and the parking space. Jim Bearden said he felt that this was taking over too much space from Central Maintenance. Supervisor John Caldwell asked if there is a recycle site. Jim Bearden said a berm needs to be built. Supervisor Caldwell asked where could changes be made to the project.

ITEM E.13, CONTINUED,

Supervisor John Caldwell made the motion to accept the low bid of \$858,500 from Murphy & Sons. The motion failed for a lack of a second.

Supervisor Gerald Clifton said he didn't want the Aviation portion to penalize the Civil Defense section and asked if there could be a plan to separate the two. Jim Bearden said the drainage system for the Aviation section would cost \$50,000 for the floor drains necessary to catch the oil. Mr. Armstrong said the Board must accept or reject the bids and let Marvin Johnson go back to the drawing board.

T. H. Walker, Director of Civil Defense, said he just wants to emphasize to the Board that the need for the building is still there.

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to take the Bids under advisement of the EMA/Aviation Buildings that were opened on October 16, 2002, until the November 4, 2002 Board meeting. The motion passed by a unanimous vote. ****See Exhibit E.13****

14. Authority to Purchase 4 Used 2000 Police Package Vehicles

County Administrator David Armstrong said the Sheriff's Department has an opportunity to purchase 4 used 2000 Ford Crown Victoria police package vehicles from the Missouri State Highway Patrol. Mr. Armstrong said they would purchase 2 cars at \$11,000 and 2 cars at \$13,750, whereas a new vehicle would cost \$22,000.

Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion to approve the purchase of the 4 used 2000 Ford Crown Victoria police package vehicles from the Missouri State Highway Patrol, based on the Sheriff's request, for the Sheriff's Department. The motion passed by a vote as follows:

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

Supervisor Eugene Thach said he does not support the request, because the cars do not have any warranty left. ****See Exhibit E.14****

15. Approval to Open Bids for Central Maintenance Equipment on November 12, 2002 at 10 AM

Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to approve the County Administrator or his designee to open the bids for Central Maintenance on November 12, 2002, at 10 a.m. for the following equipment:

<u>Bid File No.</u>	<u>Description</u>
#03-156-001	One or more 17 cu. Yd. Dump Truck
#03-156-002	One or more Single Axle Boom Truck
#03-156-003	One or more Tractors w/mid-mounted HD hydraulic mower
#03-156-004	One or more Tractors w/10 foot mechanical drive 2-section bat wing cutter
#03-156-005	One or more Tractors w/15 foot mechanical drive 3-section bat wing cutter
#03-156-006	One or more Tractors w/10 foot hydraulic drive 2-section bat wing cutter
#03-156-007	One or more Tractors w/15 foot hydraulic drive 3-section bat wing cutter

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

ITEM E, CONTINUED,

16. Brentwood Originals

Tracy Huffman, Engineer with WEI, appeared before the Board of Supervisor for approval on changes necessary and other matter's pertaining to the Water Storage Tank project.

a. Approval of Change Order #2- CB&I Constructors – Water Storage Tank

Tracy Huffman said the Board needs to approve and authorize the signature of the Board President for the change order #2 with CB&I Constructors, which is an increase of \$2,638 to the original contract dollar amount. Mr. Huffman said this charge is for the redesign, engineering changes, additional fabrication and additional field man-hours for the new elevation required on the tank installation. Mr. Huffman said Chris Gouras has approved this, since the CDBG funds are being used for this project.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to approve and authorize the Board President to sign the change order #2 for CBI Constructors on the elevated storage tank in the amount of \$2,638. The motion passed by a unanimous vote. ****See Exhibit E.16.a****

b. Approval of Water Storage Tank Logo

Tracy Huffman present the Board of Supervisors with logo options for the elevated water storage tank. Mr. Huffman said a portion of the logo was taken from the logo that is used on the County vehicles. County Administrator David Armstrong asked when they needed a decision on the logo. Mr. Huffman said he is in the process of having the tank painted on November 1ST and would like for the Board to decide the direction of the logo and the size of lettering to be used. Supervisor Eugene Thach said he would like to just put DeSoto County, MS on both sides of the tank, with one side facing Hwy 61 and to do away with the logo. Mr. Huffman said the tank would be white with black lettering.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to approve putting DeSoto County, MS on both sides of the tank, with one side facing Hwy 61, no logo, and with black letters. The motion passed by unanimous vote. ****See Exhibit E.16.b****

c. Approval of Brata Water Pollution Control Permit

County Administrator David Armstrong said Mr. Joe Brata has conveyed his Water Pollution Control Permit to DeSoto County for the property given to Brentwood Originals. Mr. Brata has requested that the Board of Supervisors execute an IRS form 8283 acknowledging receipt of the transfer of the permit. Mr. Armstrong said the value on the form is \$25,000 and that by signing the form, this Board is not agreeing to this value. Mr. Armstrong said the Board Attorney is working on this being transfer to the DCRUA, as it should have been.

Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion to approve the Board President signing the IRS form 8283 acknowledging receipted conveyance of Mr. Brata's Water Pollution Control Permit. The motion passed by a unanimous vote. ****See Exhibit E.16.c****

F. EXECUTIVE SESSION

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

CONTINUED,

G. OTHER ISSUES

1. Lease Agreement Central Maintenance Equipment

Board Attorney Bobby Chamberlin said SunTrust Leasing Company is the financial institution that is carrying the lease notes on the equipment purchased for Central Maintenance. Bobby Chamberlin said SunTrust has requested information on the County's bond disclosure and tax disclosure. Bobby Chamberlin said he recommends negotiating the issue.

Vanessa Lynchard, Director of Administrative Services, advised the Board that 3 pieces of equipment have been received at Central Maintenance and payments would be due soon on them. Ms. Lynchard said that SunTrust claims to do business in Mississippi and they were the lowest bidder for the financing on the equipment.

Bobby Chamberlin said he was expecting a standard contract, but they have stated several requests that are not standard information and this is not something that this County has ever done. Bobby Chamberlin said that usually the County should award the lowest bid and then go into contract review. Supervisor Tommy Lewis asked have we determined how this would effect the bid? Vanessa Lynchard said the County has never dealt with this company before. County Administrator David Armstrong recommended the Board hold this item over to discuss the concerns.

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to carry this item over until the Board meeting on November 4, 2002. The motion passed by a unanimous vote.

2. Flooded Roads

Supervisor Jessie Medlin said he was proud of the way the Road Manager Russell Dorris and his employees handled the recent flooded roads in the County. The situation required that traffic be rerouted around roads that were flooded on Hwy 305 and Red Banks Road. Supervisor Eugene Thach said no one in the County got hurt during the recent floods.

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to authorize a Resolution or letter of recognition being sent to the Road Manager and the employees at Central Maintenance for the work that was done during the recent flooding in the County. The motion passed by a unanimous vote.

3. Lorine Cady

Ms. Lorine Cady appeared before the Board of Supervisors to express her appreciation for the Board's phone calls and visits during her recent hospital stay. Ms. Cady said the month of October is designated as observance of Domestic Violence Month and she has brought donuts and coffee today as a way to show her appreciation to the Board for the way they have assisted in this program.

Supervisor Tommy Lewis said the Board wants to congratulate Ms. Cady on her recent Athena Award and that she was the most deserving person for this award for all her hard work in DeSoto County. The Board all stated their appreciation to Ms. Cady for her efforts in DeSoto County.

4. Cell Phone Plans

Supervisor Tommy Lewis asked that Vanessa Lynchard look into expanding his cell phone minutes. Ms. Lynchard asked if any other Supervisor wanted the expanded minutes. County Administrator David Armstrong said the recent floods in the County had caused an increase on many of the Supervisors cell phones due to calls made to the road department concerning the road conditions. Supervisors Eugene Thach and Gerald Clifton requested the expanded

ITEM G.4, CONTINUED,

minutes to their cell phone as well as the County Administrator, if their plans are running over their package now.

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to authorize the Director of Administrative Services to have the cell phone minutes expanded for the County Administrator, Supervisor Tommy Lewis, Supervisor Eugene Thach and Supervisor Gerald Clifton to avoid overage charges if necessary. 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

5. Bid Proposals for the County Auditors

Chancery Clerk Sluggo Davis said CPA Firms have until Friday, October 25, 2002, 5 p.m. to submit their proposals for the 3 year period of County Business. Mr. Davis said he has received 5 proposals so far from independent auditors, and he wanted approval from the Board to give these to the Comptroller.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to approve Chancery Clerk Sluggo Davis giving the proposals from CPA Firms for the County's 3 year audit business to the Comptroller for review. The motion passed by a unanimous vote.

6. Authorization to Bid Jail Expansion

David Kline, from Kline Swinney Associates, Jim Bearden, Director of Operations & Maintenance and Kenny Evans, Director of Buildings & Grounds, appeared before the Board of Supervisors for approval to go out for bids on the jail expansion as recommended by the jail committee.

David Kline said the jail committee has recommended the following items and they are seeking to solicit bids:

1. Laundry room addition (no equipment)	\$72,000
2. Additional cameras in medical & relocate 3 existing cameras	5,500
3. Install new ceiling in security corridor to enclose sprinkler	15,246
4. Enclose exercise yard and add restrooms	184,000
5. Renovate trustee area, add toilets, replace doors to female pod, add smoke exhaust to female and trustee pod	<u>108,365</u>
TOTAL	\$385,111

Supervisor Jessie Medlin asked about the kitchen. David Kline said the kitchen is being run 24 hours a day already, so this will wait awhile.

County Administrator David Armstrong said he put \$1.9 million in the FY03 budget year for the juvenile expansion that the Board decided to delay. David Kline said they don't have a contingency in this estimated cost, and he recommends putting in a 10% contingency, but the Board could look at this at a later date.

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to authorize advertising for bids for the jail expansion, subject to the review by Jim Bearden, and to allow adjustments to the bid plus or minus 5%, and to leave the bids out for 4 weeks as required by the State. The motion passed by a unanimous vote.

CONTINUED,

7. Hernando Library

Supervisor Eugene Thach asked were the Board stood on the parking facility for the Hernando Library. County Administrator David Armstrong said the Hernando Board of Aldermen were to meet and discuss the houses in question and he held up on the survey and appraisals until they have made a decision about what the County can do about the houses. They are scheduled to meet November 5, 2002.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to adjourn until November 4TH, 2002 at 9:00 a.m. The motion passed by a unanimous vote.

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

THIS the 21ST. day of October, 2002, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Jessie L. Medlin, President
DeSoto County Board of Supervisors