

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

JOHN M. M. CALDWELL, PRESIDENT, PRESIDING

March 10, 1997

A. CALL TO ORDER

The March 10, 1997, meeting of the DeSoto County Board of Supervisors was called to order by John M. M. Caldwell, Sr., Board President.

Chief Deputy Ronnie Clayton, 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:

Jessie Medlin-----District 1
Eugene C. Thach-----District 2
James D. Pearson-----District 3
John Caldwell-----District 4
Tommy Lewis-----District 5
W. E. "Sluggo" Davis-----Chancery Clerk
James Albert Riley-----Sheriff
Clovis Reed-----County Administrator
William H. Austin, Jr.-----Board Attorney

B. INVOCATION

The invocation was presented by Supervisor John Caldwell.

C. WALLS COMMUNITY BUILDING/LIBRARY

Marvin Johnson, the project architect, and Jim Anderson, Director of the First Regional Library appeared before the Board of Supervisors to update the Board on the Walls Library/Community Building project. Marvin Johnson reported that plans are in process for the Library/Health Dept./Community Building. Mr. Johnson presented a preliminary layout of the building and explained that the Health Department can be moved into the building later. Mr. Johnson explained that current plans include a small meeting room to hold 15-20 people and a large meeting room, which will hold 100 to 120 people. Mr. Johnson said he has conferred with Hal Crenshaw on the plans, and that Mr. Crenshaw has asked to see plans for the roof type and colors chosen for the project. Mr. Johnson estimates that the construction documents will be complete in four to six weeks and the job will be ready to bid after that.

The Board discussed who will provide shelves for the library. Jim Anderson, Director of the First Regional Library said that bids for shelving and furniture will be issued through the County.

Item C., Continued,

Supervisor Eugene Thach made the motion to authorize Marvin Johnson to work up specifications and advertise for the construction of the building at the Walls Library Community Building. Supervisor Jessie Medlin seconded the motion. The **motion passed** by a unanimous vote. **See Exhibit C.**

D. PLANNING COMMISSION

The Planning Commission presented several items to the Board of Supervisors as evidenced by the portion of the minutes prepared by the DeSoto County Planning Commission. **See Exhibit D.**

E. OLD BUSINESS

1. Report From Committee to Inspect Phillips Road

This item was held over.

2. Request for Funds for Lewisburg EMS/Fire Department

This item was held over.

3. Bond Reporting Requirements

The County Administrator, Clovis Reed, recommended to the Board of Supervisors to accept the proposal submitted by Don Clark, of Crosthwait Terney, PLLC for this firm to handle the county's upcoming bond reporting requirements. The County Administrator reported to the Board of Supervisors that Crosthwait Terney, PLLC has agreed to handle the reporting for this bond for \$500.00 rather than the \$1,000.00 noted in their original proposal.

Mr. Reed explained that for this firm to handle the reporting for this bond is similar to an "insurance policy" as liability associated with the reporting would be transferred to them. Although no problems are anticipated, Mr. Reed said this could be a good option for these reporting duties.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to accept the proposal for Crosthwait Terney, PLLC to handle the disclosure reporting on the 1996 Road and Bridge Bond Issue at a price of \$500.00. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----Yes
Supervisor Eugene Thach-----Yes
Supervisor James D. Pearson-----Absent
Supervisor John Caldwell-----Yes
Supervisor Tommy Lewis-----Yes

4. Litter Ordinance

This item was held over. **See Exhibit E.4.**

F. NEW BUSINESS

1. Changes in Assessments of Real/Personal Property

The Chancery Clerk, W. E. "Sluggo" Davis presented several changes in the assessment of real/ personal property and said he had no issue to bring before the Board regarding these changes. Supervisor James Pearson made the motion and Supervisor Jessie Medlin seconded the motion to approve the changes in assessments of real/personal property as presented. The **motion passed** by a unanimous vote. **See Exhibit F.1.**

G. OTHER BUSINESS

1. Dale Thompson

a. Request to Pay Bills Associated With Trip to Washington

Dale Thompson, the Comptroller came before the Board of Supervisors seeking approval to pay bills associated with the Supervisors who attended the Washington trip. Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to pay the bills as presented by the Comptroller. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----Yes
Supervisor Eugene Thach-----Yes
Supervisor James D. Pearson-----Yes
Supervisor John Caldwell-----Yes
Supervisor Tommy Lewis-----Absent

b. Request to Pay Bills For Seized Vehicle

Comptroller Dale Thompson requested approval to pay Trustmark National Bank \$839.33 and to pay Third Union Finance \$474.36 in connection with a 1990 Chevrolet pickup seized by Metro Narcotics. Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to pay the bills associated with the seized vehicle from the Metro Narcotics Fund 105-227-930 as requested by the Comptroller. The **motion passed** by a unanimous vote. **See Exhibit G.1.b.**

2. Ed Spencer

a. Housekeeping

The Director of Operations and Maintenance, Ed Spencer, notified the Board of Supervisors that there are no trustees available to help with housekeeping. Mr. Spencer said that because of upcoming vacations that are scheduled, Housekeeping will have to have help, as one person cannot possibly handle all of the work required in this area.

b. Smoking Area

Ed Spencer, Director of Operations and Maintenance, notified the Board of Supervisors that once the door is installed the smoking area will be complete.

Item G.2., Continued,

c. Leaking Roofs

Ed Spencer, Director of Operations and Maintenance, presented to the Board of Supervisors a list of DeSoto County Buildings that have leaking roofs and the costs to repair the roofs. The different buildings were discussed and their individual roofing needs. Supervisor Tommy Lewis asked if Target had been contacted about repairs on the Maxwell Building as they have been slow to respond in the past. Supervisor Jessie Medlin asked Ed Spencer to contact Target concerning the repairs they are responsible to handle. **See Exhibit G.2.c.**

d. Handrail Behind Courthouse

Ed Spencer, Director of Operations and Maintenance, presented two estimates for installing handrails on the stairway to the street behind the Courthouse. Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion to take the estimates under advisement. The **motion passed** by a unanimous vote.

e. Justice Court Renovation Change Order

Ed Spencer, Director of Operations and Maintenance, presented a list of proposed changes for the Justice Court Renovation. Mr. Spencer explained that some of the requested changes originated from those who will be working in the new building, and others were associated with converting the building from electric to gas heat.

Supervisor John Caldwell made the motion and Supervisor James Pearson seconded the motion to deny all items on the proposed list of change orders that result in increases to the total contract for the Justice Court Renovation project, and approve any items that will result in a decrease in the total renovation contract. The **motion died** with a vote as follows:

Supervisor Jessie Medlin-----	Absent
Supervisor Eugene Thach-----	No
Supervisor James D. Pearson-----	Yes
Supervisor John Caldwell-----	Yes
Supervisor Tommy Lewis-----	No

Mr. Spencer reported that it will cost more to convert the building later than to make the changes during the construction phase. Supervisor Eugene Thach suggested holding the matter over to allow Ed Spencer to review the list and recommend which items on the list are necessary and which are luxury items. It was discussed that it may not be feasible to wait on the decision as the work will have to be done at the appropriate time in ensure cost savings. The County Administrator, Clovis Reed explained that it may be difficult for Mr. Spencer to make the judgement of necessary items as some may deal with specific job duties in Justice Court. Supervisor John Caldwell asked about Mr. Spencer's recommendations concerning Item Number 9 from the proposed list of changes. Mr. Spencer said he would recommend eliminating Item Numbers 8 and 9.

Item G.2.e., Continued,

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to let Ed Spencer go through the list and recommend changes that are necessary at the Justice Court Renovation project in the

interest of saving money. After more discussion Supervisor Thach withdrew the motion.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to approve Items Numbers 1, 2, 4, 5, 6, 7, 10, 11, and 12. The **motion died** with a vote as follows:

Supervisor Jessie Medlin-----Absent
Supervisor Eugene Thach-----Yes
Supervisor James D. Pearson-----No
Supervisor John Caldwell-----No
Supervisor Tommy Lewis-----Yes

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to reconsider the previous motion noted above. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----Yes
Supervisor Eugene Thach-----Yes
Supervisor James D. Pearson-----No
Supervisor John Caldwell-----Yes
Supervisor Tommy Lewis-----Yes

Ed Spencer notified to the Board of Supervisors that he has received and estimate in the amount of \$750.00 for a security system in the Justice Court Renovation building. Supervisor Eugene Thach made a motion and Supervisor Tommy Lewis seconded the motion to approve the installation of the alarm and accept the changes presented on the change order with the exception of Item Numbers 3, 8, and 9. The **motion passed** with a vote as follows:

Supervisor Jessie Medlin-----Yes
Supervisor Eugene Thach-----Yes
Supervisor James D. Pearson-----No
Supervisor John Caldwell-----Yes
Supervisor Tommy Lewis-----Yes

See Exhibits G.2.e.

f. Draw Request from Wells Construction on Justice Court Renovation Project

Ed Spencer, Director of Operations and Maintenance presented to the Board of Supervisors a draw request for work complete on the Justice Court Renovation project in the amount of \$70,363.80. Mr. Spencer reported that Marvin Johnson, the project engineer signed off on the project and Mr. Spencer said he agrees that the request is in line with the work complete. The Board of Supervisors questioned the charge for sales tax indicated in Item Number 2 of the request. The County Administrator, Clovis Reed contacted Mike Keys, Director of Technical Assistance with the State Auditor's Office, and they responded that the contractor would have to pay sales tax, but they cannot exceed the bid price of the contract.

Item G.2.f., continued,

Supervisor Jessie Medlin made the motion and Supervisor James Pearson seconded the motion to pay the draw request for the Justice Court Renovation Project. The **motion passed** by a unanimous vote. See **Exhibit G.2.f.** Supervisor Eugene Thach said the sales tax issue should be checked.

3. County Administrator Clovis Reed

a. Bid Opening - Tandem Axle Truck

The County Administrator, Clovis Reed, reminded the Board of Supervisors of the pending bid opening for the Tandem Axle Truck scheduled for March 18, 1997. Supervisor Eugene Thach made the motion and Supervisor James Pearson seconded the motion to authorize the County Administrator, Clovis Reed to open bids on March 18, 1997. The **motion passed** by a unanimous vote. **See Exhibit G.3.a.**

4. Committee to Review Mahan Road

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to establish a committee to review the proposed Mahan, and appoint Supervisor Tommy Lewis and Supervisor Jessie Medlin to serve on the committee. The **motion passed** by unanimous vote. **See Exhibit G.4**

5. Supervisor Tommy Lewis

a. Intersection at Getwell Road and Byhalia Road

Supervisor Tommy Lewis notified the Road Manager, Kenny Gunn that he has received reports that the traffic light at the intersection of Getwell and Byhalia Road is too low. Supervisor Lewis also said he has received numerous comments on the light and some people say that amber lights will confuse some drivers and will likely cause accidents. Supervisor Tommy Lewis asked for Kenny Gunn's recommendation on the problem. The Road Manager, Kenny Gunn, said he felt drivers should know laws concerning traffic signals. A discussion of the dangers and possibilities to prevent more accidents was held. The Road Manager recommended a 4-way stop at the intersection. The Road Manager notified the Board of Supervisors that Mississippi Power & Light is in the process of fixing a voltage problem and after that is accomplished the light will be turned on. Supervisor Jessie Medlin instructed the Road Manager to make sure the intersection is marked well. Supervisor John Caldwell asked Kenny Gunn to do whatever it takes to stop traffic at the intersection.

Supervisor Tommy Lewis made the motion and Supervisor Eugene Thach seconded the motion to make the intersection of Getwell and Byhalia Road a 4-way stop. The **motion passed** by a unanimous vote.

6. Road Manager Kenny Gunn

a. Addition to Central Maintenance Building

The Road Manager, Kenny Gunn reminded the Board of Supervisors that earlier it was discussed to take bids for adding office space to the Central Maintenance building. Mr. Gunn requested permission for preliminary plans to be made for building revisions, as planned.

Item G.6.a., continued,

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to get preliminary plans for the addition to the Central Maintenance building, and to request proposals for architect fees for the expansion of the Central Maintenance building. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----Yes
 Supervisor Eugene Thach-----Yes
 Supervisor James D. Pearson-----No
 Supervisor John Caldwell-----Yes
 Supervisor Tommy Lewis-----Yes

b. Ice Machine at Central Maintenance

The Road Manager, Kenny Gunn reported that the ice machine in Central Maintenance is not big enough to handle the needs in the department. The machine is broken now and Mr. Gunn said he would like to check with the ice company about a possible trade-in.

c. Request for Employees to Bid at Surplus Sale

The Road Manager, Kenny Gunn asked if County employees can bid on items at the surplus sale on April 26. The Board of Supervisors said it has been their policy for some time that employees are not allowed to bid on items at the surplus sale.

d. Tchulahoma Road Shoulder and Intersection

The Road Manager, Kenny Gunn notified the Board of Supervisors that the County will gravel the shoulders on this road, but in some instances this may cause water to run in the road, as the shoulder area is not adequate in some parts of the road. The Road Manager said that Tchulahoma Road runs approximately 2/10 mile north of Stateline Road before the Tennessee state line, and that part of the road should be worked if the crews are that close. Also, Mr. Gunn said the offset at the intersection is a traffic hazard and he recommends improving the offset at the time to other parts of the road are worked.

7. Supervisor Jessie Medlin

a. Recommendation of commendation to Mike Hancock and Bobby Storey

Supervisor Jessie Medlin presented a draft of a letter commending Mike Hancock and Bobby Storey for their hard and excellent work during the fire at Hernando City Hall. Supervisor Medlin said he had been notified by letter from Jimmy L. Hartsfield of the fine work done by these men.

Supervisor Eugene Thach made the motion and Supervisor Tommy Lewis seconded the motion to approve the letter as presented by Supervisor Medlin and authorize the Board President to sign the letter on behalf of the Board of Supervisors. **See Exhibit G.7.** The motion passed with a vote as follows:

Item G.7.a., continued,

Supervisor Jessie Medlin-----Yes
 Supervisor Eugene Thach-----Yes
 Supervisor James D. Pearson-----No
 Supervisor John Caldwell-----Yes
 Supervisor Tommy Lewis-----Yes

b. Recommendation to Send Resolution for Jim Bean

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to send a resolution to Jim Bean to thank and commend him on a job well done during the Supervisors' trip to Washington D.C. for his help with their tours. The **motion passed** by a vote as follows:

Supervisor Jessie Medlin-----Yes
Supervisor Eugene Thach-----Yes
Supervisor James D. Pearson-----Absent
Supervisor John Caldwell-----Yes
Supervisor Tommy Lewis-----Yes

8. Supervisor John Caldwell

Supervisor John Caldwell suggested that the Board of Supervisors look into hiring a full time attorney to handle the upcoming bond issues and other work for the Board of Supervisors. Supervisor Jessie Medlin asked if money was the reason for the recommendation. Supervisor Caldwell said primarily, that is the reason. Supervisor Tommy Lewis said he is not convinced that after you pay another attorney, provide office space and provide equipment there would be a savings. Supervisor Eugene Thach said, in the past, he has felt to same recommendation was appropriate, but the consensus of the Board of Supervisors has been to stay with the current method. The **motion died** for lack of a second.

9. Kirk Embrey - Health Department

Kirk Embrey of the DeSoto County Health Department came before the Board of Supervisors to give an update on the Mississippi wastewater rules. Among the issues discussed, Mr. Embrey told the Board of Supervisors the State has no requirements for lot size; each time a request is turned down, it is atomically reviewed two more times; and, the Health Department is trying to prevent long-term problems with sewage drainage. Consequently, the Health Department is sometimes having to limit building on large lots to small areas depending on soil quality.

H. EXECUTIVE SESSION

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

Supervisor Eugene Thach made the motion and Supervisor James Pearson seconded the motion to recess until Monday, March 24, 1997, at 9:00. The **motion passed** by a unanimous vote.

THIS the 10th day of March, 1997, these minutes have been read and approved by the DeSoto County Board of Supervisors.

JOHN M. M. CALDWELL, President
DeSoto County Board of Supervisors