

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

**EUGENE C. THACH, PRESIDENT, PRESIDING**

**July 12, 2000**

**A. CALL TO ORDER**

The July 12, 2000, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Eugene C. Thach of DeSoto County.

Commander John Magness 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
- David Armstrong-----County Administrator
- William Austin-----Board Attorney

**B. INVOCATION**

The invocation was presented by Supervisor Tommy Lewis.

**C. PLANNING COMMISSION**

The Planning Commission brought several items before the Board of Supervisors as evidenced by the portion of the minutes submitted by the Planning Commission. **\*\*See Exhibit C\*\***

**D. OLD BUSINESS**

The Board of Supervisors determined that there was no old business to be addressed.

**A. NEW BUSINESS**

**1. Steve Ottosen - Johnson Country USA**

Steve Ottosen and Dennis Sassaman of Mid South Corridor came before the Board of Supervisors to provide an overview of a proposal for a major theme park and development from Johnson Country USA. Mr. Sassaman said that the theme of the 2000 acre park will be education through entertainment with each of the States represented throughout the park. Mr. Sassaman said DeSoto County, Mississippi was chosen as the location for the proposed theme park due to the underlying infrastructure and components applicable to this type of project including demographics and location to major tourists attractions, and travel amenities.

Steve Ottosen presented an economic impact and cost benefit analysis study for the Board to **ITEM E.1, CONTINUED,**

review. Mr. Ottosen said that the benefits of a \$750 million project for DeSoto County will

**7/12/00**

**E. C. T.**

generate over 1500 jobs with an annual direct payroll being over \$40 million and a total economic impact of \$118 million per year. Mr. Ottosen said that the theme park will generate over \$6 million per year for DeSoto County.

Dennis Sassaman said the total process of the proposed theme park will take from two to five years to complete. Mr. Sassaman said the property is currently under contract for a direct purchase from Prudential Insurance and after the property is purchased, they will begin with the design studies and proceed to the master plan and zoning, conditions of the property transfer, the engineering phase, and finally, the construction phase.

Dennis Sassaman advised the Board that a major issue with the proposed theme park is that Old Highway 61 and Ciba Road will have to be realigned and relocated. Mr. Sassaman said they are requesting that the Board sign a resolution today approving the proposal for Johnson Country USA and the realignment of these roads. Supervisor Eugene Thach said that the Board is not going to approve the resolution before the Board Attorney and County Administrator have reviewed it and made a recommendation to the Board. Supervisor Thach said that DeSoto County and Tunica County have concerns about abandoning Old Highway 61 because of the farmers and the other traffic on the road. Gary Johnson, President of Johnson Country USA, said that they have reviewed the concerns of the farmers and will accommodate those individuals in the proposed realignment.

Supervisor Gerald Clifton made a motion and Supervisor John Caldwell seconded the motion to take the resolution approving the proposal of Johnson Country USA, Inc. to realign and relocate a segment of Old Highway 61 and Ciba Road under advisement until July 31, 2000. The **motion passed** by a unanimous vote. **\*See Exhibit E.1\*\***

## **2. Beaver Control Report - Pat Huddleston**

County Administrator David Armstrong informed the Board of Supervisors that Pat Huddleston will be unable to attend today's meeting due to a family emergency.

## **3. Duke Energy - Payment in Lieu of Taxes**

Jim Flanagan and Mark Aquadro addressed the Board of Supervisors to request a ten year fee in lieu of taxes for Duke Energy. Mr. Aquadro explained that they have been working on this agreement for the past six months and that Board Attorney Bill Austin has reviewed the agreement. Mr. Aquadro said that the City of Southaven has already signed the agreement. Supervisor Eugene Thach asked if the same formula for fees in lieu of taxes was used for Duke Energy as was used for Williams Sonoma. Mr. Flanagan said this agreement is basically the same as the one approved for Williams Sonoma. Supervisor Gerald Clifton made a motion and Supervisor Jessie Medlin seconded the motion to approve a ten year fee in lieu of taxes for Duke Energy in the amount of \$1,400,000.00. The **motion passed** by a unanimous vote. **\*\*See Exhibit E.3\*\***

## **4. Approval of Increases and Reductions in Tax Assessments**

Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to approve the petitions for reduction of tax assessments and notice to increase the assessment of real and personal property as recommended by the DeSoto County Tax Assessor. The **motion passed** by a unanimous vote. **\*\*See Exhibit E.4\*\***

## **ITEM E.5, CONTINUED,**

### **1. Authorization to Open Bids on August 4 at 10:00 a.m. to Re-roof the Justice Court Building**

7/12/00

E. C. T.

Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion to authorize the County Administrator or his representative to open bids to re-roof the Justice Court Building on August 4, 2000 at 10:00 a.m. The **motion passed** by a unanimous vote. **\*\*See Exhibit E.5\*\***

**6. Jail Inspection**

In accordance with Section 19-5-1 of the Mississippi Code Annotated of 1972, which states that

at least annually, and as often as it may think proper, the Board of Supervisors, or a competent person authorized by the Board of Supervisors, shall examine into the state and condition of the jail, in regard to its safety, sufficiency and accommodation of the prisoners, and from time to time take such legal measures as may best tend to secure the prisoners against escape, sickness and infection, and have the jail cleansed.

Having completed such inspection, Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to acknowledge the inspection of the DeSoto County Jail by the Board of Supervisors as outlined in Section 19-5-1 of the Mississippi Code Annotated. The **motion passed** by a unanimous vote.

**7. Making Attorney General’s Approval of Interlocal Agreement with City of Southaven for Parks a Part of the Minutes**

In accordance with Section 17-13-11 of the Mississippi Code, which states the Attorney General

shall approve any such agreement submitted to him hereunder unless he shall find that it does not meet the conditions set forth and prior to its being in force, an agreement shall be filed with the Chancery Clerk and with the Secretary of State, Supervisor John Caldwell made a motion and Supervisor Jessie Medlin seconded the motion to make the Attorney General’s approval of the Interlocal Agreement between the DeSoto County Board of Supervisors and the City of Southaven for the joint construction of facilities for city parks a part of the minutes. The **motion passed** by a unanimous vote. **\*\*See Exhibit E.7\*\***

**8. Budget Amendment**

**a. Accounting**

In accordance with the provisions set forth in Section 19-11-11 of the Mississippi Code, the Board of Supervisors did discuss an amendment to the budget for the Fiscal year beginning October 1, 1999, and ending September 30, 2000. Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve the budget amendment for the Accounting Department under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19 as follows:

Increase	001-121-440	Part Time Employee	\$ 2,600.00
Decrease	001-121-404	Office Clerical	\$ 2,600.00

The **motion passed** by a unanimous vote. **\*\*See Exhibit E.8.a\*\***

**b. Tax Assessor**

In accordance with the provisions set forth in Section 19-11-11 of the Mississippi Code, the Board of Supervisors did discuss an amendment to the budget for the Fiscal year beginning **ITEM E.8.b, CONTINUED,**

October 1, 1999, and ending September 30, 2000. Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the budget amendment for the Tax Assessor under the provisions of Mississippi Code of 1972, Annotated, Section 19-11-19

7/12/00

E. C. T.

as follows:

Decrease	001-103-477	Travel In County	\$ 1,000.00
Increase	001-103-476	Meals & Lodging	\$ 1,000.00

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

**9. Approval of Late Bill - Registration for Critical Care Paramedics Conference - EMS**

Supervisor Gerald Clifton made a motion and Supervisor John Caldwell seconded the motion to approve a late bill to Miles Morgan, EMS paramedic, for registration fees to the Critical Care Paramedics Conference to be held in Orlando, Florida on July 13 through July 15, 2000 in the amount of \$330.00 and authorized the Clerk to write the check. The **motion passed** by a unanimous vote. **\*\*See Exhibit E.9\*\***

**10. Investment of Surplus Funds**

At the recommendation of Comptroller Joyce Riales, Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to approve the investment of surplus funds to Trustmark Bank, who was the high bidder that placed their bid as follows:

<u>DATE OF INVESTMENT</u>	<u>BANK</u>	<u>AMOUNT</u>	<u>RATE</u>	<u>DAYS</u>
7/6/00	Trustmark Bank	\$17,577,500.00	6.51	62

The **motion passed** by a unanimous vote. **\*\*See Exhibit E.10\*\***

**11. Consideration of a Three-Way Stop Sign at Windemere North and Windemere South**

Supervisor Tommy Lewis informed the Board of Supervisors that he has received requests from constituents to have a three-way stop sign placed at Windemere North and Windemere South. Road Manager Kenny Gunn said there is no reason not to place a stop sign at the location and that a stop sign will slow traffic at that location. At the recommendation of Road Manager Kenny Gunn, Supervisor Tommy Lewis made a motion and Supervisor Gerald Clifton seconded the motion to place a three-way stop sign at Windemere North and Windemere South. The **motion passed** by a unanimous vote.

**12. Delta Computer Systems - Purchase of Software**

County Administrator David Armstrong informed the Board of Supervisors that Larry Wood wants authorization to purchase payroll, purchasing, and fixed assets software from Delta Computer Systems even though the software from Delta Computer Systems is more expensive than Data Systems Management. Mr. Armstrong said that the funds for the software are in the Information Systems Budget.

Board Attorney Bill Austin said that County Administrator David Armstrong and he met with Larry Wood and Joyce Riales and they explained that the payroll software from Data Systems will not work, the purchasing package does not include all of the necessary features, and the fixed assets software is not yet available. Mr. Austin said that the reasons cited are justification for purchasing the software from Delta Computer Systems even though it is more expensive than the software from Data Systems Management.

**ITEM E.12, CONTINUED,**

Section 31-7-13 of the Mississippi Code states that if any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. In accordance with Section 31-7-13 of the Mississippi Code and due to the services and software guaranteed from the low bidder not being received, Supervisor Jessie Medlin made the motion

7/12/00

E. C. T.

and Supervisor John Caldwell seconded the motion to authorize the purchase of payroll software for \$4,000.00, purchasing software for \$3,000.00, and fixed assets software for \$2,000.00 from Delta Computer Systems, the higher bidder, instead of from the low bidder, Data Systems Management, which quoted \$3,800.00 for payroll software, \$1,800.00 for purchasing software, and \$1,800.00 for fixed assets software. The **motion passed** by a unanimous vote. **\*\*See Exhibit E.12\*\***

**13. Making Acceptance of EPA Grant for FY99 a Part of the Minutes**

Supervisor John Caldwell made a motion and Supervisor Tommy Lewis seconded the motion to make the acceptance of the Environmental Protection Agency Grant for FY99 in the amount of \$2,501,749.00 a part of the minutes. The **motion passed** by a unanimous vote. **\*\*See Exhibit E.13\*\***

**14. Rubbish Pit**

Supervisor Eugene Thach advised the Board of Supervisors that the rubbish pit fees were discussed at the last Council of Governments meeting and it was recommended that the Cities pay rubbish pit fees up to August 1, 2000 and beginning at that time, the Cities will not be charged for next year. Supervisor Thach said the rubbish pit fees will be reviewed at the end of the next fiscal year and if the County is in the red at that time, the Cities will pay a prorated share for using the rubbish pit. Supervisor John Caldwell said the reason the County started charging fees was because figures were run for last year and the County was in the hole at that time. Supervisor Thach said based on figures and growth, the Council of Governments is asking the Board to reconsider the fees.

Supervisor Jessie Medlin said the County does not receive sales taxes and agreed to commit \$750,000.00 each to the City of Southaven and the City of Horn Lake for roads and he thinks it is only fair that the Cities pay for using the rubbish pit.

Supervisor John Caldwell said that revenue projections are needed so the Board will know the status of the rubbish pit going into the budget meetings. Supervisor Caldwell said that if the rubbish pit can operate for less mills, then the millage needs to be decreased. Mr. Armstrong said that the projected overage is not enough to justify a reduction in millage.

Supervisor Eugene Thach made a motion and Supervisor Gerald Clifton seconded the motion to eliminate the rubbish pit fees charged to the Cities as of August 1, 2000 if the Cities have paid the balance of their rubbish pit fees and to review the rubbish pit figures and fees at the end of fiscal year 2001. The **motion passed** by a vote as follows:

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

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

**ITEM E.15, CONTINUED,**

**15. BellSouth Public Service Hearing**

County Administrator David Armstrong notified the Board of Supervisors that the Mississippi Public Service Commission has a public hearing scheduled for BellSouth on July 17, 2000 at 10:00 a.m. in Courtroom #3 of the DeSoto County Courthouse to discuss a change in the local calling plan for DeSoto County telephone customers. **\*\*See Exhibit E.15\*\***

**16. Bids Under Advisement**

7/12/00

E. C. T.

**a. One New Pumper for Love Volunteer Fire Department**

County Administrator David Armstrong advised the Board of Supervisors that three bids were received for the new pumper for Love Volunteer Fire Department. Mr. Armstrong said that the low bidder, Tupelo Fire Equipment, failed to meet bid specifications and it is recommended that the seconded lowest bidder be accepted. Supervisor Tommy Lewis made a motion and Supervisor Gerald Clifton seconded the motion to award the bid for one new pumper for Love Volunteer Fire Department, Bid File Number 00-251-001, to Ferrara Fire Apparatus in the amount of \$193,301.00 and to authorize the order of the vehicle with revenue from the Love Fire Department paying \$143,301.00 and the State grant paying \$50,000.00. The **motion passed** by a unanimous vote. **\*\*See Exhibit E.16\*\***

**b. One New 2000 Gallon Tanker for Nesbit Volunteer Fire Department - Approval to Reject Bids**

County Administrator David Armstrong notified the Board of Supervisors that only one bid was received for a new 2000 gallon tanker for Nesbit Volunteer Fire Department because only E-One specifications were used. Mr. Armstrong said it is requested that this bid be rejected and the tanker be rebid with specifications not exclusive to only one vendor. Supervisor John Caldwell made a motion and Supervisor Gerald Clifton seconded the motion to reject the bid received for Bid File Number 00-251-002 for a 2000 gallon tanker for Nesbit Volunteer Fire Department from Sunbelt Fire Apparatus, Inc. in the amount of \$125,990.00 and to authorize the 2000 gallon tanker for Nesbit Volunteer Fire Department to be rebid using specifications not unique to any one vendor. The **motion passed** by a unanimous vote. **\*\*See Exhibit E.16\*\***

**17. Advertise County Resources**

**a. Hernando 8 & Under Girls' All-Star Softball Team for Dizzy Dean Softball World Series**

County Administrator David Armstrong informed the Board of Supervisors that a letter was received requesting a donation to help with travel expenses for the Hernando 8 & Under Girls' All-Star Softball Team to the Dizzy Dean Softball World Series to be held in Chattanooga, Tennessee on July 14 through July 20, 2000. In accordance with Section 17-3-1, of the Mississippi Code of 1972, which states the Board of Supervisors of any county in Mississippi may in their discretion, set aside, appropriate and expend moneys, not to exceed one mill of their respective valuation and assessment for the purpose of advertising and bringing into favorable notice the opportunities, possibilities and resources of such municipality or county, Supervisor Tommy Lewis made the motion and Supervisor Gerald Clifton seconded the motion to advertise DeSoto County Resources by contributing \$250.00 to Hernando 8 & Under Girls' All-Star Softball Team for the Dizzy Dean Softball World Series and to authorize the Clerk to write the check. The **motion passed** by a unanimous vote. **\*\*See Exhibit E.17.a\*\***

(After the meeting, the County Administrator's Office was notified that the Hernando 8 & Under Girls' All-Star Softball Team was unable to raise enough money to go to the Dizzy Dean

**ITEM E.17.a, CONTINUED,**

Softball World Series Tournament, therefore, a check was never issued.)

**b. Hernando 11-Year Old All-Star Team for World Series Tournament**

Chancery Clerk Sluggo Davis presented a request from the Hernando 11-Year Old All-Star Team for a donation to help cover expenses to the State and World Series Tournaments. Mr. Davis said that the team will take a DeSoto County banner to the World Series Tournament to advertise county resources. Mr. Davis said that the State Tournament is being held this week

7/12/00

E. C. T.

and he was not sure if the County could give a donation to advertise county resources unless the team could take a banner with them to the tournament. Supervisor Eugene Thach said that in the past, the County has provided banners for the ball teams to take with them to tournaments to advertise DeSoto County resources.

In accordance with Section 17-3-1, of the Mississippi Code of 1972, which states the Board of Supervisors of any county in Mississippi may in their discretion, set aside, appropriate and expend moneys, not to exceed one mill of their respective valuation and assessment for the purpose of advertising and bringing into favorable notice the opportunities, possibilities and resources of such municipality or county, Supervisor Tommy Lewis made a motion and Supervisor Jessie Medlin seconded the motion to advertise DeSoto County resources by contributing \$150.00 to the Hernando 11-year old All-Star Team for the World Series Tournament and to authorize the Clerk to write the check. The **motion passed** by a unanimous vote.

Board Attorney Bill Austin said that the County can give a donation if evidence is shown that the team had another means to advertise DeSoto County with them at the tournament.

Supervisor Tommy Lewis made a motion and Supervisor Gerald Clifton seconded the motion to advertise DeSoto County resources by contributing \$150.00 to the Hernando 11-year old All-Star Team for the State Tournament subject to evidence being provided that DeSoto County resources were advertised by the team while at the State Tournament, and to authorize the Clerk to write the check. The **motion passed** by a vote as follows:

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

**\*\*See Exhibit E.17.b\*\***

(After the meeting, a representative of the ball team did pick up a banner to display at the State Tournament and World Series Tournament.)

**18. Approval of Contract - Teletouch - EMS**

Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to approve the contract with Teletouch for EMS in the amount of \$14.00 per month for the period of July 12, 2000 through July 12, 2001. 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

**ITEM E.18, CONTINUED,**

**\*\*See Exhibit E.18\*\***

**F. EXECUTIVE SESSION**

The "Executive Session" portion of this meeting is presented under the portion of minutes called "Executive Session."

**G. OTHER ISSUES**

**1. Homestead Exemptions**

**7/12/00**

**E. C. T.**

Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to approve the petition to adjust the homestead exemption supplemental roll as presented by the Chancery Clerk. 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 G.1\*\***

**2. Accepting Disallowances on Homesteads by Mississippi State Tax Commission**

At the recommendation of Chancery Clerk Sluggo Davis, Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to accept the Disallowances on Homesteads by the Mississippi State Tax Commission with the exception of the following:

2073060400007100	Climer, Harry L.
1087260100304200	Cooper, Elizabeth R.
1079301500003600	Criswell, Mary C.
1085220500150800	Dotson, W. Lee, etux
1088340200064900	Goss, Jeffrey W.
1088281200015400	Green, Melinda G. etal
2075220300003700	Hardin, Wayne R.
1077351000001800	Harville, Joe R.
3067360000000205	Hudson, Ruth Grady, etvir
2083060500052300	Jones, Joe H.
305929010000400	King, Richard B.
1088347020010100	Lyons, Melissa R.
1088280900008100	Meraz, Myjo Lynn
2083060300028700	Murphree, Kathy L.
3073060700012300	Rittenhouse, Sandy
2076230200020700	Siegrist, Wendell W.
1086240900009400	Taylor, William H., Jr.
1078270500007100	Watson, Dorothy
3062040000000500	Wilkerson, William Larry

The **motion passed** by a vote as follows:

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

**ITEM G.2, CONTINUED,**

Supervisor John Caldwell-----ABSENT  
Supervisor Tommy Lewis-----YES

**\*\*See Exhibit G.2\*\***

**3. District 2 Park Fund**

Supervisor Eugene Thach made a motion and Supervisor Jessie Medlin seconded the motion to provide \$5,000.00 to the Horn Lake Park Fund and \$20,000.00 to the Southaven Park Fund from the District 2 Park Fund. The **motion passed** by a unanimous vote.

**4. Drivers License Road**

7/12/00

E. C. T.



Road Manager Kenny Gunn informed the Board of Supervisors that the major construction of the new drivers license facility is complete and said that Drivers License Road needs to be added to the overlay contract if the County is going to pave the road. Supervisor Jessie Medlin asked when the building will be finished. County Administrator David Armstrong said the grand opening will be scheduled for the middle of next month.

Supervisor Medlin asked if the County has the right of way on Drivers License Road. Board Attorney Bill Austin said he is not sure where the city limits of Hernando stops but that the County has the right of way beginning where the city limits stops. Road Manager Kenny Gunn said the City of Hernando is responsible for the daily maintenance of the road. Supervisor Medlin recommended that the County clean out the ditches around the road before it is paved.

Supervisor Jessie Medlin made a motion and Supervisor Gerald Clifton seconded the motion to add the Drivers License Road to the 2000 overlay contract and instructed the Road Manager and County Engineer to inspect the road and make preparations to pave the road. 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

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to recess until July 31, 2000 at 9:00 a.m. 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

THIS the 12<sup>th</sup> day of July, 2000, these minutes have been read and approved by the DeSoto County Board of Supervisors.

---

EUGENE C. THACH, President  
DeSoto County Board of Supervisors