

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

**GERALD CLIFTON, PRESIDENT PRESIDING**

**JULY 21, 2003**

**A. CALL TO ORDER**

The July 21, 2003, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Gerald Clifton, Board President.

Captain Bill Rasco of the DeSoto County Sheriff's Department was present and did open the DeSoto County Board of Supervisors meeting in a regular session to hear any and all business to come before the Board. The following were present:

Supervisor Jessie Medlin-----District 1  
Supervisor Eugene C. Thach-----District 2  
Supervisor Gerald Clifton----- District 3  
Supervisor John Caldwell----- District 4  
Supervisor Tommy Lewis----- District 5  
W. E. Sluggo Davis-----Chancery Clerk  
Sheriff James Albert Riley-----Sheriff  
David Armstrong-----County Administrator  
Bobby Chamberlin-----Board Attorney

**B. INVOCATION**

Captain Johnny Combes of the DeSoto County Sheriff's Department presented the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. PUBLIC HEARING – PLANNING COMMISSION – PROPERTY CLEANUP**

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to open the Public Hearing. The motion passed by a unanimous vote.

Merritt Powell, Director of Planning Commission, said this advertisement was placed in June for this Public Hearing and since that time the Village of Memphis has annexed this property. Mr. Powell said Joe Morgan owned the property where the house had burned. He has moved the cars and other junk from the property, but the house and weeds are still there. Mr. Powell said effective July 1, 2003 the property became the Village of Memphis jurisdiction.

Supervisor Gerald Clifton said he would talk with the Mayor of the Village of Memphis and bring him up to date regarding this matter and advise him of the ownership problems on the property.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to close the Public Hearing. The motion passed by a unanimous vote.

**CONTINUED,**

**E. OLD BUSINESS**

**1. 301 Sports Park Lease**

Supervisor Gerald Clifton made the motion and Supervisor Tommy Lewis seconded the motion to approve the request from the Board Attorney to carry this item over until the August 4, 2003 Board meeting. The motion passed by a unanimous vote.

**F. NEW BUSINESS**

**1. Tax Exemptions**

**Jim Flanagan, Director of the DeSoto Council appeared before the Board of Supervisors with the following accounts seeking tax exemption approval:**

**a. Brentwood Originals – New Real and Personal Property Tax**

Jim Flanagan said DeSoto County was able to retain Brentwood in Mississippi due to the building of a new location in the western part of the County.

Jack Domer said one year ago Brentwood Originals, a pillow manufacturer, moved their operations into the new 375,000 sq. ft. building. Mr. Domer said Brentwood is requesting approval for a ten year on real and a ten year on personal property tax exemption for a total value of \$9,215,997.52.

Jim Flanagan said the Tax Advisory Committee recommends the 10 year Real and 10 year Personal tax exemption for Brentwood Originals.

Supervisor Eugene Thach asked the salary rate that Brentwood was paying. Mr. Domer said they pay around \$9.25 per hour. Supervisor Jessie Medlin asked how many people they employed. Mr. Domer said 228 people as this time.

Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion to approve the 10 year Real Property tax exemption and the 10 year Personal Property Tax Exemption for a total value of all property exempted being \$9,215,997.52, for Brentwood Originals. The motion passed by a unanimous vote.

**\*\*See Exhibit F.1.a\*\***

**b. Parker Hannifin – Expansion Personal Property Tax Exemption**

Jim Flanagan said Parker Hannifin is located in the Metro Industrial Park on Hacks Cross Road in Olive Branch. The Tax Advisory Committee recommends the 10 year Real and 10 year Personal Property exemption to the Board. Mr. Flanagan introduced Cathleen Tate, a Parker Hannifin spokesperson, to the Board.

Ms. Tate said Parker Hannifin has purchased the Dana Corp building in the Industrial Park to expand their operations, and are requesting a tax exemption on a total value of property in the amount of \$745,682.66. Ms. Tate said they have 150 employees with an average salary of \$11.00 per hour. Ms. Tate said most of the positions are

**ITEM F.1.b, CONTINUED,**

engineers located at this plant.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve the ten year Real and ten year Personal Property Tax Exemption on a total value of all property exempted being \$745,682.66, for Parker Hannifin Corporation. The motion passed by a unanimous vote. **\*\*See Exhibit F.1.b\*\***

**c. EXEL – Expansion Personal Property Tax Exemption**

Jim Flanagan said EXEL is located north of the Williams Sonoma building on Hacks Cross Road in Olive Branch. Mr. Flanagan introduced Kip Greer from EXEL.

Mr. Greer said EXEL has relocated four locations from Memphis to this new facility. They have 180 associates working with an average rate of pay being \$10.60 per hour. Mr. Greer said EXEL is a packaging facility and their largest customer is Johnson & Johnson. Mr. Greer said they share a section of this building with Smurfit Stone.

Mr. Flanagan said the Tax Advisory Committee recommended the ten year Real and ten year Personal Property Tax Exemption on the total value of \$26,1041,951.00.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the 10 year Real and 10 year Personal Property Tax Exemption for a total value of all property exempted being \$26,101,951.00, for EXEL Inc. The motion passed by a unanimous vote. **\*\*See Exhibit F1.c\*\***

**d. Cooper Lighting – New Real and Personal Property Tax Exemption**

Jim Flanagan said Cooper Lighting is located in the Airways Industrial Park. Mr. Flanagan introduced Raymond Hollins, Warehouse Operations Manager for Cooper Lighting, to the Board.

Mr. Hollins said Cooper Lighting is a \$4.2 billion company, with home offices in Atlanta, GA. They have 18 branches over the United States. The Airways facility has 112 employees, which is made up of 29% DeSoto County employees. Mr. Hollins said the company distributes to Lowes, Home Depot, Ace Hardware and other Home Centers.

Mr. Flanagan said the Tax Advisory Committed is recommending a 10 year Real and 10 year Personal Property Tax Exemption for a total value of \$1,121,015.62. Mr. Flanagan said Cooper Lighting is fully completed business in operation at this time.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to approve the 10 year Real and 10 year Personal Property Tax Exemption for a total value of all property to be exempted being \$1,121,015.62, for Cooper Lighting. The motion passed by a unanimous vote. **\*\*See Exhibit F.1.d\*\***

**e. Ballew Aluminum – New Real and Personal Property Tax Exemption**

Jim Flanagan said Ballew Aluminum is a new business located in

**ITEM F.1.e, CONTINUED,**

Southaven Industrial Park. Mr. Flanagan introduced Tracey Hillard from Ballew Aluminum to the Board.

Tracey Hillard said they moved into the Southaven Industrial Park from Brooks Road in Memphis. Mr. Hillard said they make patio covers and room enclosures, with a staff of eight people. Mr. Hillard said they hope to increase this staff to fifteen people. The average salary is \$10.00 per hour.

Mr. Flanagan said the Tax Advisory Committee recommended a 10 year Real and 10 year Personal Property Tax Exemption, and a Freeport Warehouse Exemption, since this is a new location in DeSoto County.

Supervisor John Caldwell asked if the company owned any vehicles. Mr. Hillard said they lease their vehicles.

Supervisor Gerald made the motion and Supervisor John Caldwell seconded the motion to approve the 10 year Real and 10 year Personal Property Tax Exemption to Ballew's Aluminum Products for a total value of all property to be exempted being \$1 million. The motion passed by a unanimous vote. **\*\*See Exhibit F.1.e\*\***

**2. Vicious Animal Ordinance Appeal**

Board Attorney Bobby Chamberlin addressed the group present regarding the procedure in which the Board would hear the incident and appeal of the Vicious Animal Ordinance. Attorney Chamberlin said the Board would hear evidence from the Animal Control Officers, then the appeal from Emily Eldridge, owner of the Pit Bull dogs, and then anyone else who wished to speak.

Supervisor Gerald Clifton asked the Animal Control Officers, Clara Riley, Steve Powell and Larry Houston to come forward to present their evidence.

Larry Houston said he received a call on June 23, 2003 from the Sheriff's Department regarding two Pit Bull dogs killing a pony and attacking a horse. The animals belonged to Jeff Garrison, 4980 Forrest Hill Drive, Olive Branch, MS. Mr. Houston said he and Sargent Riley from the Sheriff's Department went to the residence of Emily Eldridge, 12785 Whispering Pines, Olive Branch, MS, who is the owner of the two Pit Bull dogs. Mr. Houston said they noticed one dog on a chain with two other dogs loose in the yard. One of the dogs was injured and upon inspection of the dog and advising Ms. Eldridge about the pony and horse incident, she surrendered her dog named Sinbad, but the other dog was not there. Mr. Houston said he took the dog to the shelter. Mr. Houston said later that day he received a call about a Pit Bull in homeowners driveway. Mr. Houston said when he arrived he was told that Ms. Eldridge had picked up the dog and taken it to the doctor. Mr. Houston said he went to Ms. Eldridge's home and she surrendered the dog named Reese. Mr. Houston said he took dog to doctor to have pictures made. Mr. Houston said Doctor Larry Meyer was called to look at the horse and sew it up. They took pictures of the horse and the pony. All pictures were passed to the Board and opposing council to view. Ms. Riley said they have written reports on the dogs and horses from the Doctors.

County Administrator David Armstrong requested the Bailiff to locate Sargent Riley and Sargent Lester at the Sheriff's Department and requested they come to the

**ITEM F.2, CONTINUED,**

Board meeting.

Steve Powell said he had received a call on June 13, 2003, from Clinton Nichols, 12930 Whispering Pines Drive, Olive Branch, MS, about two Pit Bull dogs running loose and being in his driveway. Mr. Powell said he went to the Ms. Eldridge's home and issued a citation regarding the two dogs running loose in the neighborhood. Mr. Powell said there is a fence around the property, but the dogs are getting out under the fence.

Attorney Russell Jones was present to represent Emily Eldridge. Attorney Jones asked if he could question the Animal Control Officers. Supervisor John Caldwell said this meeting is for the Board to make a determination in this matter and that all questions should be addressed to the Board.

Clara Riley said Ms. Eldridge has four Pit Bull dogs on her property, but only two of the dogs are involved in this incident with the horses.

Supervisor Jessie Medlin said he went out to the Garrisons when they called about the dead horse for assistance. Supervisor Medlin said the pony weighed between 800 and 900 pounds and it was cut up pretty badly. Ms. Riley said the horse that was injured would have a lot of trauma and its wounds would have to be left open to drain.

Attorney Jones asked if he could ask Ms. Riley some questions. Attorney Chamberlin said to remember that this is a hearing and not a court of law. Attorney Jones addressed Ms. Riley about her conversation with Ms. Eldridge regarding dogs being stolen and the treatment they receive from the people who steal these dogs can change the personality of the dogs. Ms. Riley said she had discussed the changes a dog that is passive would go through with regards to the treatment of the animal by another person. Attorney Jones said there has not been a complaint about the dogs chasing children.

Supervisor Eugene Thach asked if anyone witnessed the occurrence with the horses. Jeff Garrison said he witnessed the dogs coming out of the pasture, before he found the horses.

Attorney Chamberlin asked if anyone wanted to speak supporting the claim against the animals. Jeff Garrison, owner of the horses, came forward. Mr. Garrison said he received a call at work from his neighbor about his horses. Mr. Garrison said he called to have his Vet come to the home to look after the horses. Mr. Garrison said a neighbor across the pasture said a dog had been in the pasture and it was all bloody. Mr. Garrison said another neighbor stated he had two dogs in his driveway that same day. Mr. Garrison said he had seen the dogs in the pasture also at various times. Mr. Garrison said his horse that was injured has several deep cuts and punctures to the skin. Mr. Garrison requested that the Board have these dogs put down.

Sargent Dudley Lester, from the Sheriff's Department, arrived at the Board meeting. Supervisor Clifton asked Sargent Lester to address the Board about the incident involving the two Pit Bull dogs. Sargent Lester said he received the call and was asked to go with the Animal Control Officer to the homeowner's property to secure one of the dogs. Sargent Lester said they asked to look at the dog and Ms. Eldridge let them see the dog. The dog was in a cage and there were cuts and bruises on it. Sargent Lester said he advised the homeowner that they had to take the dog in and she surrendered the dog.

**ITEM F.2, CONTINUED,**

Supervisor Gerald Clifton asked if any other wanted to speak. Herb Chenalt said he lived in Whispering Pines Subdivision. He showed picture taken of Ms. Eldridge's fence where the dogs are able to crawl under the fence. Mr. Chenalt said he has lived in this neighborhood for 13 years and now he is afraid for his children to be out in the yard. Mr. Chenalt said the County should have legislation regarding these types of vicious animals.

Supervisor Jessie Medlin said the County should get with Clara Riley and look at changes to the Animal Ordinance regarding vicious animals.

Mike Turner, neighbor to the Garrison's, said he had seen the dogs on his property various times.

Charles Easley, President of the Whispering Pines Homeowners Association, said he was here today to respond to the homeowners concerns, who could not be present today. Mr. Easley said their covenant restrictions allow for household pets, but they have a nuisance's clause in the covenant and they are asking the Board to remove these animals from the subdivision.

Linda Guy, homeowner in the subdivision, said she walks in the neighborhood and she feels that these animals are a danger to their community and should be removed.

Clinton Nichols, 12930 Whispering Pines Drive, said he lives close the Ms. Eldridge and he as observed these dogs loose in the neighborhood several different times. Mr. Nichols said he had called the Sheriff's Department about the loose animals on July 9, 2003.

Several other homeowners spoke against the dogs due to children playing outside and horses in the pastures.

Supervisor Clifton asked Attorney Russell Jones to present his case. Attorney Jones asked Ms. Eldridge to tell the Board about her dogs. Ms. Eldridge said she has a two month old son and that she moved into Whispering Pines Subdivision on March 12, 2003. Ms. Eldridge said she has one dog named Duce, which she keeps inside, and the other three dogs, Sinbad, Rays, and Reese, which are kept outside in kennels or in the fenced yard. Ms. Eldridge said the dogs are show dogs and she has been handling and training them. Ms. Eldridge said the dog Sinbad does not like her male dogs, but he has never been aggressive before. Ms. Eldridge said she puts the dogs on chains in the yard when she has to clean the kennels. Ms. Eldridge said the day the dogs got loose the collar was off Reese and the complete chain was gone. She looked for the dogs in the neighborhood. Ms. Eldridge said a man came to her home and said he had a dog of hers at his home. Ms. Eldridge said she went to get the dog and he was bloody and his back foot was broken. The dog was Sinbad. The man had the dog attached to a tree at this time. Ms. Eldridge said she took the dog to the Vet, but he could not say how the dog sustained these injuries. Ms. Eldridge said the Animal Control Officers came to her home and told her about the dogs attacking the horses. Ms. Eldridge said she surrendered Sinbad to the officers. Ms. Eldridge said the next day she was traveling down Winchester and she saw Reese. She stopped an finally got him in the car and took him to the Vet. Reese had no blood on him but he did have several cuts on his chest and legs. Ms. Eldridge said Reese is an expensive show dog and he has been a passive animal. He has never been aggressive. Attorney Jones said Ms. Eldridge is agreeing to have Sinbad euthanized by the shelter. Attorney Jones asked Ms. Eldridge to state her petition regarding Reese to the Board. Ms. Eldridge said she is asking the Board to allow her to have Reese back and she will put him on a plane to North Carolina. Ms. Eldridge said she has a lot of

**ITEM F.2, CONTINUED,**

money tied up in Reese and he is a good show dog and has won several shows. Ms. Eldridge said she did not feel that Reese had anything to do with the horses, but that Sinbad had attacked Reese and that is why he is cut up. Ms. Eldridge said she has decided to move back to North Carolina and she will put all of her dogs on a plane immediately.

Supervisor John Caldwell confirmed with Ms. Eldridge that she is removing her appeal for Sinbad and is willing to have him euthanized. Attorney Jones said they are appealing just for the dog Reese to have him given back to the owner. Supervisor Medlin said he has been receiving calls since Ms. Eldridge moved into the Whispering Pines Subdivision, regarding her responsibility for the dogs.

Attorney Jones said Ms. Eldridge is willing to have Officers accompany her to the plane to put the animals on it. This is a valuable dog to the owner and she would like to keep him.

Supervisor Caldwell said this Board needs to make a determination if this dog was involved with the horses before they could release any dog. Supervisor Thach said it looks like more than one dog did this damage and that when animals run together they act like each other especially if one is an aggressive animal.

Attorney Jones said the injuries to Reese could have come from the other dog Sinbad, and that they could satisfy the neighbors by sending the dogs off.

Attorney Chamberlin said the withdrawn appeal for Sinbad will allow the County to put this dog to sleep today.

Supervisor Clifton said the responsibility of Ms. Eldridge to handle the dogs of this breed has been questioned and she is aware of this type of dog's history, that she should have been more responsive to the neighbors complaints.

Herb Chenault suggested the County looking at the BSL Legislation regarding Dangerous Dog Ordinance and implementation. Attorney Chamberlin said with removal of the animals in question from the County there should be no liability as long as they aren't put back in a residential area.

Attorney Jones asked to present a witness for Ms. Eldridge regarding the behavior of the dogs. Ms. Cindy Baker, Real Estate Agent, said she sold Ms. Eldridge her home and 4 acres of property in Whispering Pines Subdivision. Ms. Baker said she had visited the home several times and the dogs have never been aggressive toward her.

Merritt Powell, Director of Planning Commission, said they did not issue a permit for the fence that was installed on this property. Ms. Baker said the realtor who worked with her on this property said they investigated fence ordinance and said there was not one. Supervisor Caldwell suggested that since there is a homeowners covenant, which might have been what was investigated, but there is a County issue regarding the fence. The County may need to redefine our ordinance to handle fences necessary to property owners with animals. Supervisor Medlin said that the fence is not legal at this time.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to authorize the euthanizing of the dog Sinbad today and to euthanize the dog in question, Reese, based on the determination of the evidence presented from the Veterinarian reports and pictures of the animals; based on this vote, Ms. Eldridge has ten days after final approval of the Board minutes on August 4, 2003, to file an

**ITEM F.2, CONTINUED,**

appeal with the Courts for the dog Reese. The motion passed by a unanimous vote.  
**\*\*See Exhibits F.2\*\***

The neighbors present questioned the status of the other two dogs at the home. Attorney Chamberlin said the Board cannot address these two dogs since they have not had any complaints or problems with them.

**3. Jail Inspection Report**

The Board does hereby find that, pursuant to Section 19-5-1 of the Mississippi Code Annotated, that periodic examinations into the state and condition of the DeSoto County Jail in regards to its safety, sufficiency and accommodation of the prisoners is required. Pursuant to Section 19-5-1 of the Mississippi Code, the Board of Supervisors, or a competent person authorized by the Board of Supervisors, shall examine the jail for said compliance.

The DeSoto County Board of Supervisors has a policy of attempting to inspect the DeSoto County Jail on a monthly basis and a requirement that the DeSoto County Jail be inspected as often as is mandated by Mississippi statute, State and/or Federal law. By direction of the DeSoto County Board of Supervisors, the following persons were directed, pursuant to Section 19-5-1 of the Mississippi Code, to perform the required examination into the state and condition of the jail and to report back to the DeSoto County Board of Supervisors:

County Administrator David Armstrong  
Building & Grounds Director Kenny Evans

The DeSoto County Board of Supervisors does hereby find that the above named committee has reported back to the DeSoto County Board of Supervisors. That they have examined the DeSoto County Jail regarding its state and condition in regard to its safety, sufficiency and accommodation of the prisoners, and do find the jail to be in compliance and requiring no action at this time.

The Board of Supervisors discussed the inspection of the Jail on July 9, 2003. Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the observed condition of the jail, and to state there was no overcrowding of the Jail, and does find the Jail to be in compliance and requiring no action at this time. The motion passed by a unanimous vote.

**4. Advertising County Resources – 2003 MS Circuit Clerk’s Annual Convention**

In accordance with Section 17-3-3, of the Mississippi Code of 1972, the Board of Supervisors did make a determination that the above request would advertise the resources and possibilities of DeSoto County and thereby advance the moral, financial and other interests of DeSoto County Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to approve a donation of \$500.00 to the 2003 Mississippi Circuit Clerk’s Annual Convention to be held at Whispering Woods in Olive Branch on September 25-27, 2003 and to pay from Advertising County Resources and authorized the clerk to write the check. The motion passed by a unanimous vote. **\*\*See Exhibit F.4\*\***

**5. Approval for Board President to Sign the Federal Flood Control Act Document**

County Administrator David Armstrong said the County has received the Federal Flood Control Act Document from the State. Mr. Armstrong said the County will

**ITEM F.5, CONTINUED,**



receive \$15,557 this year with one-half going to the Board of Education. Mr. Armstrong said this is down from last year's amount of \$31,161. Mr. Armstrong said the Board needs to authorize the Board President to sign the document to be returned to the State.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to accept the funds and authorize the Board President to sign the Federal Flood Control Act Document. The motion passed by a unanimous vote. **\*\*See Exhibit F.5\*\***

#### **6. Safety Officers Report**

Supervisor Tommy Lewis asked if the sidewalk has been fixed at the Courthouse. County Administrator David Armstrong said Jim Bearden, Director of Operations & Maintenance has money in his budget to repair the sidewalk.

Supervisor Jessie Medlin made the motion and Supervisor Eugene Thach seconded the motion to approve the Safety Officers Reports and make them a part of the Board minutes. The motion passed by a unanimous vote. **\*\*See Exhibit F.6\*\***

#### **7. Bell South Centrex- Local & Long Distance Service**

County Administrator David Armstrong said Bonnie Gatlin has received the proposals for the County phone system.

Ms. Gatlin said the County has been under a Bell South contract for the Essex System, that covers local and long distance calls. This contract has expired and Bell South will be changing to the Centrex System, which will cost the County only small amount more per month. Ms. Gatlin said she received the following quotes on the phone system:

<u>Company</u>	<u>Minutes</u>	<u>Cost pr. Min.</u>	<u>Total Cost</u>
AT&T	18,092	\$.07	\$1,266.44
Bell South	18,092	\$.0462	\$ 836.32
Community Group	18,706	\$.0526	\$ 951.64

Ms. Gatlin said Bell South has the lowest quote and they work with her to divide the bill off for each department in the County. Ms. Gatlin said she is recommending the County stay with Bell South.

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to approve the Bell South Centrex System based on this being the lowest quote, for the County's local and long distance service. The motion passed by a unanimous vote.

County Administrator David Armstrong asked the Board to approve having Bonnie Gatlin sign the Bell South Contract as Administrator of the County phone system. The Board President will have to sign the contract also, but Ms. Gatlin handles all correspondence with Bell South.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve having Bonnie Gatlin and the County Administrator to sign the Bell South Contract as Administrator and authorize the Board President to sign the contract. The motion passed by a unanimous vote.

**ITEM F, CONTINUED,**

**8. Circuit Clerk Allowances**

County Administrator David Armstrong presented, on behalf of the Circuit Court Clerk Dale Thompson, an Order of Allowances to the Board of Supervisors for the County Court Division to the County Court Clerk for the month of June 2003 term in the amount of \$4,410. Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to approve this payment, pursuant to Sections 43-21-205 and Section 25-7-13 of the Mississippi code of 1972, Annotated. The motion passed by a unanimous vote. **\*\*See Exhibit F.8\*\***

**9. Chancery Clerk Allowance**

On this date, the Chancery Court Clerk, W. E. Davis presented an order of Allowances to the Board of Supervisors for the July 2003 term in the amount of \$1,436.66. Supervisor Eugene Thach made the motion and Supervisor John Caldwell 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 F.9\*\***

**10. Approval of Expenses for Cleaning of Property – Planning Commission**

Merritt Powell, Director of Planning Commission, appeared before the Board of Supervisors to discuss the Raymond Cross property cleanup. Mr. Powell said he received two quotes for the cleanup and the lowest quote was from Walgenbach Inc for \$3,125. Mr. Powell said the property has been cleaned up and sodded and the Board Attorney recommended bringing this matter to the Board for approval. Mr. Powell said the Circuit Clerk will place this cost of \$3,125 on the tax roll as a lien against the property owner. Mr. Powell said he had not sent the bill to the property owner, but he would notify the property owner of these circumstances.

Supervisor John Caldwell made the motion and Supervisor Eugene Thach seconded the motion approve the bill for \$3,125 from Walgenbach Inc. for the cleanup to the property belonging to Raymond Cross, 5551 Rolling Hills Dr., Olive Branch, MS, and to authorize have this amount placed on the tax roll as a lien against the property. The motion passed by a unanimous vote. **\*\*See Exhibit F.10\*\***

**11. Approval of Cooperative Agreement between MDHS Food Stamp Employment and Training Program and DeSoto County**

County Administrator David Armstrong asked that this item be cancelled from the agenda.

**12. Making the City of Hernando Appointment to the DCRUA a Part of the Minutes**

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to make the appointment of J. F. Lauderdale to the Board of Directors of DCRUA by the City of Hernando a part of the Board minutes. The motion passed by a unanimous vote with the term set to expire on January 6, 2007. **\*\*See Exhibit F.12\*\***

**13. Approval of County ID Cards**

County Administrator David Armstrong said the County now has 545 employees. Mr. Armstrong said he would like to propose to have ID cards issued for County

**ITEM F.13, CONTINUED,**

employees. Supervisor Jessie Medlin said that clip on type ID badges are used a lot

of times to get government rates when traveling. Supervisor Tommy Lewis asked if employees would be required to wear the ID. Supervisor John Caldwell said to wear the ID would be good, since it could be used as a security control. Supervisor Medlin said a procedure would be required to turn the ID in when someone leaves the employment of the County. Supervisor Medlin said he could see where the badges could get in the way of some employees at Central Maintenance. Supervisor Caldwell said the ID cards should be designed to allow employees get in the County buildings where necessary. Jim Bearden, Director of Operations & Maintenance, said he has issued 190 cards to allow people to get in County buildings. Mr. Bearden said to upgrade these cards with pictures it would cost approximately \$2,300. Supervisor Medlin said the County Administrator would need to talk with the elected officials about the ID cards.

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to take the matter of County ID cards under advisement. The motion passed by a unanimous vote.

#### **14. Fleet Manager**

County Administrator David Armstrong said the County has a fleet of 35 vehicles to be maintained and this is not counting any of the Sheriff's or Central Maintenance vehicles. Mr. Armstrong said he would like to recommend having someone in charge of these vehicles for the up keep condition, maintenance, and when the vehicles needed to be traded in. Mr. Armstrong said he would like to recommend assigning Jim Bearden, Director of Operations & Maintenance, to this position.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to approve assigning Jim Bearden, Director of Operations & Maintenance, as the County Fleet Manager. The motion passed by unanimous vote.

#### **15. Bulletproof Vest Program Grant**

County Administrator David Armstrong said the County had made application for the Sheriff's Department on the Bulletproof Vest Program Grant. Mr. Armstrong said the County has been turned down on this application due to the increase in the number of applications, and the grants were awarded to smaller jurisdictions. No motions or actions were made on this item. **\*\*See Exhibit F.15\*\***

#### **16. Authorization to Apply for an Extension of the DCAOP Grant**

County Administrator David Armstrong said Judge Mills Barbee has requested for the Board of Supervisors to continue to sponsor the DeSoto County Adolescent Offender Program (DCAOP) for the next grant period, which will run from October 1, 2003 through June 30, 2004. Mr. Armstrong said Susan Boyce will still be the director for this program.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to authorize to apply for a continuance of the DCAOP Grant, which will run from October 1, 2003 through June 30, 2004. The motion passed by a unanimous vote. **\*\*See Exhibit F.16\*\***

#### **17. EMA - Auto Grants**

County Administrator David Armstrong said EMA Director T. H. Walker has  
**ITEM F.17, CONTINUED,**

received notification that the purchase of an automobile for Emergency Management purposes is an eligible expense under the Emergency Management

Performance Grant. Mr. Armstrong said the grant is a 50% match Grant and that Mr. Walker has located an automobile that requires the County to pay \$12,962 and the Grant will match with \$12,000. Mr. Armstrong said the County would schedule Mr. Walker's car to be auctioned since it has over 135,000 miles on it.

Tim Curtis, Assistant Director of EMA, said they do not have money in the EMA budget for this auto, but they are requesting the Board to give \$25,000 for the vehicle since they would need to replace the radios' in the car and they would submit for the grant money and get a return of \$12,000 for the County.

Mr. Armstrong said the money would have to come out of the contingency to purchase this vehicle.

Supervisor John Caldwell made the motion and Supervisor Gerald Clifton seconded the motion to approve the purchase of a vehicle for the EMA Director, and to take the \$25,000 out of the contingency, based on the refund of \$12,000 being returned to the contingency from the Emergency Management Performance Grant submitted and to authorize current vehicle being used by the EMA Director to be auctioned off. The motion passed by a vote as follows:

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

Supervisor Thach said he voted no because he does not consider this an emergency item and it does not need to come out of the contingency funds.

#### **18. District 2 Parks**

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to authorize money from the District 2 Park Funds in the amount of \$12,000 to the City of Olive Branch and \$13,000 to the City of Southaven to be used for parks. The motion passed by a unanimous vote.

#### **19. Fire Department Rebates**

##### **a. Insurance Rebates**

Comptroller Tom Arnold said the distribution of the County Insurance Funds in the amount of \$168,364.36 has been received for distribution to the Volunteer Rural Fire Department.

#### **ORDER APPROVING PROPOSALS OF COUNTY VOLUNTEER FIRE DEPARTMENTS AND EXPENDITURE OF RURAL FIRE PROTECTION FUNDS TO THE COUNTY AND PROVIDING FORE EXPENDING FUNDS AND FORWARDING THE PROPOSALS (JULY 2003)**

WHEREAS, DeSoto County, Mississippi, has ten (10) Volunteer Rural Fire Departments in the unincorporated areas eligible to participate in the in Volunteer Fire Department Funds allocated to DeSoto County, Mississippi, by the Mississippi State

#### **ITEM F.19.a, CONTINUED,**

Insurance Commission in accordance to Section 83-1-9, Mississippi Code of 1972 as

amended.

WHEREAS, the funds available for division among the eligible fire departments of the County are as follows:

\$168,364.36 - Mississippi State Insurance Commission Allocation

WHEREAS, the following volunteer fire departments, to-wit: Bridgetown Volunteer Fire Department; Brights-Lewisburg Volunteer Fire Department; Cockrum Volunteer Fire Department; DeSoto Woods Volunteer Fire Department; Eudora Volunteer Fire Department; Fairhaven Volunteer Fire Department; Love Station Volunteer Fire Department; Nesbit Volunteer Fire Department; Summershill Volunteer Fire Department; and Walls Volunteer Fire Department are eligible to participate in the funds and have presented their Proposals and Rural Fire Protection Agreements as required by law.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF SUPERVISORS OF DESOTO COUNTY, MISSISSIPPI, AS FOLLOWS:

Section 1. That the above said Agreements were approved by the Board and are on file.

Section 2. That available funds for county volunteer fire departments under the provisions of Section 83-1-39, Mississippi Code of 1972 as amended for the year 2000 will be divided on the following basis and formula:

- a. All ten (10) volunteer fire departments shall share equally in 60% of all available funds.
- b. All ten (10) volunteer fire departments shall share according to their percentage of the population serviced by said fire departments in 40% of all the remaining available funds.

Section 3. That based on the preceding formula heretofore adopted by the Board of Supervisors for the division of funds among the various volunteer fire departments, the following allocations of the funds are to be made to the following fire departments:

<u>Fire Departments</u>	<u>Insurance Funds</u>
Alphaba, Cockrum,	
Ingram's Mill	\$ 13,748.81
Bridgetown	16,742.08
DeSoto Woods	14,605.61

**ITEM F.19.a, CONTINUED,**

Eudora	16,939.66
Fairhaven	15,678.46
Lewisburg	16,167.80
Love	15,785.65
Nesbit	15,709.85
Summershill	14,640.70
Walls	<u>28,345.83</u>
TOTAL	\$ 168,364.36

That the budgets submitted by the respective Fire Departments exceed the final allocation listed above, but all of the budgets are approved, subject to final approval of the State Fire Fighters School with the limitation that the amount to be spent by each department shall not exceed the amount of money first listed above in this section.

Any fire house or permanent building constructed by any of these funds must be on county owned property. None of the funds shall be used to purchase land.

Section 4. All departments receiving these funds shall refer to Section 83-1-9, Mississippi Code of 1972, as amended, regarding appropriate use of these funds. Furthermore, all departments receiving funds should be aware of State Purchasing procedures and the recommendation of the State Fire Coordinator regarding purchase procedures using these funds.

The following vote was taken on this action

Supervisor Jessie L. Medlin	YES
Supervisor Eugene C. Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	YES

ORDERED AND DONE, this the 21<sup>st</sup> day of July, 2003.

**b. Tax Rebates**

Comptroller Tom Arnold said the tax rebates have been calculated in the amount of \$182,462.79 to be distributed to the Volunteer Rural Fire Departments.

**ORDER APPROVING EXPENDITURE TO FIRE DEPARTMENTS OF FUNDS ALLOCATED IN THE FY03 DESOTO COUNTY BUDGET**

WHEREAS, DeSoto County, Mississippi, has ten (10) Volunteer Rural Fire Departments in the unincorporated areas eligible to participate in the \$182,462.79 Volunteer

**ITEM F.19.b, CONTINUED,**

Fire Department Funds budgeted by DeSoto County, Mississippi, in the FY2003 budget for

rural fire departments under the authority of Sections 19-5-95 and 83-1-39 Mississippi Code of 1972 as amended.

WHEREAS, the annual allocation available for division among the eligible fire departments of the County is:

\$355,529.79	Funds Available for Distribution
-798,067.00	Less Total Budgeted Expenses
<u>+625,000.00</u>	<u>Plus Budgeted Allocation Expense</u>
182,462.79	Total Tax Receipts Available for Distribution

WHEREAS, the following volunteer fire departments, to-wit: Bridgetown Volunteer Fire Department; Brights-Lewisburg Volunteer Fire Department; DeSoto Woods Volunteer Fire Department; Eudora Volunteer Fire Department; Fairhaven Volunteer Fire Department; Love Station Volunteer Fire Department; Nesbit Volunteer Fire Department; Summershill Volunteer Fire Department; and Walls Volunteer Fire Department are eligible to participate in the funds and have presented their proposals and Rural Fire Protection Agreements as required by the law.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF SUPERVISORS OF DESOTO COUNTY, MISSISSIPPI, AS FOLLOWS:

Section 1. That the above said Proposals and Rural Fire Protection Agreements were previously approved by the Board and are on file.

Section 2. That available funds for county volunteer fire departments under the provisions Sections 19-5-95 and 83-1-39, Mississippi Code of 1972 for the year 2001 will be divided on the following basis and formula:

a. All ten (10) volunteer fire departments shall share equally in 60% of all available funds.

b. All ten (10) volunteer fire departments shall share according to their

**ITEM F.19.b, CONTINUED,**

percentage of the population serviced by said fire departments in 40% of all the remaining available funds.

Section 3. That based on the preceding formula heretofore adopted by the Board of Supervisors for the division of funds among the various volunteer fire departments, the following allocations of the funds are to be made to the following fire departments:

<u>Fire Departments</u>	<u>FY03 Budget Allocation Funds</u>
Alphaba, Cockrum, Ingram's Mill	\$ 14,900.10
Bridgetown	18,144.02
DeSoto Woods	15,828.65
Eudora	18,358.15
Fairhaven	16,991.34
Lewisburg	17,521.65
Love	17,107.41
Nesbit	17,025.36
Summershill	15,866.67
Walls	<u>30,719.45</u>
 TOTAL	 \$ 182,462.79

Any fire house or permanent building constructed by any of these funds must be on county owned property. None of the funds shall be used to purchase land.

Section 4. All departments receiving these funds shall refer to Sections 19-5-95 and Sections 83-1-39, Mississippi Code of 1972, as amended regarding appropriate use of these funds. Furthermore, each department shall account for these funds separately from all other allocations and available funds. State purchase procedures as detailed in the appropriate sections of the Mississippi Code of 1972, as amended, shall be followed. All departments receiving these funds are subject to audit by the Mississippi Department of Audit, and that each department receiving these funds is directly accountable to the Mississippi State Auditor.

The following vote was taken on this action:

Supervisor Jessie L. Medlin	YES
Supervisor Eugene C. Thach	YES
Supervisor Gerald Clifton	YES
Supervisor John Caldwell	YES
Supervisor Tommy Lewis	YES

**ITEM F.19.b, CONTINUED,**

ORDERED AND DONE, this the 21<sup>st</sup> day of July 2003.

Supervisor John Caldwell said that before the Fire Fund pay out in September was done, to look and the annexations done by the Cities.



**20. Approval of Budget Amendment for Metro Narcotics**

County Administrator David Armstrong said Metro Narcotics Commander John Green and Deborah McCaulla are present to get approval from the Board of Supervisors to submit the following revised budget for the Metro Narcotics Subgrant #2NM1171 for October 1, 2002 through September 30, 2003:

Budget Category	Current Budget	Federal Funds	State/Local Funds	New Budget
Personnel	\$132,640	\$7,500	\$2,500	\$122,640
Fringe Benefits	\$ 50,278	\$7,500	\$2,500	\$ 60,278
Equipment	\$ 0	\$5,250	\$1,750	\$ 7,000
Confidential Funds	\$ 18,000	\$7,500	\$2,500	\$ 8,000
Crime Lab Fees	\$ 8,000	\$1,500	\$ 500	\$ 10,000
Field & Office Sply.	\$ 500	\$ 750	\$ 250	\$ 1,500
Total	\$209,418	\$30,000	\$10,000	\$209,418

The changes from personnel to fringe benefits are to cover the increase in health insurance. The changes from confidential funds to crime lab fee are to cover the increase cost of lab fees. The change from confidential funds to equipment is to purchase in field equipment; body wire approximately \$5,000, two digital cameras approximately \$400 each, mobile printer for laptop approximately \$350 and two global tracking systems approximately \$400 each. The change from confidential funds to office and field supplies is necessary to purchase needed supplies.

Debra McCaulla said that if Metro Narcotics doesn't use this money they lose the funds.

Supervisor John Caldwell asked about the units lateral agreement. Captain Green said he goes into the field to verify items.

Mr. Armstrong asked if the Control Board has approved these budget changes. Captain Green said yes. Supervisor Eugene Thach said the Board needed an authorized signature on the budget changes. Supervisor Caldwell said they need to make sure all parties agree to this budget change.

Supervisor Jessie Medlin made the motion and Supervisor Tommy Lewis seconded the motion to approve the budget changes for Metro Narcotics, subject to the authorized signature from the Metro Control Board. The motion passed by a unanimous vote.

**\*\*See Exhibit F.20\*\***

**21. Comptroller Tom Arnold**

**a. Investment of Surplus Funds**

In accordance with Section 19-2-29 of the Mississippi Code, which states that whenever any County shall have on hand any bond and interest funds, any funds derived from the sale of bonds, special funds, or any other funds in excess of the sums which will be required to meet the current needs and demands of no more than seven (7) business days, the Board of

**ITEM F.20.a, CONTINUED,**

Supervisors of such County shall invest such excess funds.

At the recommendation of Comptroller Tom Arnold, Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the

motion to approve the investment of surplus funds to Peoples Bank & Trust who were the highest bidder that placed their bid on time for \$1,275,000.00 as follows:

<u>Date of Investment</u>	<u>Bank</u>	<u>Amount</u>	<u>Maturity Date</u>	<u># of Days</u>	<u>Interest Rate</u>	<u>CD#</u>
07/14/03	Peoples Bank	\$1,275,000.00	09/12/2003	60	1.1020%	2192640107

The motion passed by a unanimous vote. **\*\*See Exhibit F.21.a\*\***

**b. Transfer of Metro Seized Funds**

Comptroller Tom Arnold explained that Metro seized funds have been cleared as forfeitures by the Court and requested the Board approve the transfer of these funds from the seized account to the forfeiture account.

At the recommendation of Comptroller Tom Arnold, Supervisor John Caldwell 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 #</u>	<u>Defendant</u>	<u>Date Seized</u>	<u>County Receipt #</u>	<u>Amount</u>	<u>Date of Declaration of Forfeiture</u>
DC-03-0063	Anthony D. Smith	5/17/03	14710	265.00	7/11/03
	Transfer from Metro Narcotics Seized		123-900-951	\$265	
	Transfer to Metro Narcotics Forfeitures		120-000-387	\$265	

The motion passed by a unanimous vote. **\*See Exhibit F.21.b\*\***

**c. Supplemental Claims Docket**

Stephanie Hanks of the Accounting Department presented the Claims Docket to the Board of Supervisors. The total amount of the Docket for July 21, 2003 was \$162,706.51. Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to approve the Claims Docket as presented by the Comptroller and authorized the Clerk to write the checks. The motion passed by unanimous vote.

**22. Bids Under Advisement**

Daniel Murphy, Consulting Engineer, appeared before the Board of Supervisors to present the following :

**a. CO-17 (5) Starlanding Road Boxed Bridge**

Daniel Murphy said there were three bids submitted for the Starlanding Road boxed bridge. The bids were opened on July 18, 2003 and they were as follows:

<u>Contractor</u>	<u>Bid Amount</u>
Hill Bros. Construction	\$187,164.40
Circle M Construction	\$218,416.15
Talbot Bros. Contracting	\$238,397.40

**ITEM F.22.a, CONTINUED,**

Mr. Murphy said he is recommending the low bidder Hill Bros. Construction. Mr. Murphy said the low bid is about 15% over his estimate, which was \$164,000, but contract prices are up by 10% at this time.

Supervisor Eugene Thach asked if this was to come out of the County Bridge Fund. Road Manager Russell Dorris said he did not have the funds available to do this, but he would check out the bridge fund. Mr. Armstrong said he would move the money from the bond money if it was not available.

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to approve awarding the bid for the Starlanding Boxed Bridge CO-17 (5) to the low bidder Hill Bros. Construction. The motion passed by a unanimous vote. **\*\* See Exhibit F.22.a\*\***

**b. CO-17 (11) Various Asphalt Overlay**

Daniel Murphy said there were only two bids received for the Various Asphalt Overlay CO-17 (11) that was opened on July 18, 2003. The bids are as follows:

<u>Road</u>	<u>Contractor</u>	<u>Bid Amt.</u>	<u>Contractor</u>	<u>Bid Amt.</u>
Baptist Rd.	Lehman-Roberts	52,470	APAC-TN	62,025
Bethel Rd	Lehman-Roberts	97,860	APAC-TN	115,780
Dogwood H.	Lehman-Roberts	27,816	APAC-TN	33,160
Getwell Rd.	Lehman-Roberts	105,397.60	APAC-TN	132,286
McIngvale	Lehman-Roberts	93,821.75	APAC-TN	114,995
Wheeler Rd.	Lehman-Roberts	62,208	APAC-TN	89,010
Patching	Lehman-Roberts	<u>15,120</u>	APAC-TN	<u>13,500</u>
Totals		\$454,693.35		\$560,756

Mr. Murphy said he had estimated \$457,000 for the asphalt on this contract. Mr. Murphy said he is recommending to award the bid to Lehman-Roberts the low bidder for this project.

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to approve awarding the contract CO-17 (11) for Various Asphalt Overlay to the low bidder Lehman-Roberts, subject to review by the Board Attorney for election year requirements. The motion passed by a unanimous vote. **\*\*See Exhibit F.22.b\*\***

**23. Emergency Equipment Repair**

County Administrator David Armstrong said the recent problem with the dragline equipment being stuck at Central Maintenance, has required some necessary repairs to this equipment. Road Manager Russell Dorris has received two quotes for this repair as follows:

<u>Vendor</u>	<u>Repair Amount</u>
Thompson Machinery	\$12,358.45
J. A. Riggs Tractor Co	\$12,258.75

Russell Dorris said the low quote is from Riggs Tractor Company and he is recommending this company. Mr. Dorris said the doors are bent and the counter weight is bent. Mr. Dorris said the insurance on the equipment has a \$5,000 deductible. Mr. Dorris said these repairs are necessary to get the equipment back into shape. Mr. Dorris said the Riggs Tractor Company has agreed to work over the week-end to get the equipment back to the County within a few days and the other company required two

**ITEM F.23, CONTINUED,**

weeks to repair the equipment.

Supervisor Tommy Lewis made the motion and Supervisor Jessie Medlin seconded the motion to approve the repair quote from J. A. Riggs Tractor Company in the amount

of \$12,258.75 for the dragline equipment at Central Maintenance. The motion passed by a unanimous vote. **\*\*See Exhibit F.23\*\***

#### **24. National Guard Armory Request**

County Administrator David Armstrong said the County owns the Armory building used by the National Guard on McCracken Road in Hernando. Mr. Armstrong said he has received a request for the following improvements:

1. Drainage in the back of the building- the back lot often floods due to adjacent land outside of the fence that pours rain water into back lot. This causes water to stand for weeks and presents other problems (i.e. mosquitoes).
2. Black top in the rear compound – there has been a lot of water damage due to lack of appropriate drainage. It appears that water has seeped under the asphalt and has made it very soft.
3. Gravel in the front and side parking lots – gravel is needed due to the parking lots looking like grass parking lots. We have doubled the size of the unit that was in the armory before us, thus, we have had to create more parking spaces. More gravel would help creating the professional image of the armory.

Mr. Armstrong said the City of Hernando contributes money for the electric bill. Mr. Armstrong asked the Board to approve the Road Manager to look at doing this work and to establish a cost to do it. Mr. Dorris said he had looked at the armory and there is a lot of drainage work to be done, and estimated it would take about 6 hours to do. Mr. Dorris said for the County to do the work, it would cost approximately \$2,300.

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to approve the request from the National Guard for the repairs to the Armory and authorized the Road Manager to do the work and for the expense to come from the Building & Grounds budget. The motion passed by a unanimous vote. **\*\*See Exhibit F.24\*\***

#### **25. County Road Map & Road Register**

Jim McDougal, Director of Transportation for Planning Commission, appeared before the Board of Supervisors to present the County Road Map & Road Register. Mr. McDougal said that each year the County is required to match the road map and the road register. Mr. McDougal said they were able to find roads through the GIS system and we have worked with the Road Managers group to get the history of roads put into the system.

Supervisor Jessie Medlin asked if the Board needs to vote on the road map and road register today. Merritt Powell, Director of Planning Commission said yes, but the road map and register could be amended by the Board for any changes necessary.

After to Board reviewed the road map and register they agreed to accept these documents as presented, with the possibility that there would be some amendments made to the road map and road register at a later date.

#### **ITEM F.25, CONTINUED,**

Supervisor Eugene Thach made the motion and Supervisor Jessie Medlin seconded the motion to adopt the County Road Map and County Road Register as presented by the Transportation Director of Planning Commission. The motion passed by a unanimous vote. **\*\*See Exhibit F.25\*\***

Supervisor Eugene Thach asked how many roads in the County were still gravel roads. Russell Dorris said that out of 700 miles of road the County only has two or three miles of gravel road.

## 26. Transportation Improvement Program Projects

Jim McDougal, Transportation Director for Planning Commission, said the Memphis MPO is required to prepare two transportation plans on a periodic basis. One of the plans is a Long Range Plan with a time horizon of 20 years. The other plan is a Transportation Improvement Plan (TIP) and it looks at a time horizon of 3 years. Mr. McDougal said he would like to discuss the proposal for the TIP and the project list for this time frame. Mr. McDougal said there is \$3 million to spend over this 3 year period. Mr. McDougal said the Travel Demand Model had to be done first, which will cost \$50,000 per year for 3 years and the County's share will be 20%, or \$10,000 per year.

County Administrator David Armstrong asked if the Planning Commission budget for FY03 included the \$10,000. Merritt Powell, Director of Planning Commission, said yes this was in the budget.

Mr. McDougal said MPO funds have to be used in the Urban Area of the County and he has a list of four projects, Getwell Road, Craft Road, Goodman Road Bridge, and Nail Road, that are applicable to have MPO funds used. Mr. McDougal asked the Board to designate which project they would like to start with that he could submit at the MPO committee on Thursday, July 24, 2003.

Mr. McDougal said the City of Olive Branch is new to the MPO this year and they have been designated \$350,000 for this year.

Merritt Powell said in the past the County has received \$500,000, but this has been increased due to the population growth of DeSoto County. Mr. Powell said the Board should decide which project to pick based on traffic and growth for 3 years out.

Mr. McDougal said he would be back to the Board within the next 3 to 4 months to discuss the long range plans for the MPO. Mr. Powell said the County is the voting entity for the money, but they want the Board's prospective.

The Board all agreed that Getwell Road should be the first project for the TIP. No motions were made on this item.

## 27. Approval of Metro Narcotics Forfeiture

County Administrator David Armstrong said Metro Narcotics has sent a request to have item that has been seized and needs to become a part of the County inventory.

Supervisor Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to add the following item seized by Metro Narcotics to the County inventory:

### ITEM F.27, CONTINUED,

Number	Description	Color	VIN Number
1	1995 Mercury Sable	Brown	1MELM534XSA615843

The motion passed by a unanimous vote. \*\* See Exhibit F.27\*\*

## 28. Making the Executed Contract with Coahoma Electric for the Elevated Storage

**Tank a Part of the Minutes**

County Administrator David Armstrong said the County pays for the electrical service for the elevated water storage tank on Church Road. This contract with Coahoma Electric Power Association needs to be made a part of the minutes.

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve making the contract with Coahoma Electric for the elevated water storage tank on Church Road a part of the Board minutes. The motion passed by a unanimous vote. **\*\*See Exhibit F.28\*\***

**29. Inventory Dispositions**

Vanessa Lynchard, County Inventory Clerk, presented the inventory dispositions to the Board of Supervisors. At the recommendation of Vanessa Lynchard, Supervisor Gerald Clifton made the motion and Supervisor John Caldwell seconded the motion to approve the Inventory Disposition as follows subject to the Department Head signature:

**a. Tax Assessor – Final Disposition**

<u>Asset#</u>	<u>Serial #</u>	<u>Description</u>	<u>Reason</u>	<u>Location</u>
09063	65186496	Typewriter	Broken	Kenny Evans
09064	65080440	Typewriter	Broken	Kenny Evans

**b. BOS – Final Disposition**

<u>Asset#</u>	<u>Serial #</u>	<u>Description</u>	<u>Reason</u>	<u>Location</u>
32095	07405472555	Nokia 5165 Cell phone	Broken	Kenny Evans
31772	MX2651DIV5	HP 940C Printer	Defective	Returned to Vendor
1049	22900403199	Mobile Phone	Broken	Kenny Evans

**c. Metro Narcotics – Final Disposition**

<u>Asset#</u>	<u>Description</u>	<u>Serial #</u>	<u>Location</u>
32384	Motorola Cell Phone	078/07796663	Sold at Auction
32437	1998 Honda Motorcycle	JH2SC3304WM203950	Sold at Auction
32440	Ericsson Cell Phone	UA201DGKDZ	Sold at Auction
32901	Nokia Cell Phone	078/00713335	Sold at Auction
32382	Nokia Cell Phone	078/03478560	Sold at Auction
32797	Nokia Cell Phone	074/0914997	Sold at Auction
32871	1990 Ford Mustang GT Convertible	1FAC45E2LF139610	Sold at Auction
32905	Motorola Cell Phone	SUG2686AC	Sold at Auction
31680	1986 Chevy K-5 Blazer	1G8EK18H1GF20415	Sold at Auction
32385	Motorola Cell Phone	218/05670293	Sold at Auction
32902	Motorola Cell Phone	SUG1767BAH54903EC	Sold at Auction
31981	Uniden Radio Scanner	19142586	Sold at Auction
31982	Uniden Radio Scanner	19142648	Sold at Auction
32872	1988 Chevrolet Blazer	1GNCT1827J8162442	Sold at Auction
32906	Nokia Cell Phone	0502921LG05TD	Sold at Auction
287303	1992 Nissan Maxima	JN1HJ01F8NT011081	Sold at Auction
32386	Audiovox Cell Phone	14702735	Sold at Auction
32387	Nokia Cell Phone	661331261A	Sold at Auction
32798	1992 Buick Century	1G4AG54NXN6402546	Sold at Auction
32276	1977 Chevy C-10 Truck	CCI147S1071147	Sold at Auction
32865	1990 Oldsmobile Regal	1G3WS54T1LD318308	Sold at Auction
32898	Nokia Cell Phone	110/14393242	Sold at Auction

**ITEM F.29.c, CONTINUED,**

14064	1996 Ford Thunderbird	1FALP6248TH130759	Sold at Auction
32899	Nokia Cell Phone	078/00808538	Sold at Auction
32900	Nokia Cell Phone	100/11097730	Sold at Auction
32381	1996 Nissan Sentra	3N1AB41D9TL007269	Sold at Auction
32892	Sprint Cell Phone	8111767460	Sold at Auction
32893	Sprint Cell Phone	209KS1376254	Sold at Auction
32894	Nokia Cell Phone	078/03456353	Sold at Auction
32877	1993 Geo Storm	J81RF2366P7512098	Sold at Auction
32895	Nokia Cell Phone	078/16207511	Sold at Auction

32896	Nokia Cell Phone	504491	Sold at Auction
32875	1988 Pontiac Firebird	1G2FS2157JL254213	Sold at Auction
32874	1988 Toyota Camry	JT2SV21E2J3244984	Sold at Auction
32864	1988 Acura Integra	GH4DA3341JS011009	Sold at Auction
32876	1992 Buick LeSabre	1G4HR53L1NH429860	Sold at Auction
32799	1992 Ford Thunderbird	1FAPP64R2NH111444	Sold at Auction
32383	1991 Ford Explorer	1FMDU32X2MUA99951	Sold at Auction
32861	Nokia Cell Phone	078/00893105	Sold at Auction
32439	1982 Oldsmobile Cutlass	2G3AM6986C2332290	Sold at Auction
32862	Nokia Cell Phone	078/03165171	Sold at Auction
32863	Nokia Cell Phone	078/03245788	Sold at Auction
32794	Nokia Cell Phone	074/13816772	Sold at Auction
32796	Nokia Cell Phone	074/05577852	Sold at Auction
32886	1991 Jeep Cherokee	1J4FT58S4ML582185	Sold at Auction
32792	1986 Ford LTD	2FABP43F6GZ171851	Sold at Auction
32868	Nokia Cell Phone	078/00850156	Sold at Auction
32869	Nokia Cell Phone	078/03416724	Sold at Auction
32866	Motorola Cell Phone	C21GBXQ769	Sold at Auction
32867	Motorola Cell Phone	C33GCU5250	Sold at Auction
32870	1984 Chevrolet Celebrity	1G1AW27XXE6901522	Sold at Auction
32880	Craftsman Garden Tiller	2141513209	Sold at Auction
	1978 Chevrolet Caprice	1N69U8S146170	Sold at Auction
	1994 Ford F250 Truck	1FTHX25H7RKA23673	Sold at Auction

**d. Metro Narcotics – Preliminary Disposition**

<u>Asset#</u>	<u>Serial #</u>	<u>Description</u>	<u>Reason</u>	<u>Location</u>
31732		35mm Victor Camera		Metro
31733		35mm Victor Camera		Metro
31734		35mm Victor Camera		Metro
31735		35mm Victor Camera		Metro
31736		35mm Victor Camera		Metro
31737		35mm Victor Camera		Metro
32172	1620638	Midland Radio		Metro
634197	475FXU3572	Motorola Radio		Metro
8275	1091152	12 Band Scanner		Metro

**e. EMS – Preliminary & Final Disposition**

<u>Asset#</u>	<u>Serial #</u>	<u>Description</u>	<u>Reason</u>	<u>Location</u>
32420	9405496	GE Radio	Broken	Dumpster
30267	E507642	MEC Phone	Broken	Dumpster
32451	SC2A71117W	HP Printer	Defective	Return to Vendor

The motion passed by a vote as follows:

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

**\*\*See Exhibit F.29\*\***

**CONTINUED,**

**G. EXECUTIVE SESSION**

The executive session minutes are listed under the portion of minutes called “Executive Session.”

**H. OTHER ISSUES**

**1. Horn Lake Park**

Supervisor John Caldwell said the City of Horn Lake has requested for the County to build a service drive to connect the two sections of Latimer Park. Supervisor Caldwell said to build whatever the standard is for a limestone road with the City to provide the limestone.

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the County Road Manager to work out arrangements with the City of Horn Lake, to build a limestone service road to connect the two sections of Latimer Park. The motion passed by a vote as follows:

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

**\*\*See Exhibit H.1\*\***

**2. Petition to Adopt Road – Juanita Clark**

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to appoint Supervisor Jessie Medlin and Supervisor Eugene Thach to inspect Angie Road, subject to the right of ways, in regard to petition filed by property owners for the County to have the road become a County Road. The motion passed by a unanimous vote. **\*\*See Exhibit H.2\*\***

**3. Hernando Civic Center**

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion to approve the request from the Hernando Civic Center and authorized the Road Manager to provide approximately 30 yards of dirt for the ball fields and spread it and to pay for out of the District 5 Park funds. The motion passed by a unanimous vote.

**4. Central Maintenance Trailer Purchase**

Road Manager Russell Dorris said Central Maintenance needs a utility trailer and he has found a company to buy from but the require payment upon delivery. The cost is \$2,670 and it will be used to carry equipment. Mr. Dorris requested approval from the Board to have a manual check cut to pay for the trailer when it is delivered.

Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to authorize the clerk to issue a manual check for \$2,670 to Red River Tractor to pay for a utility trailer subject to receipt of the trailer. The motion passed by a unanimous vote.

**ITEM H, CONTINUED,**

**5. Church Road**

Daniel Murphy, Consulting Engineer, asked for approval to go out for bids on the section of Church Road between Pleasant Hill Road and Getwell Road.

Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to approve going out for bids on Church Road between Pleasant Hill Road and Getwell Road. The motion passed by a unanimous vote.



Supervisor Tommy Lewis said the section of Church Road between Elmore Road and Getwell Road was in the planning stages and that Entergy has places where high energy lines along the road will have to be moved. Supervisor Eugene Thach said that the right of ways still have to be acquired. Supervisor Lewis asked Daniel Murphy to check with the City of Southaven, concerning the mall to see if it would require part of this road. Supervisor Thach said that Southaven would take care of the road to Swinney Road. Daniel Murphy said he would talk with Southaven.

#### **6. Homestead Petitions Denied by the State Tax Commission**

Chancery Clerk Sluggo Davis said he had received a list of homestead applications back from the Mississippi State Tax Commission that have been disallowed. Sluggo Davis said he had prepared a listing of the applications that should be allowed by the state and a listing that accepted the disallowance. Supervisor Eugene Thach made the motion and Supervisor John Caldwell seconded the motion to approve the recommendation of the Chancery Clerk's listing where some disallowances should be objected to and to accept the listing for disallowances from the state as detailed in Exhibit H.6. The motion passed by a vote as follows:

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

**\*\*See Exhibit H.6\*\***

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion, to adjourn the meeting until August 4, 2003 at 9:00 am. The motion passed by a vote as follows:

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

THIS the 21<sup>ST</sup>. day of July 2003, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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Gerald L. Clifton, President  
DeSoto County Board of Supervisors