

DESOTO COUNTY BOARD OF SUPERVISORS
BOARD MEETING MINUTES
GERALD CLIFTON, PRESIDENT 2003 PRESIDING
DECEMBER 3, 2003

A. CALL TO ORDER

The December 3, 2003, meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Gerald Clifton, Board President.

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

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

B. INVOCATION

Supervisor John Caldwell presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. PLANNING COMMISSION

The minutes for the portion of the meeting organized by the Planning Commission are presented and made a part of these minutes as Exhibit D.

E. OLD BUSINESS

1. Accounting

a. Approval of Bill to Entergy for District 3 Park

Comptroller Tom Arnold said after the December 1, 2003, Board of Supervisors meeting, where the Board reviewed the District 3 Park bill from Entergy, the County called Entergy about the bill. Director of Building and Grounds Kenny Evans said there is a problem at the ballpark that Entergy needs to look at. Supervisor Gerald Clifton said last week a gentleman informed him that the lights were on and Kenny Evans turned the lights off. Supervisor Clifton said he just talked to Mr. Dozier who lives in the area who told him the lights were on again. Supervisor Clifton requested that Mr. Evans change the locks again.

At the recommendation of the Director of Building and Grounds, Supervisor John Caldwell

made the motion and Supervisor Jessie Medlin seconded the motion to hold the bill to Entergy for the District 3 Park until Entergy and the County review any potential problems at the ballpark. The motion passed by a vote as follows:

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

b. State Development Bank Resolution

County Administrator David Armstrong presented a list of projects and their funding needs for the next three months. Mr. Armstrong said that the DCRUA will have to have another \$500,000 to complete the commitment the Board made on December 1, 2003. In addition Mr. Armstrong explained the Corps of Engineers will require another escrow deposit of \$1.8 million in January. Mr. Armstrong said, included in the list is \$1 million to repay the December 1st reimbursement that was made to DCRUA.

Supervisor Jessie Medlin asked if Waggoner Engineering will get \$2 million in Engineering fee from the Wastewater Project. County Administrator David Armstrong said the Engineering fees will actually be about \$5 million.

Mr. Armstrong said the County has over \$5 million tied up in the Wastewater System to date. Supervisor Jessie Medlin said that \$5 million plus all the money the County has tied up in the Civic Center has come from County funding.

Mr. Armstrong said with the \$2.5 million we have left in the State Development Bank pool the County can probably make it, but it is going to be tight to get through this year. Mr. Armstrong suggested the Board consider another GO Bond.

Mr. Armstrong said the County will need another \$4.8 million for the next three months. He pointed out that this figure could be lowered by \$1 million if the County did not want to repay the previous DCRUA funding made December 1, 2003, as part of the \$1.5 million SRF reimbursement commitment. Chancery Clerk Sluggo Davis reminded the Board that last week they voted on putting all the SRF money back into DCRUA.

Supervisor Tommy Lewis said that Bill Austin, Executive Director of DCRUA, mentioned that as the money comes back from SRF it comes back into DeSoto County. Then that money has to be approved to go back into the Wastewater program. Supervisor Lewis said until the Board directed to put the SRF money back into the Wastewater System, Mr. Austin had to ask the County for money for the next escrow deposit. Supervisor Lewis said the Board knew these expenditures were coming. Supervisor Lewis said the Federal Government questioned the sewer system about what we were doing with the first money they put into the project. Supervisor Lewis said they made it clear they were not going to give us any more money unless the County started spending some of the first Federal money. Supervisor Lewis said you can't go out and start the project without keeping it up.

County Administrator David Armstrong said he, Mr. Arnold and the Wastewater representative were going to meet Monday to discuss future funding of the project and after that meeting he would have a better picture of funds needed for the Wastewater project and of the County's overall financial position.

Supervisor Jessie Medlin made the motion and Supervisor Gerald Clifton seconded the motion to approve the \$5 million draw from the State Development Bank. The motion passed by a vote as follows:

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

Supervisor John Caldwell	NO
Supervisor Tommy Lewis	YES

See Exhibit 1.1.b

F. NEW BUSINESS

1. Christmas Decorations in Administration Building and Courthouse

Chancery Clerk Sluggo Davis and Vanessa Lynchard informed the Board of Supervisors that a group of County employees in the Administration Building and Courthouse were responsible for all the Christmas decorations in those buildings. Vanessa said that Mary Jane Thaxton and her mother, Diane Bullington, put up the decorations in the Administration Building on the Friday after Thanksgiving. Chancery Clerk Sluggo Davis recognized Misty Hefner, Beverly Cleveland, Terry Ford, Autumn Zacharias, Haley Hanna, Ricky Ogle, Marla Treadway, Betty Dunn, and Kelly Beard that worked on the Christmas decorations in the Courthouse. Vanessa Lynchard explained that decorating these buildings is a significant chore and a big challenge and all the County employees are appreciative of their unselfish efforts to handle this extra job while keeping up their County duties.

The Board of Supervisors expressed their appreciation to these dedicated employees for their commitment to work on these decorations and acknowledged how much they add to the County Christmas experience.

2. County Engineer’s Report

County Engineer Andy Swims presented the County Engineer’s Report.

Regarding Item 1C Olive Branch Library, Mr. Swims said they have worked on the box culvert or pipe at the Olive Branch Library to increase access to the facility.

Regarding Item 1D Angie Drive, Mr. Swims said he is working with the property owners on this road now.

Regarding Item 1G Hwy 78 at Miller Rd., Mr. Swims said the County has done about all we can do at this location. The County is now waiting on the State to complete their work. Mr. Swims said we will have to wait to put in the pipe and cut the ditch.

Regarding Item 2E-Dean Heights Subdivision, Mr. Swims said part of the reason the County has had some of the drainage problems we have had is that we don’t get drainage plans before the road is put in. Mr. Swims said the County needs to see something on how the drainage is put in in order to efficiently do ditch work in these areas. Mr. Swims said we had one of these situations at Tulane and Dean Roads where the County never got any plans.

Mr. Swims said this is the type of problem the County is going to have until we enforce the requirement to present drainage plans.

Supervisor Caldwell asked what is the solution? Mr. Swims said to make the developers tear out what they have installed if they do not comply with our guidelines for providing the plans and requesting the inspection. Supervisor Caldwell suggested requiring an increased bond if they fail to provide the plans as required.

Supervisor Jessie Medlin asked if the developers call Mr. Ivy when they put in pipe? Mr. Swims said no. Supervisor Medlin discussed some problems associated with this issue in the Brayburn Subdivision.

Mr. Swims said the problem he is talking about is already seeing sinkholes off Hwy 301 south of the ballpark in Ranch Meadows. Mr. Swims said they just went back and repaired this area.

Supervisor Jessie Medlin said Mr. Ivy has someone to help him now to make sure the pipes are put in right. County Engineer Andy Swims said this is a big job and it can take a lot of time.

County Administrator David Armstrong asked if Mr. Swims will talk to the Road Manager Russell Dorris about the issue? Board Attorney Bobby Chamberlin said the County may need to amend the ordinances.

Other Issues

The County Engineer notified the Board of Supervisors that the Weaver Road Extension north of Stateline Road will not be closed down as formerly expected.

Supervisors Jessie Medlin made the motion and Supervisor John Caldwell seconded the motion to accept the County Engineer’s Report as presented and make it a part of the minutes. The motion passed by a vote as follows:

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

See Exhibit F.2

Supervisors Gerald Clifton made the motion and Supervisor Jessie Medlin seconded the motion to recess the meeting until 1:15 p.m. The motion passed by a vote as follows:

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

3. Animal Shelter Fees

At the recommendation of Vanessa Lynchard Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to approve waiving adoptions fees at the DeSoto County Animal Shelter for the month of December. The motion passed by a vote as follows:

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

At the recommendation of Vanessa Lynchard Supervisor John Caldwell made the motion and Supervisor Tommy Lewis seconded the motion to advertise County resources by allowing the DeSoto County Animal Shelter to rent animal costumes for the Hernando Christmas Parade at a cost of \$50 each and to approve an entrance fee into the parade of \$10. The motion passed by a vote as follows:

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

Vanessa Lynchard requested approval to kick off free adoption month for the month of December with a free adoption day on Saturday, December 6, 2003. The Board of Supervisors agreed with the kickoff day.

4. Jail Inspection

The Board does hereby find that, pursuant to Section 19-5-1 of the Mississippi Code Annotated, 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, 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, to perform the required examination into the state and condition of the jail and to report back to the DeSoto County Board of Supervisors:

Supervisor John Caldwell
Supervisor Eugene Thach

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 both of them 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 further action at this time.

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the observed condition of the jail and to state there was no overcrowding of the Jail, and to acknowledge they do find the Jail to be in compliance and requiring no further action at this time. The motion passed by a vote as follows:

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

G. EXECUTIVE SESSION

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

H. OTHER ISSUES

1. Kevin Rust

Board Attorney Bobby Chamberlin explained that the Board of Supervisors got a judgement against Kevin Rust in regard to the road at Confederate Ridge Subdivision. Mr. Chamberlin said that gave a County a lien against Mr. Rust property. Mr. Chamberlin said that today he needs approval for the Board President to sign a release on a lot owned by Mr. Rust that the County does not have a lien against.

Supervisor John Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Board President to sign a release on an unrelated lot from the County lien owned by Kevin Rust. The motion passed by a vote as follows:

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

Supervisor Tommy Lewis made the motion and Supervisor John Caldwell seconded the motion, to recess the meeting until Wednesday, December 15, 2003, at 9:00 am. The motion passed by a vote as follows:

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

THIS the 3rd day of December 2003, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Tommy Lewis, Vice President
DeSoto County Board of Supervisors