

DESOTO COUNTY BOARD OF SUPERVISORS
BOARD MEETING MINUTES
DISTRICT ONE JESSIE MEDLIN, PRESIDING

May 2, 2016

A. CALL TO ORDER

The May 2, 2016 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie Medlin, Board President.

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

Supervisor Jessie Medlin	District 1
Supervisor Mark Gardner	District 2
Supervisor Bill Russell	District 3
Supervisor Lee Caldwell	District 4
Supervisor Michael Lee	District 5
Sheriff Bill Rasco	Sheriff
Misty Heffner	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

B. INVOCATION

Supervisor Lee Caldwell presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF APRIL MINUTES

Supervisor Medlin asked if everyone had read over the April minutes.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve the April minutes as presented.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

E. CITIZENS REMARKS & PRESENTATIONS

1. Introduction of State Veteran Services Officer

The State Veterans Office was not able to attend today's meeting.

2. Veterans' Park

R.G. Moore, Diane Moore, and William Brooks came before the Board to show that they have all the documentation in hand to be able to proceed with the construction of the Veterans Park. Mrs. Moore stated that some of the markers have been approved by the DeSoto Veterans Board and the renderings

are online at www.desotocountyveteranspark.com. Mrs. Moore stated that the rendering of all the markers will be on the website as they are finished.

Supervisor Gardner asked if the estimated budget for the park is still \$200,000.00. Mr. William Brooks stated that number is correct. He also informed the Board that they will be coming to the Board and the Cities at budget time to ask for consideration for funding.

Mr. Moore also said they are finding that many veterans would like to have a brick, but they are on fixed incomes and cannot afford the \$120.00. He said they are asking the Board and the Cities for \$1,000.00 toward the cost of bricks for these Veterans. Supervisor Caldwell suggested they set up a GoFundMe account through Facebook to let the public help with this project. Mr. Brooks asked if they could link to the County website also, as this is part of the County park system, and the Board said Mr. Kuntz could help with that.

Mrs. Moore said the bricks will be a border along the “Walk of Honor” and not on the actual walkway to help preserve the bricks. She also informed the Board that the bricks are laser engraved, so they will be smooth, and the letters will not get filled in with dirt.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to make the handout a part of the Board minutes and approve an allocation from Advertising County Resources of \$1,000.00 to the DeSoto Veterans after having determined that the request to advertise county resources met the guidelines of the policy adopted by the Board of Supervisors, in accordance with Section 17-3-3, of the MS 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.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

Supervisor Medlin expressed the Board’s appreciation for the hard work that has gone into the formation of the Veterans Park.

See Exhibit E.2.

Supervisor Jessie Medlin asked if there was anyone present who wished to address the Board on items not listed on the agenda. No one came forward.

F. APPROVAL OF AGENDA: ADDITIONS AND DELETIONS

Supervisor Jessie Medlin asked if there was anyone who wished to add or delete items to the Agenda.

a. Sheriff Bill Rasco requested to add purchase of furniture for Sheriff’s Administration Building. (New, I.19.)

b. Supervisor Bill Russell requested to add discussion on proposed sign ordinance. (New, I.20.)

c. County Administrator Vanessa Lynchard requested to add the following:

Office of Finance and Accounting – EMS Bill for Stretchers, ERLA, Inc. (Old, G.8.)

Human Resources – EMS – Limit of Work Hours Policy (New, I.17.)

Road Department – Center Hill Road Widening at Miller Station Lane (New, I.18.)

Road Department – Finding of Fact – Star Landing Rd. at Star Landing East (New, I.7.e.)

- d. **Supervisor Jessie Medlin requested to delete Center Hill Road Widening at Miller Station Lane (New, I.18.) and Refer it to the Infrastructure Committee.**
- e. **Road Manager Andy Swims asked the Board to Consider Two Additional Personnel Items for Executive Session.**

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve the agenda with the additions, deletions, and changes as set forth above.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

G. CONSENT AGENDA

1. Publication of Board Proceedings

2. Department of Human Resources: Monthly Health Claims Report (Revised)

Funding Request	Date Paid	Amount	Claim Type
Date			
4/1/16	4/12/16	\$87,680.56	Administration Fees
4/4/16	4/6/16	\$39,863.01	Medical
4/4/16	4/6/16	\$8,306.94	Dental
4/4/16	4/6/16	\$24,902.75	Pharmacy
4/11/16	4/12/16	\$33,244.13	Medical
4/11/16	4/12/16	\$6,205.55	Dental
4/11/16	4/12/16	\$15,703.76	Pharmacy
4/18/16	4/19/16	\$86,815.91	Medical
4/18/16	4/19/16	\$5,602.25	Dental
4/18/16	4/19/16	\$24,977.58	Pharmacy
4/25/16	4/26/16	\$168,473.43	Medical
4/25/16	4/16/16	\$4,281.65	Dental
4/25/16	4/16/16	\$19,443.85	Pharmacy
	TOTAL	\$525,501.37	

3. Office of Finance & Accounting

a. Budget Amendments

**DeSoto County, Mississippi
BUDGET AMENDMENT REQUEST**

Fund/Department # 315 / 200
Date: 5/2/2016 Updated 7/15

(1) Facilities Projects						
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
315-200-924	Computer Hardware & Software	\$ -	\$ -	\$ 2,000.00		\$ 2,000.00
315-999-999	Ending Cash	\$ -	\$ 49,415.00		\$ 2,000.00	\$ 47,415.00
TOTALS			\$ 49,415.00	\$ 2,000.00	\$ 2,000.00	\$ 49,415.00

Reason for Request: To purchase fire dispatch software key for new dispatch equipment.
Requested by: John Mitchell, Director of Information Technology

Fund/Department # 160 / 358 & 377
Date: 5/2/2016 Updated 7/15

(2) Bridge & Culvert						
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
160-358-594	Other Contractual Services - COE Feasibility Study	\$ -	\$ 150,000.00		\$ 128,000.00	\$ 22,000.00
160-377-550	Legal Fees - Craft at Bethel Rd Widening	\$ -	\$ -	\$ 72,000.00		\$ 72,000.00
160-377-555	Engineering Fees - Craft at Bethel Rd Widening	\$ -	\$ -	\$ 56,000.00		\$ 56,000.00
TOTALS			\$ 150,000.00	\$ 128,000.00	\$ 128,000.00	\$ 150,000.00

Reason for Request: To account for road widening project at Craft and Bethel.
Requested by: Scott Young, County Engineer

b. Inventory Dispositions: Final (Extension Service, Sheriff, Sheriff Tornado Damage – 2)

DEPT	DeSoto County Extension Service		NRC = NON REPAIRABLE (COST)	K = THOUSANDS	DEPT #	631				
NAME:			NR = NON REPAIRABLE	H = HUNDREDS	LOC #	631				
			DAS = DECLARE AS SURPLUS	D = DOLLARS						
ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C O S T	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION	DATE OF CORRECTION
8310	HP DESKJET PRINTER	SG74A14257	No longer works	97	4H	Extension	02/01/16	Sissy & Char	E-WASTE	
10043	DC 33 A ICE MACHINE	68848606L	No longer worked	94	1K	Extension	02/01/16	Shawn	SCRAPE	
31433	HP SCANJET 7400C	CN19VS0096	No longer works	02	5H	Extension	02/01/16	Sissy & Char	E-WASTE	
AUTHORIZATION TO DISPOSE				INVENTORY CLERK INFORMATION			NOTES			
SIGNED BY: JOY ANDERSON			DATE: 12/14/15	PRELIMINARY PRESENT TO BOS			EQUIPMENT IS OUTDATED AND CANNOT BE USED. MUST BE DISPOSED			
PRINT NAME: SIGNATURE ON FILE				February 1, 2016						
DISPOSED BY: SFERGUSON & CMCCOOL			DATE: 04/20/16	FINAL PRESENT TO BOS						
PRINT NAME: SIGNATURES ON FILE				May 2, 2015						
INV CLERK: CHARMINE MCCOOL			DATE: 12/07/15	DATE INVENTORY DISPOSED IN AS400						
SIGNATURE ON FILE				DATE BOS FINAL MINS ATTACHED						

DEPT	SHERIFF'S DEPARTMENT		NRC = NON REPAIRABLE (COST)	K = THOUSANDS	DEPT	200				
NAME:			NR = NON REPAIRABLE	H = HUNDREDS	LOC					
			DAS = DECLARE AS SURPLUS	D = DOLLARS						
ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C O S T	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION	DATE OF FINAL APPROVAL
34681	CANON POWERSHOT CAMER	3022272501	LCD Display Screen Broken	07	2H	SID OFFICE	04/04/16	SISSY & CHAR	E-WASTE	
40226	CANON DIGITAL CAMERA	9122208019	Lens Broken	10	1H	SID OFFICE	04/04/16	SISSY & CHAR	E-WASTE	
42080	KODAK DIGITAL CAMERA	KCGLX13003356	Battery Compartment Damaged	12	50D	SID OFFICE	04/04/16	SISSY & CHAR	E-WASTE	
41752	KODAK DIGITAL CAMERA	KCGPW13000224	LCD Display Screen Broken	11	60D	SID OFFICE	04/04/16	SISSY & CHAR	E-WASTE	
AUTHORIZATION TO DISPOSE				INVENTORY CLERK INFORMATION			NOTES			
SIGNED BY: Kyle Hodge			DATE: 03/15/16	PRELIMINARY PRESENT TO BOS						
PRINT NAME: SIGNATURE ON FILE				April 4, 2016						
DISPOSED BY: Char McCool			DATE: 04/20/16	FINAL PRESENT TO BOS						
PRINT NAME: Sissy Ferguson				May 2, 2016						
INV CLERK: Charmaine McCool			DATE: 03/21/16	DATE INVENTORY DISPOSED IN AS400						
SIGNATURE ON FILE				DATE BOS FINAL MINS ATTACHED						

DEPT	SHERIFF'S DEPARTMENT		NRC = NON REPAIRABLE (COST)	K = THOUSANDS		DEPT	200		
NAME:			NR = NON REPAIRABLE	H = HUNDREDS		LOC			
			DAS = DECLARE AS SURPLUS	D = DOLLARS					
ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C G O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION	DATE OF FINAL APPROVAL
38641	ONEAL TRAILER 6' X 10'	1Z9BU101X8B331157	Tornado Damage-Insurance Loss	08	8H			SEVERAL COUNTIES	
42436	LEXMARK LASER PRINTER	946758T	Tornado Damage-Insurance Loss	12	2H			SEVERAL COUNTIES	
44038	FRIG WINDOW AC 6 BTU	KK35289108	Tornado Damage-Insurance Loss	14	2H			SEVERAL COUNTIES	
44039	FRIG WINDOW AC 6 BTU	KK34654373	Tornado Damage-Insurance Loss	14	2H			SEVERAL COUNTIES	
44040	FRIG WINDOW AC 6 BTU	KK34667398	Tornado Damage-Insurance Loss	14	2H			SEVERAL COUNTIES	
45146	EPSON PROJECTOR VS330	VASK5100449	Tornado Damage-Insurance Loss	15	4H			SEVERAL COUNTIES	

AUTHORIZATION TO DISPOSE			INVENTORY CLERK INFORMATION		NOTES
SIGNED BY:	Kyle Hodge	DATE:	04/25/16	PRELIMINARY PRESENT TO BOS	
PRINT NAME:	Signature on file			May 2, 2016	
				FINAL PRESENT TO BOS	
DISPOSED BY:		DATE:		DATE INVENTORY DISPOSED IN A5400	
PRINT NAME:				DATE BOS FINAL MINS ATTACHED	
INV CLERK:	Charmaine McCool	DATE:	04/25/16		
	Signature on file				

Items were damaged/lost in tornado on December 23, 2015 at the DCSO Range. Insurance declared them a loss and reimbursed cost.

FISCAL YEAR: 2015/2016
PRELIMINARY - FINAL

DEPT: SHERIFF DEPARTMENT
LOC: DC TRAINING FAC / HOLLY SPRING, NC

NRC = NON REPAIRABLE (COST) K = THOUSANDS
NR = NON REPAIRABLE H = HUNDREDS
DAS = DECLARE AS SURPLUS D = DOLLARS

DEPT #: 200
LOC #: 223

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C G O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION	DATE OF FINAL APPROVAL
44418	DOUBLE WIDE TRAILER	N/A	UNIT WAS TOTALLY DESTROYED BY TORNADO LATE EVENING OF 12/23/15. TRAILER CONVAIED TO SHERIFF DEPARTMENT	14	06H			SEVERAL COUNTIES	

AUTHORIZATION TO DISPOSE			INVENTORY CLERK INFORMATION		NOTES
SIGNED BY:	KYLE HODGE	DATE:	04-25-2016	PRELIMINARY PRESENT TO BOS	
PRINT NAME:				May 2, 2016	
				FINAL PRESENT TO BOS	
DISPOSED BY:		DATE:		DATE INVENTORY DISPOSED IN A5400	
PRINT NAME:				DATE BOS FINAL MINS ATTACHED	
INV CLERK:	Charmaine McCool	DATE:	04-25-2016		
	Signature on file				

REVISION HISTORY
REVISION 001 05/15/15

4. Contract Administration – Cspire Repeater Installation Agreement – Auto Renewal
5. Road Department
 - a. Road Report
 - b. Work Schedule
 - c. Road Bond Report
6. Authorize Board President to Sign Resolutions for CVB Appointments Approved on 4/18
 - a. Jackie Bostick – 4th District
 - b. Bartholomew Orr - At-Large
7. FY16 Bridge Inspection List
 - a. FY16 DeSoto Routine Maintenance Reports
8. Chancery Clerk Allowance (1)
9. Office of Procurement - Request to Approve Bid Specifications & Solicit Bid for Vending Services #16-100-001
10. Engineering Services Agreement for Craft/Bethel Rd. – Authorize Board President to Sign

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve the Consent Agenda items and actions as set forth above.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

Supervisor Gardner asked Board Attorney Tony Nowak if it would be permissible to delay the appointment of the District 5 CVB Board member until May 16. Mr. Nowak stated the current appointment will continue until a new appointee is named.

See Exhibit G

H. OLD BUSINESS

1. 10:00 a.m. – Formation of Bridgetown Graded Fire District Public Hearing

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to open the public hearing regarding the formation of Bridgetown Graded Fire District.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

Board Attorney Tony Nowak stated that on April 4, 2016 the Board of Supervisors made a finding that the formation of a Bridgetown Graded Fire District would be a public convenience. The appropriate publications have been made and there have been no written protests received in the Administration Office or the Chancery Clerk’s office. There was no one present to speak against the formation of the fire district.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to close the public hearing.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve the formation of the Bridgetown Graded Fire District and approve the Resolution establishing said district.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.1.

2. 10:30 a.m. – Environmental Hero Award Presentation

Environmental Services Manager Ray Laughter stated that there were some special guests to present the Environmental Hero Award to the Board of Supervisors. He introduced Mr. Mark Williams, MDEQ Director of Waste & Recycling; Ms. Jennifer Milner, MDEQ MS Recycling Coordinator; and Ms. Sarah Kountouris, President of MS Recycling Coalition and Executive Director of Keep MS Beautiful. Ms. Kountouris informed the Board that she was happy to present the Environmental Hero Award to the DeSoto County Board of Supervisors. Ms. Kountouris said DeSoto County is very progressive in their recycling efforts; and, as a result of that, Mississippi Recycling Coalition is proud to present the Environmental Hero Award to DeSoto County as the Local Government Recycler of the Year for 2015.

Mr. Laughter also expressed his appreciation to the Sheriff and his department and DeSoto County Schools for their help and participation in clean-up and recycling efforts. Mr. Laughter introduced Josh Fowler from MS Recycling, Stacy Michael & John Schafer from Waste Connections, and Brynn McCarver; and acknowledged their part in making this award possible. Mr. Laughter thanked this group for all of their support and thanked the Board for their vision in making DeSoto County cleaner and greener.

3. Grant Administration – Request Approval of Modification of Solid Waste Officer Grant and Authorize Board President to Sign

Grant Administrator Tanner Kuntz informed the Board this is just a formality. The grant stated if MDEQ has any changes, a new form must be signed by all parties. This new form states the money will come from a different fund within MDEQ. The amount stays the same.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to accept the changes to the grant as stated by MDEQ as discussed and authorize the Board President to sign any forms necessary to accept the changes.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.3.

4. Approval of Final Draft of Business Investment Incentive Guidelines

Economic Development Council President Jim Flanagan stated that his office had worked closely with the Administrative Office to come up with this form for the Board to consider. Mr. Flanagan stated that the workforce section of the application seemed to give the most trouble to companies, so they worked on it to phrase the questions better and make the format better.

Supervisor Russell stated he would like a brief description of the company's benefit plan. Mr. Flanagan stated he would put that in the benefit section.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve the final draft of the Business Investment Incentive Guidelines including the addition of a request for a brief description of the company's benefit plan.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.4.

5. Request for Adoption of a Financial Assistance Application

County Administrator Vanessa Lynchard reminded the Board that at the last meeting she had given them a copy of this application to review. Mrs. Lynchard thanked Chief Financial Officer Andrea Freeze for coming up with the application. Mrs. Lynchard said it is about time to start sending out information for the upcoming budget year, and she wanted the Board to have a form that captured all the information about different organizations. She stated that Mrs. Freeze had taken extensive notes during the last budget meetings to determine the questions that the Board wanted answers to.

Mrs. Freeze stated this form is a way to weed out non-profits that are not organized and functioning properly. She said it is also a way to have pertinent information in the beginning instead of having to ask at the time of the organization’s request.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the Financial Assistance Application presented.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>ABSENT</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.5.

6. Request Approval of Order Setting Appointment Practices and Library Advisory Board MOUs and Authorize Board President to Sign

Board Attorney Tony Nowak reminded the Board that approximately 1 ½ to 2 years ago they had asked him to look at the Library Advisory Boards. He stated that First Regional governs the libraries, but each is allowed to have an Advisory Board. Mr. Nowak informed the Board that his investigation found there were not good guidelines regarding these Advisory Boards. He worked with the First Regional Library to establish some simple by-laws for the Advisory Boards to go by and a Memorandum of Understanding that states that the Cities and County will make appointments pursuant to these by-laws. The by-laws state that any appointee will be a landowner or resident of the appointing Supervisor’s district or the municipality of the location of the library.

Mr. Nowak further stated that some cities and First Regional did not know Advisory Boards were out there. He stated having these MOUs and by-laws in place will be good for all the entities in moving forward.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the Board order setting appointment practices and authorize the Board to sign the Order; and approve the five (5) Library Advisory Board Memorandums of Understanding as discussed.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>ABSENT</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

Mrs. McLeod stated she will e-mail the current Library Advisory Board appointments to the Supervisors for their consideration.

See Exhibit H.6.a.

7. Greenways Bike Trail – PS&E Transmittal – STP-0017-00(039)LPA/106892-701000

Board President Signature Required.

Mr. Tracy Huffman of Wagonner Engineering stated this project is ready for MDOT submission, and he is asking for Board approval to submit the supporting documents to MDOT and authorization for the Board President to sign the necessary documents.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve the submission of the supporting documents to MDOT regarding the Greenways Bike Trail and authorize the Board President to sign the necessary documents.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>ABSENT</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.7.

8. Office of Finance & Accounting – EMS Bill for Stretchers, ERLA, Inc. \$1,998.65

Mrs. Lynchard stated that this was the bill that was held from the last meeting for investigation. She stated Interim EMS Director Josh Harper said that there was no contract on file with this company. He disputed the invoice and ERLA took off the travel charge. Mr. Harper said the maintenance was legitimate, but the company was told not to come back without pre-authorization.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to pay the bill for \$1,998.65 to ERLA, Inc. based on Mr. Harper’s findings.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

I. NEW BUSINESS

1. Facilities Management Project Update Report

a. DHS Build-Out Completed Cost

Facilities Management Director Robert Jarman informed the Board that the build-out at DHS consisting of 7 offices, a meeting area, and a work area is complete at this phase. He stated that the budget for this project was \$25,000.00 and the total spent was \$20,245.28. Mr. Jarman stated that all the work except the overhead door removal and sheetrock mudding was done by the Facilities Department which was a significant savings to the County. Mr. Jarman said he will be sending the breakdown of costs to the state as they will reimburse part of the cost of the project.

No Board action was taken.

See Exhibit I.1.a.

b. Sheriff’s Administration Update

Mr. Jarman stated he will be turning over the keys to the Sheriff by the end of the week. He said they are still working on getting two trees removed that are blocking the microlink service.

Supervisor Russell asked about the plans for the dispatch center. Mr. Jarman stated that a couple of

dispatchers will move to the new building and be sure the system is performing properly while the rest of the dispatch department will continue to operate at the old facility. He said the new system has been working out of the E911 center and that would be a backup if needed.

Sheriff Rasco stated that the old radio system would not allow the school officers to communicate and many places inside the jail did not get reception. He said with the new system they have not found any dead spots in the County. The Sheriff said he is very pleased with the effectiveness of the new system. Mrs. Lynchard informed the Board, that by changing over the radios in line with E911, they saved the County over \$100,000.00.

c. Fiber Replacement from Sheriff’s Administration Building to Jail

Mr. Jarman informed the Board that when Entergy went down the right of way and installed power poles for the city on Industrial Drive, the first pole went right through the County’s fiber optic conduit. He said Entergy stopped work and called for another sight check, but hit the line again with another pole and pulled out about 300 feet of fiber. He stated that Entergy hit the line 8 or 9 more times and damaged a pull box.

Mrs. Lynchard said the lines were not registered with MS One Call until the building was complete. Supervisor Medlin asked if the lines were visible. Mr. Jarman stated the trench was visible and the pull boxes are visible.

Supervisor Gardner asked IT Director John Mitchell if the County had all lines marked. Mr. Mitchell said the previous Director of Facilities was supposed to mark them. Mr. Mitchell also said he would like for GIS to work with Facilities and put copper wire in all lines, and purchase an underground locator.

Supervisor Gardner asked Mr. Jarman if they laid fiber in the lines from the chiller to the Courthouse and Administration Building. Mr. Jarman said they did, and he has located those lines for CSpire already. He said he went by the plans because there were not tracer wires in the lines.

Mr. Jarman stated he had two quotes to replace the fiber at the Sheriff’s Administration Building and Access DNSI is the lowest and best quote at \$8,397.00. Mr. Jarman also stated that he is working with Entergy to get this paid.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to accept the recommended quote from Access DNSI of \$8,397.00 as the lowest and best qualified quote, proceed with the fiber replacement, and authorize the necessary budget amendments.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.1.c.

d. Horn Lake Library & DHS Cleaning Contract – Need Board President Signature

Bob Jarman, Director of Facilities, presented to the BOS the contract to add Horn Lake Library to the County’s cleaning contract. Mr. Jarman said DHS is not included on this contract. He stated the Library has issues with their cleaning company. Horn Lake Library wants to use the County’s cleaning company and reimburse the County on a monthly basis.

Supervisor Lee Caldwell made a motion and Supervisor Mark Gardner seconded the motion to approve and BOS President to sign and authorize Tony Nowak to look into the agreement with the City of Horn Lake for the cost sharing of maintenance for the library.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.1.d.

e. Tax Collector’s Office Flooring

Bob Jarman, Director of Facilities, explained there are issues with carpet flooring in the Tax Collector’s office. Staples in the carpet are making vacuuming difficult. Mr. Jarman received two quotes on the vinyl flooring (C & C Flooring for \$9,609.93 and Hernando Flooring for \$9,811.48) and recommends accepting the quote from C & C Flooring for \$9,609.93. Bob Jarman explained the flooring would last close to 20 years.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the bid from C & C Flooring for \$9,609.93 and authorize the work to be completed in the Tax Collector’s office.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.1.e.

2. MOU with MDPS for E-Citation

Sheriff Bill Rasco stated the Board Attorney has reviewed the MOU with Mississippi Department of Public Safety regarding E-Citations. Sheriff Rasco informed the Board that the MS Highway Patrol, DeSoto County Sheriff’s Department, and the cities within the County will be connected and all e-citations will go directly to Justice Court.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the MOU with Mississippi Department of Public Safety and the Sheriff’s Department for E-Citations.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

3. Request to Void Tax Sale – Parcel #3074-1902.0-00011.04

Mrs. Lynchard stated this was an erroneous tax sale and the Tax Collector’s office is requesting to void the tax sale and refund the purchase price of \$14,871.34 to the purchaser. She informed the Board this is the property the Sheriff’s Administration Building is built on.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to accept to void the tax sale and refund the tax sale purchase amount of \$14,871.34 to the purchaser.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
--	------------

Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.3.

4. Office of Procurement

a. Request to Approve Bid Tabulation and Purchase of One Fire Truck for Nesbit Fire Department - Bid File #16-251-001

Procurement Coordinator Karen McNeil stated that they had gone out for bid and received four bids. The Office of Procurement recommends awarding the bid to Deep South Fire Trucks, Inc. as the lowest and best qualified bid at \$293,650.00. Mrs. McNeil stated that Nesbit Fire Chief Larry Loomis would also like to purchase warning lights that were not part of the bid for \$1,600.00.

Supervisor Medlin asked if there was a grant for this purchase. Mrs. Lynchard said an application has been submitted and Nesbit was assured they were good, but with recent legislative action, it appears it may not be funded. She stated there was \$75,000.00 in the fire fund in the budget, but it is questionable if they will be able to pay it back. Mrs. Lynchard said those funds came from insurance rebate money.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to award the bid for one fire truck purchase to Deep South Fire Trucks, Inc. as the lowest and best qualified bid at \$293,650.00, contingent on Nesbit having the matching funds.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

VENDOR	DESCRIPTION	BID PRICE	EXCEPTIONS
Deep South Fire Trucks, Inc. (Seminary, MS)	Deep South Tanker-Pumper	\$ 293,650.00	None
Southern Fire (Jasper, GA)	Southern Fire Custom	\$ 313,167.00	None
Cumberland Fire (Nashville, TN)	2017 Cumberland International 7600 DHS Tanker	\$ 342,500.00	None
NAFECO (Decatur, AL)	KME International Flatback Tanker	\$ 366,708.00	None

RECOMMENDATION: Nesbit Fire Chief Larry Loomis recommends purchasing one tanker-pumper from Deep South for \$293,650.00. He also requests to purchase four LED warning lights and four LED scene lights in addition to the tanker specified in the bid. The additional lights cost \$1600.00 bringing the entire purchase to \$295,250.00.

Supervisor Michael Lee made the motion and Supervisor Jessie Medlin seconded the motion to authorize a separate purchase order for warning lights at \$1,600.00.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>

Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.4.a.

b. Purchase Over \$25,000.00 for Sheriff's Department

Procurement Coordinator Sheila Morris informed the Board that this vehicle is a state contract purchase from Gray Daniels Ford in Brandon, MS.

Sheriff Rasco reminded the Board this was a purchase on the money that was approved on a budget amendment last meeting. He stated it is an F-250 for Search & Rescue that can be used to pull their larger equipment.

Supervisor Michael Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve the state contract purchase of an F-250 for Search & Rescue from Gray Daniels Ford in Brandon, MS at a price of \$29,403.00.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.4.b.

5. Proclamation for National Day of Prayer – May 5, 2016

Supervisor Mark Gardner stated there will be a County National Day of Prayer service at 6:00 p.m. on May 5, 2016 on the Courthouse front steps.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to issue the proclamation for the National Day of Prayer and authorize the Board President to sign the proclamation.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.5.

6. Office of Finance and Accounting

a. Claims Docket

Chief Financial Officer Andrea Freeze presented a page by page declaration of the Claims Docket. Accounting Office Manager Stephanie Hanks brought invoice documentation to address any questions.

Supervisor Jessie Medlin asked about the following claims:

Page 75 & 76 - Supervisor Medlin asked Mrs. Lynchard if she had talked with the Mayor of Southaven again about their rubbish and garbage. Mrs. Lynchard affirmed. Mr. Ray Laughter stated that he had phone calls from some cities saying they have never seen rubbish as heavy as it is and they are very behind, so he expects the rubbish to be higher next month.

Page 74 – Ball field water bill. Mr. Laughter stated someone left the water on again, this time in the ladies restroom. He said he cut the water off at the meter.

Page 63 – Advertising County Resources – White plastic – Mrs. McLeod stated this was for Earth Day signs that have been collected and can be used again.

Supervisor Mark Gardner left a list with Mrs. Lynchard asking about the following claims:

Page 38 – Boy Scouts of America – Sheriff Rasco said this is for the Explorers group.

Page 39 – Collision Center – Sheriff Rasco said this is for repairs on wrecked vehicles

Page 46 – Sportsman’s Warehouse – The invoice showed this was for a bow roller for a boat. The Sheriff said that would be for Search & Rescue.

Page 49 – Erica Banks – Mrs. Lynchard said she approved this travel to a drug conference in California.

Page 63 – Kaiser & Blair – Mrs. McLeod stated this was for the Sheriff’s Department community outreach. Mrs. Freeze stated the Sheriff’s Department moved money for this purchase and it was being tracked in Accounting.

Page 83 – Waggoner Engineering – The invoice showed “various projects”. The final page will be emailed to the Board for their information.

Supervisor Bill Russell had no questions regarding the claims docket.

Supervisor Lee Caldwell asked about the following claims:

Page 12 – Smith, Phillips - \$2961.19 – Mr. Nowak stated that was on the tax claim suit and Mr. Quimby had to travel to make the County’s appeal.

Page 39 – Hexagon - \$12,600.00 – The Sheriff said this is a quarterly payment on the RSM maintenance agreement.

Page 39 – Cliff Freeman – The Sheriff said this is their polygraph person.

Page 40 – Gulf States 3 large amounts – The Sheriff said this was payment on ammo that was previously approved.

Page 41 – Comserv – The Sheriff said this was for equipment for the new vehicles.

Page 62 – MS State – Mrs. Freeze said that the Extension Service payroll runs through Accounts Payable instead of payroll now. Mrs. Lynchard said the County is paying MS State and they pay the individuals according to the new contract.

Supervisor Michael Lee asked about the following claims:

Page 7 – Southaven Kawasaki – \$1,236.42 – The Sheriff said that was a vehicle that was damaged in the tornado.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Chief Financial Officer.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>ABSENT</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

b. Inventory Dispositions – Preliminary – Sheriff’s Department - 2

Inventory Clerk Char McCool requested the inventory dispositions for cameras and vehicles on behalf of the Sheriff’s Department.

Supervisor Caldwell asked the Sheriff if he had extra vehicles to use when vehicles were out of service. The Sheriff stated they did keep some vehicles to substitute.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the inventory dispositions as presented by the Accounting Department.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District YES
 Supervisor Mark Gardner, Second District ABSENT
 Supervisor Bill Russell, Third District YES
 Supervisor Lee Caldwell, Fourth District YES
 Supervisor Michael Lee, Fifth District YES

DEPT	SHERIFF'S DEPARTMENT			NRC = NON REPAIRABLE (COST)	K = THOUSANDS			DEPT	200	
NAME:				NR = NON REPAIRABLE	H = HUNDREDS			LOC	221 / 200	
				DAS = DECLARE AS SURPLUS	D = DOLLARS					
ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C D	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION	DATE OF FINAL APPROVAL
43795	LED 32 HDTV	ME2A1350206380	Broken-will not display a picture	2014	2H	Jail				
39922	LEXMARK C543N PRINTER	9820YKD	Broken-burned up power supply	2009	4H	SID Office				
40219	KODAK DIGITAL CAMERA	KCTKT94212074	Broken-lens will not open	2010	2H	SID Office				
AUTHORIZATION TO DISPOSE						INVENTORY CLERK INFORMATION		NOTES		
SIGNED BY: <u>Kyle Hodge</u>			DATE: <u>04/08/16</u>			PRELIMINARY PRESENT TO BOS				
PRINT NAME: <u>Signature of file</u>						May 2, 2016				
DISPOSED BY: _____			DATE: _____			FINAL PRESENT TO BOS				
PRINT NAME: _____						DATE INVENTORY DISPOSED IN AS400				
INV CLERK: <u>Charmaine McCool</u>			DATE: <u>04/08/16</u>			DATE BOS FINAL MINS ATTACHED				
SIGNATURE OF FILE										

DEPT	SHERIFF'S DEPARTMENT			NRC = NON REPAIRABLE (COST)	K = THOUSANDS			DEPT #:	200		
NAME:				NR = NON REPAIRABLE	H = HUNDREDS			LOC #:	210		
				DAS = DECLARE AS SURPLUS	D = DOLLARS						
ASSET #	DESCRIPTION	NIT #	SERIAL #	ISSUE / REASON FOR DISPOSAL - VEHICLES AND/OR HEAVY EQUIPMENT - MILEAGE OR HOURS MUST BE INCLUDED	Y R A C D	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION	DATE OF FINAL APPROVAL
42857	2010 Ford Crown Vic		2FABP7BV0AX112814	DECLARE AS SURPLUS Donation to Hernando PD K9 MILEAGE: 166,089 - High Miles	13	14K	Central Maint				
42043	2009 Ford Crown Vic		2FAHP71V09X139714	DECLARE AS SURPLUS / Auction MILEAGE: 159,351 -High Miles	12	13K	Central Maint				
41711	2008 Ford Crown Vic		2FAHP71V78X169159	DECLARE AS SURPLUS / Auction MILEAGE: 175,030 -High Miles	11	13K	Central Maint				
40800	2007 Ford Crown Vic		2FAHP71W27X128090	DECLARE AS SURPLUS / Auction MILEAGE: 167,661 -High Miles	10	12K	Central Maint				
39848	2007 Ford Crown Vic		2FAHP71W77X147590	DECLARE AS SURPLUS / Auction MILEAGE: 176,745 -High Miles	9	13K	Central Maint				
41709	2008 Ford Crown Vic		2FAHP71V78X161756	DECLARE AS SURPLUS / Auction MILEAGE: 151,305 -High Miles	11	13K	Central Maint				
35755	2005 Ford F250		1FTSX21P35EB72254	DECLARE AS SURPLUS / Auction MILEAGE: 177,248 -High Miles	05	25K	Central Maint				
35006	2007 Ford Crown Vic		2FAFP71W37X126243	MVC - Totalled Accident Report Attached	07	20K	Central Maint				
AUTHORIZATION TO DISPOSE						INVENTORY CLERK INFORMATION		NOTES			
SIGNED BY: <u>Kyle Hodge</u>			DATE: <u>04/26/16</u>			PRELIMINARY PRESENT TO BOS					
PRINT NAME: <u>SIGNATURE ON FILE</u>						May 2, 2016					
DISPOSED BY: _____			DATE: _____			FINAL PRESENT TO BOS					
PRINT NAME: _____						DATE INVENTORY DISPOSED IN AS400					
INV CLERK: <u>Charmaine McCool</u>			DATE: <u>04/27/16</u>			DATE BOS FINAL MINS ATTACHED					
SIGNATURE ON FILE											

See Exhibit I.6.b.

7. Road Department

a. Finding of Fact – 12797 – 12809 Pine Needle Cove

Road Manager Andy Swims stated this is a curb and gutter subdivision; and there have never been problems there in the past. Mr. Swims showed the Board pictures of sink holes that have formed over drainage pipelines and explained that typically this type of problem is a pipe separation issue. He stated

the sink holes are between two properties and present a hazard affecting the health, safety and welfare of the public in accordance with MS Code Section 19-5-92.1. The estimated cost for this job is \$4,815.51.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to authorize the work at 12797-12809 Pine Needle Cove finding that the conditions affect health, safety and welfare of the public in accordance with MS Code Section 19-5-92.1 at a cost of \$4,815.51.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>ABSENT</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See **Exhibit I.7.a.**

b. Finding of Fact – 1651 Malone Road

Mr. Swims stated he did not know the history of this situation, but the driveway culvert ties into an under-road culvert; and the lack of drainage has caused erosion and damaged the public road. Mr. Swims has spoken with the property owner and the culvert was in place when he bought the property. Mr. Swims stated the Road Department has cleaned out the culvert many times and he feels the only solution to fix the drainage and erosion problem that has damaged the public road is to replace both culverts and not have them connecting. The estimated cost of this project is \$9,865.78.

Supervisor Michael Lee made the motion and Supervisor Bill Russell seconded the motion to repair the ongoing damage to the public road in accordance with MS Code Section 19-5-92.1, and replace both culverts so they do not connect at an estimated cost of \$9,865.78.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>ABSENT</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See **Exhibit I.7.b.**

c. Finding of Fact – 4571 Star Landing Road East at Night Hawk Drive

Mr. Swims stated that the property owner had called and complained of erosion on her property resulting from a County culvert that drains in front of her property. Mr. Swims stated the culvert extends out and has caused pretty severe erosion which could possibly lead to damage to private property, affects the health, safety and welfare of the public and threatens to damage the public road. Mr. Swims stated he told the property owner that the County could protect the culvert and erosion at the end of the culvert, but they could not fix the ditch on her property. He said the options were to cut the culvert back or stabilize the ditch where the culvert drains and put in rock to slow the water flow and try to prevent future erosion in accordance with MS Code Section 19-5-92.1. The estimated cost of this project is \$2,029.00.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to repair the erosion damage to the culvert and ditch in accordance with MS Code Section 19-5-92.1, to prevent further erosion and damage to the culvert and public road at an estimated cost of \$2,029.00

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>ABSENT</u>

Supervisor Bill Russell, Third District YES
Supervisor Lee Caldwell, Fourth District YES
Supervisor Michael Lee, Fifth District YES

See Exhibit I.7.c.

d. Highway 301 Property Transfers from MDOT

Mrs. Lynchard informed the Board that MDOT has deeded the property along Highway 301 back to the County and the Board has to make a decision on what to do with it. Supervisor Russell said it appeared that each property would need to be looked at individually. Mr. Swims stated there would only be a few with excess right-of-way property to give back. The Board asked Mr. Swims to take this matter to the Infrastructure Committee for review and bring a recommendation back to the Board.

No Board action was taken.

See Exhibit I.7.d.

e. Finding of Fact – Star Landing Rd. at Star Landing Rd. East

Mr. Swims stated that this location needs some minor things to clear off brush and small trees to clear a sight line at this curve. He informed the Board this is in the city limits of Southaven, but it is a dangerous curve and that the work needs to get done. Mr. Swims has spoken with the homeowner and he is agreeable to having the brush and small trees cleared.

Supervisor Caldwell said she had spoken with the Mayor and he said he would like to talk with Mr. Swims before the County does anything. She asked Mr. Swims to meet with the Mayor and see if Southaven was willing to do the work. Supervisor Lee said he would like the work to be done in a timely manner and asked Mr. Swims to call him today.

Later in the meeting, Mr. Swims reported he talked to Mayor Musselwhite and he agreed that the brush needed to be cut. He suggested they share the work with the County.

Mr. Swims requested the Board allow the County to cut the brush and small trees and the City of Southaven will do the clean-up. He said the cost would be less than \$1,000.00.

Sheriff Rasco stated there has been one fatality at this curve and several wrecks due to the sight lines being blocked.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to authorize the Road Department to cut the brush at Star Landing Rd. and Star Landing Rd. East to clear sight lines finding that the blocked sight lines adversely affect the health, safety and welfare of the public in accordance with MS Code Section 19-5-92.1.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District YES
Supervisor Mark Gardner, Second District YES
Supervisor Bill Russell, Third District YES
Supervisor Lee Caldwell, Fourth District YES
Supervisor Michael Lee, Fifth District YES

See Exhibit I.7.e.

8. Authorization to Research Eudora Utilities Purchase from North Mississippi Utility

Executive Director of Eudora Utilities D.W. Gilbert informed the Board that they have been working with North Mississippi Utilities for two years to make this purchase. He has been informed by George Ready, attorney for North Mississippi Utilities, that all the water lines are on the County right-of-way. In order for the sale to go through, Eudora Utilities need permission from DeSoto County to use the right-of-way. Mr. Gilbert stated the object is trying to transition from a private company to a non-profit

entity.

Supervisor Medlin asked if it was customary for utilities to use the right-of-way. Mr. Swims stated that it is; and if the road were to widen, the utility company is obligated to move their utilities.

Supervisor Russell asked if the County had a boiler plate agreement in place. Mr. Swims stated that there is a very lengthy and very detailed agreement. Supervisor Russell asked if there was one on file for every utility. Mr. Swims stated that there are some that are decades old, and he cannot say that there is one on file for every utility company that has lines run. Mr. Swims stated that he does not bring these agreements to the Board when they are requested, but he will if the Board wants to look at all of them.

Supervisor Gardner asked if the document is a ROW agreement or permit for a specific job. Mr. Swims stated it is a ROW agreement. Supervisor Gardner asked in the agreement transferred in case of a buyout. Mr. Nowak stated that many companies have a statutory right to use public ROW. Mr. Swims stated that most companies and cities abide by the agreement.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott & Nowak to work with Mr. Holland, attorney for Eudora Utilities, to get the appropriate paperwork in place to accomplish this purchase and permit Eudora Utilities the use of County road right-of-way for the location and maintenance of its utility lines.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

Supervisor Caldwell stated she appreciated the Eudora Fire Department under Mr. Gilbert's leadership. She further stated that he is trying to combine the Water Department with the Fire Department and have the Water employees be firefighters who would be on call during the day. Supervisor Gardner stated that is how Southaven Fire Department was started, and it proved to be very successful.

9. MPE Workers Comp Trust Board of Trustees Nominations

County Administrator Vanessa Lynchard stated that it is time to send in recommendations for the MPE Trust Board, and they need each person to send in their proxy or attend the meeting. Mrs. Lynchard stated that the nominees for Trustees are James Dunn of Tunica County and Bill Newsome of Sharkey County to serve four-year-terms.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the Board President to sign the proxy and send it to the MPE Workers Comp Trust Administrator.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.9.

10. IRS Compliance

Mrs. Lynchard informed the Board that the IRS is investigating counties, cities, and universities especially and they have been issuing fines from \$25,000.00 to \$50,000.00. She said that there was a lot of discussion regarding this at the County Administrators meeting, and all the County

Administrators are trying to do what is right, and some counties that have been fined are following state protocol. They have been told by the IRS that federal law overrides state law. Mrs. Lynchard told the Board that DeSoto County is looking and making sure they are in line with IRS regulations. She further stated that Mr. Nowak has found that there may be some protection for the County if a Red-Book Certified Attorney reviews the County's compliance. Mrs. Lynchard stated that Butler-Snow has someone who is certified to do that.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to authorize hiring Butler-Snow to review the County's IRS Compliance and issue a tax opinion letter.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.10.

11. Employee Badge Policy

Vanessa Lynchard County Administrator explained County employees had been issued keys and/or key fobs to enter County buildings, and it is expensive to change locks and get all new keys. Moving to keyless entry ends up being much less expensive. Vickie Richmann and John Mitchell suggested an Employee Badge Policy that they worked on. Vickie Richmann stated they were looking to have the badge worn daily and if misplaced or lost, the replacement badge would cost the employee \$5.00 each. This is the County's cost for a badge. Vanessa Lynchard suggested one replacement per calendar year at no charge to the employee. Supervisor Jessie Medlin asked if the Road Department wore badges. Andy Swims said not as a policy, but thinks it is a good idea for most. Some crews will be in the ditches and wearing a badge will not be feasible. Supervisor Mark Gardner pointed out the policy requires everyone to wear at all times.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve policy with the revision stating all employees will be issued and must carry their County ID at all times.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>NO</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>NO</u>

Supervisors Gardner & Lee stated they would like for badges to be worn at all times.

See Exhibit I.11.

12. Chancery Court Lunacy Budget

County Administrator Vanessa Lynchard informed the Board that she had gotten some good information regarding lunacy cases. She handed out information comparing numbers from 2010 to present. Mrs. Lynchard said that some filings result from remanded actions from the cities, and some judges are having the families file the writ, which they pay. When the judges send the cases to the County, the County pays the \$147 writ. Judge Lynchard has offered to meet with the city judges and justice judges about how to handle the cases. Mrs. Lynchard stated that there needs to be a budget amendment of about \$11,000.00 to cover the lunacy court fees.

Mrs. Lynchard also stated that Dr. Thompson is saving the County a lot of money. The Sheriff informed the Board that Whitfield's funding was cut by about 50% and mental health got a big cut. He stated that Region IV is helping by doing exactly what the Board asked them to do and keeping all but

the very violent cases in a Region IV facility. Sheriff Rasco also said with the cuts made by the legislature, jail stays for alcohol will probably increase from 2 weeks to a month. Mrs. Lynchard has asked Mr. Kuntz to look into money that might be available to help with counseling during those alcohol-related stays.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to move \$11,000.00 from ending cash to the Chancery Court Lunacy budget.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See **Exhibit I.12.**

13. County Administrator Conference Report

Mrs. Lynchard informed the Board that the County Administrator Conference was very informative. She stated that Phelps Dunbar did a presentation of FLSA. There will be some changes in exemptions and some positions will have to be reclassified, but DeSoto is in a better position than many other counties. Mrs. Lynchard reported that Gatsby 68 reported that with the counties' having to book PERS liability, some counties have seen effects with their local banks. She reported that there was big concern about legislative issues all over the state, and concerns with state budget cuts. Mrs. Lynchard said new PERS regulations will lessen credit for unused leave. For example, a person who would have gotten $\frac{3}{4}$ of a year would now only get 2 months.

Supervisor Gardner stated that he is concerned with the direction some of our legislators are going regarding property tax. He hopes that County officials will be able to change their mindset regarding issues affecting the budget.

14. Proposed Swap Time Policy

Vickie Richmann, Director of Human Resources, stated that this has been in the works for some time. Legally, EMS employees are allowed to swap one day for another without taking vacation time. There has not been a written policy and it is done among themselves. HR has come up with a written policy stating swap time is allowed with Director approval and paid back within the 2-week pay period. There is a minimum swap of 12 hours and max of 6 times a year. There will be a 60-day probation period for new employees before they can participate in time swap. Supervisor Mark Gardner asked how similar this policy is to the city policies. Vickie said it is very similar. Supervisor Bill Russell asked if a 24-hr. shift policy is normal. Vickie said it is the normal for this type of industry. Supervisor Bill Russell said policy says employees can work 48 hours straight. Supervisor Mark Gardner said there were some entities that have employees working 3-4 days ongoing with no time off. Supervisor Bill Russell asked if it was assumed that there would be enough rest in a 48-hr. period. Supervisor Mark Gardner said on average each shift runs about 5-6 calls per 24-hr. shift. Vickie Richmann said they have a "limit of work hours policy" that requires 12 hours off between 24-hr. shifts. Supervisor Bill Russell thinks they should have a certain number of specified rest hours within that 48 hour period. Supervisor Jessie Medlin said it was good that Josh Harper caught this.

Supervisor Mark Gardner made the motion and Supervisor Michael Lee seconded the motion to approve the proposed swap time policy.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>NO</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

Supervisor Bill Russell said he thought this policy was inclusive of the limited work hours and supported the swap time.

See Exhibit I.14.

15. Fire/EMA – Concrete for Training Facility

County Administrator Vanessa Lynchard stated in November, EMA applied for containers to make a fire training facility. They said at that time they did not have the funds for concrete pads to set the containers on. They have been trying to get the concrete donated, but have not been able to do so.

Supervisor Caldwell stated that the firefighters in the County are excited to have a local training facility.

Mrs. Lynchard stated that the County had received \$11,000.00 in revenues over what was budgeted from Grand Gulf Distribution and suggested to move the \$10,800 from Grand Gulf 001-000-292 to EMA Training Facility Improvements 001-901-936.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to move the \$10,800 from Grand Gulf 001-000-292 to EMA Training Facility Improvements 001-901-936 for concrete pads for the fire training facility.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.15.

16. Personnel Manual Re-write on Nepotism

Board Attorney Tony Nowak stated that he had reviewed the policy as requested by the Board. He stated that the question was, can relatives report to the same supervisor. Mr. Nowak suggests changing the language in the policy to read that a person cannot supervise their relative; and to say that an employee shall recuse themselves from influencing any supervisor regarding a relative employee. He also suggested the proposed definition of relative extend to the 3rd degree as listed in his proposed changes to the policy.

Supervisor Bill Russell made the motion and Supervisor Michael Lee seconded the motion to approve and adopt the personnel manual re-write on nepotism as proposed in the attached exhibit.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.16.

17. EMS – Limit of Work Hours Policy

Mallory House introduced Limited Amount of Work Policy: Policy to limit amount of time EMS employee works to protect employees and public from accidents related to fatigue. No more than 48 hours straight. Employee must have 12 hours of rest before returning to work. Supervisor Gardner explained the “ABC” shift calendar 24 on 24 off 24 on 24 off 24 on 96 off. Also stated that the 24

hours would only come into play if they swapped with another employee and the Director should be aware of how busy the shift was to not allow EMT to stay on second shift. Supervisor Bill Russell said they need a safeguard. Supervisor Mark Gardner asked to include a line that says “in case of unusually busy shift, medic has responsibility to report to Director”. Vanessa Lynchard stated that is in the policy. Mallory’s research found that many go 72 hours without being forced to take off. Vickie Richmann contacted the cities and they do not have policies in place. Supervisor Mark Gardner stated it might be good to take back to committee and look at language.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to take the proposed policy back to the committee regarding average hours worked without a break.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.17.

18. Center Hill Road Widening at Miller Station Lane

Supervisor Jessie Medlin asked that this item be removed from the agenda and go to the Infrastructure Committee first.

19. Sheriff’s Department – Furniture for CID

Sheriff Rasco requested purchasing new furniture for CID & Fugitive Patrol to put at the new Admin building. He stated that the modular furniture in CID is very old and in bad shape. The Sheriff stated he would like to take money from the insurance settlement to buy new furniture. Sheriff Rasco also stated they will be saving money by using the present dispatch furniture to replace other office furniture that needs replacing.

Sheriff Rasco presented quotes from Furniture Specialist, Inc. in Canton, MS and stated the furniture price is on state contract.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve the state contract prices from Furniture Specialist, Inc. on furniture for CID & Fugitive Patrol.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

See Exhibit I.19.

20. Discussion of Proposed Sign Ordinance

Supervisor Bill Russell stated that it was obvious Mr. Nowak had done a lot of research in preparing the sign ordinance. Mr. Nowak stated that he had looked at some cities that have had their policies challenged to get information that the courts have looked at.

Supervisor Russell stated he would like to get public comments before the committee meets regarding recommending the policy.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to set a May 16th at 1:00 p.m. as a date to receive public comments, and invite the public to attend or to email

their comments before then.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

J. PLANNING COMMISSION

1. PUBLIC HEARING – 11:00 am

Supervisor Medlin made the motion and Supervisor Caldwell seconded the motion to go into the Memphis Stone and Gravel Appeal Public Hearing advertised for this day.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

a. Appeal - Memphis Stone and Gravel – Robert Tipton

Mr. Hopkins presented the appeal by Mr. Robert Tipton of the decision of the Board of Adjustment to approve an extension of the Conditional Use to allow a gravel pit operation at 3410 Robertson Road North. He stated on March 14, 2016 the Board of Adjustment approved a request by Memphis Stone and Gravel Company to extend the time limit of a Conditional Use to allow a gravel mine operation at 3410 Robertson Road North for a period of 10 years. The approval included a condition that Memphis Stone and Gravel will come back in 18 months to give a progress report of a potential conveyor system. Mr. Hopkins stated that the gravel pit operation has been in operation since 1970. He stated at the September 17, 2015 Board of Adjustment meeting for this same operation that he and other neighbors expressed concerns about dust, noise and traffic. He then stated that Planning Staff, Supervisor Caldwell, the County Engineer and representatives from Memphis Stone and Gravel Company met at the site and Memphis Stone and Gravel addressed the concerns of the neighbors.

Supervisor Caldwell asked what was the vote for this item at the most recent Board of Adjustment meeting. Mr. Hopkins stated the Board of Adjustment unanimously voted to approve the most current Conditional Use application for a gravel mining operation at 3410 Robertson Road North.

Mr. Robert Tipton – 3031 Robertson Road North – came forward and stated he built his home in 2015. He stated his concerns are that the trucks associated with gravel pit operation prevent him and his family from enjoying their home due to the dust, noise, fumes and unsafe truck traffic. He then stated his other concerns are that the Board of Adjustment disrespected the neighbors by referring to them as “these people”. Mr. Tipton stated that he has been in this area since 1963 and that the Tipton family has been on this land for over 100 years. Mr. Tipton stated the Board of Adjustment insinuated that by building his residence recently he forfeited his right to a safe living area due to the trucks. He then stated there are alternate routes the trucks could use, such as the old route along the railroad tracks. He stated he feels and an injustice is being done to the neighbors who live along the haul route.

Supervisor Caldwell stated she has known the Tipton family for many years and they have been on the land for many generations. She stated Mr. Robert Tipton moved away from the area and recently returned and built his home. She then stated that many neighbors have written letters of support for the gravel pit operation. Supervisor Caldwell stated in the fall neighbors and representatives of Memphis Stone and Gravel Company met and Memphis Stone and Gravel addressed the concerns of the neighbors. She stated the alternative haul route mentioned by Mr. Tipton by the railroad tracks was closed when the railroad bridge was replaced.

Mr. Hal Williford – President of Memphis Stone and Gravel Company – came forward and stated his company has been on this site for approximately 50 years and have always tried to be good neighbors. He stated Memphis Stone and Gravel Company has helped neighbors by providing sand and gravel when they have been able to. He then stated that they even helped Mr. Tipton when he was building his new home.

Mr. Williford stated the operation is intermittent and only operates approximately 8 days a month and about 6-7 months a year on average. He stated his company recently began a sand operation across the railroad tracks in the City of Southaven and is working with the Railroad Company to put a conveyor system across the railroad tracks to haul the gravel to that site. He stated this process will take about 2 years to complete. He went on to state that even with the conveyor there will still be a need for some trucks for the stickier products as well as a need for trucks for the next two years until able to use the conveyor.

Supervisor Gardner asked if the route to the north would be more populated. Mr. Williford stated the route to the north would be more populated.

There was a discussion of how the conveyor system works.

Supervisor Gardner stated Mr. Tipton sent a letter to the Board of Supervisors asking for an apology for saying "these people" and then stated this concern should be addressed by the Board of Adjustment.

Supervisor Caldwell made the Motion to approve the application for a gravel mining operation, as presented, for a period of 10 years after giving consideration of the recommendation of the planning department, the Board of Adjustment, the comments received for the applicant and the public, the documents presented, her knowledge of the neighborhood, the location of the property and the impact to the neighborhood, and finding that the use in character of the neighborhood, is not in conflict with the Comprehensive Plan, will not create excessive noise, traffic congestion, adversely affect general welfare of the County, nor will it overtax the County's facilities, and upon giving consideration to all the factors in relation to an application for Conditional Use, the County will benefit from the proposed use and the surrounding area will not be adversely affected. Supervisor Russell seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

Supervisor Medlin made the motion and Supervisor Gardner seconded the motion to close Public Hearing advertised for this day.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

2. Final Subdivision

- a. **Lee Rd. Subdivision (7046) - Application is for Final subdivision approval of twenty three (23) lots on 61.5 acre(s) identified as Parcel(s) #3-06-1-12-00-0-00000-01 and #3-06-1-12-00-0-00000-00. Subject property is located on the west side of Lee Rd. and south of Byhalia Rd. in Section 12, Township 3, Range 6 and is zoned Agricultural (A). (District 1) Applicant: EBI, Inc.**

Supervisor Caldwell recused herself from this item.

Mr. Hopkins presented the Lee Road Subdivision application for final subdivision of twenty three lots on 61.5 acres. He stated Mr. J. L. Lauderdale was present to represent the application.

Supervisor Medlin asked if bicycle lanes are included in this subdivision. Mr. Lauderdale confirmed that the streets in this subdivision are 29 feet wide which includes two 12 foot driving lanes and one 5 foot walking/bicycle lane.

Supervisor Medlin asked what the 50 foot wide easement on the plat is for. Mr. Lauderdale stated it is right of way for a future road on a section line.

Mr. Lauderdale stated the plan presented is substantially the same as the preliminary plat previously approved.

Supervisor Medlin asked if the applicant has gotten the detention worked out with the County Engineer. Mr. Lauderdale stated he feels like they have gotten it worked out.

Supervisor Medlin asked if there was anyone to speak for or against this item. There was no one present.

Supervisor Medlin made a Motion and Supervisor Lee seconded the Motion to approve Lee Road Subdivision for final subdivision approval of 23 lots on 61.5 acres to include a 5 foot marked bicycle lane, restrictive covenants (as presented or where there specific ones discussed?), and subject to approval by the County Engineer and the Fire Marshall's office.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES

FOURTH DISTRICT SUPERVISOR, LEE CALDWELL
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE

ABSENT
YES

There was discussion concerning side loading garages. The Board stated they would like to see side loading garages in this development.

- b. Ranch Meadows Phase 4, Section "G" (7047) - Application is for final subdivision approval of 53 lots on 36.20 acres. Subject property is located on the north side of Goodman Road and east of Poplar Corner Road, in Section 25, Township 1, Range 9 and is zoned Planned Unit Development. (District 3) Applicant: B&J Land Company**

Mr. Hopkins presented the application for Ranch Meadows Section Phase 4 for final subdivision approval of 53 lots on 36.20 acres. He stated the final plat substantially conforms to the preliminary plat. Mr. Robbie Jones was present to represent the application.

Supervisor Gardner asked who the applicants were for this application. Mr. Jones stated the applicants are Bob Cannon and Jerry Chambliss.

Mr. Robbie Jones came forward and stated the plans were developed in 2006 by Mr. Dan Brown. He stated the project is approximately 80% complete as far as roads being built, gas lines, water lines and curbs being installed.

Supervisor Caldwell asked what are the main roads accessing the new phase. Mr. Jones stated Anna May Drive is the main road accessing this phase. Supervisor Russell stated a construction road will be built out on to DeSoto Road to the north of this phase.

Supervisor Caldwell asked how large the lots are in this phase. Mr. Jones stated the lots are 10,000 sqf. Supervisor Russell asked what the minimum square footage of the homes will be. Mr. Jones stated the minimum of the homes are 1800 sqf. Mr. Hopkins stated the Planning Commission stipulated the home sizes must conform to the home sizes in the existing phases. He stated that Planning Commission also stipulated that the detention area be screened. Supervisor Gardner stated it looks like the home sizes range from 1500 to 2300 sqf in the existing phases. Supervisor Russell stated he feels a minimum house size should be 1600 sqf for this phase. Supervisor Caldwell asked was there agreement with the Planning Commission for 1800 sqf. Mr. Hopkins stated the Planning Commission stated the homes need to be in line with the other homes in the existing phases.

Supervisor Caldwell asked who owns the drainage areas in this phase. Supervisor Russell stated it is owned by the developer right now, but will be improved and then turned back over to the Homeowners Association.

Supervisor Russell stated there was an agreement between the original developer and Mr. McMaster, a neighbor that he would be allowed to access the sewer in the development and that a fence would be installed. Mr. Jones stated the new developers have a MOU with Mr. McMasters addressing these things.

Supervisor Russell made a Motion and Supervisor Caldwell seconded the Motion to approve Ranch Meadows Section Phase 4 for final subdivision approval of 53 lots on 36.20 acres subject to the following conditions:

- An MOU with Mr. McMasters and the developer, for Mr. McMasters to access the sewer system and for a fence to be built shall be executed and made a part of the record
- Compliance of the MOU with Mr. McMasters
- The new phase will be a part of the existing homeowners association, dues will be collected by the builder at time of closing the sale of lots and turned over to the homeowners association
- The construction drive will be on to DeSoto Road
- The walking trail that substantially conforms to the current walking trail will be completed once 50% of the homes are finished in this phase
- The minimum house size shall be 1600 sqf
- There will be a sign up on the road from DeSoto Road that reads "Construction Traffic Only"

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

3. Minor Lot

- a. Dogwood Hill Minor – Application is for minor lot subdivision for 5 lots on 27.73 acres Identified as Parcel #3-07-1-02-00-0-00023-00. Subject property is located on the south side of Byhalia Road and east of Malone Road in Section 2, Township 3, Range 7**

Mr. Hopkins presented the Dogwood Hill Minor Lot.

Supervisor Lee made the motion and Supervisor Caldwell seconded the motion to approve the Dogwood Will Minor Lot.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

4. Other

a. Scrivener’s Error – Haven Minor

Mr. Hopkins presented the correction of a Scrivener’s Error on the plat of Haven Minor Lot, 2nd Revision, Section D, Section 23, Township 2, Range 6 in Book 118 pages 15-16. The numbering of the lots are incorrect; there are duplicate lot numbers. The correct lot numbers should be:

- Lot 1 should be Lot 2
- Lot 2 should be Lot 4
- Lot 3 should be Lot 5
- Lot 4 should be Lot 6

Supervisor Gardner made the motion and Supervisor Caldwell seconded the motion to approve the correction of a Scrivener’s Error on the plat of Haven Minor Lot, 2nd Revision, Section D, Section 23, Township 2, Range 6 in Book 118 pages 15-16. The numbering of the lots are incorrect; there are duplicate lot numbers. The correct lot numbers should be:

- Lot 1 should be Lot 2
- Lot 2 should be Lot 4
- Lot 3 should be Lot 5
- Lot 4 should be Lot 6

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

b. Design Variance Waiver – Mixon’s Kitchen

Mr. Hopkins stated Danny and Judith Mixon have been in the Planning office working with Planning and Building staff to obtain a building permit. He then stated the Mixon’s are requesting a waiver of the sidewalk requirement, paved parking and landscaping.

Supervisor Gardner asked what is staff’s recommendation concerning the gravel parking lot. Mr. Hopkins stated staff is in favor of the gravel parking.

Supervisor Caldwell stated she is concerned with there being no landscaping requirements. Mr. Cardosi stated this request is due to the proximity to Holly Springs Road and Hwy 305 there could not be a 15 foot buffer. He then stated the applicants have worked with staff on alternatives to the required landscaping plan.

Mr. Danny Mixen came forward and stated the community is excited that he is trying to open a restaurant in the area.

Supervisor Medlin asked if there will be any landscaping. Mr. Mixen stated his wife will dress up the building with planters on the porch and the side of the building. Supervisor Gardner asked how to work the landscape waiver. Mr. Nowak stated the Board could waive all requirements or specify what will be waived or required such as the number of bushes on the side of the building, etc.

Supervisor Lee asked where the drive through window will be located. Mr. Mixen stated it will be located on the north side of the building.

Supervisor Lee made a Motion and Supervisor Gardner seconded the Motion to approve the waiver of asphalt parking lot and require gravel or stone similar to the adjoin parking lot, a waiver of the requirement of sidewalks and the applicants are to work with Planning Staff on a minimal landscape plan.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

H5. CMPDD

Mr. Hopkins received the proposed contract for the Zoning Ordinance update from CMPDD on April 29, 2016. Ms. Lynchard stated she wants to make sure it meets the Boards expectations. Supervisor Russell asked what Ms. Lynchard what are her concerns about the contract. Ms. Lynchard stated under the scope of services it sounds more like a reorganization of the current ordinance and she thought the Board was expecting more of a rewrite of the ordinance. She then suggested appointing a committee and having a conference call with CMPDD about the scope of services and the Board’s expectations. Supervisor Russell suggested having CMPDD come to a meeting and discuss what will be involved. Mr. Hopkins stated Planning staff will be heavily involved in the process and will work with CMPDD on the project.

Mr. Hopkins stated he is waiting on a call back from CMPDD as to whether phone calls will be billed as one of the 4 meetings included in the contract. He then explained that one goal is to try and incorporate the corridor sectors from the I-269 Corridor study in the ordinance. Mr. Hopkins stated the definitions need to be rewritten and clarified.

There was discussion as to whether staff could rewrite the ordinance in house.

Supervisor Gardner made a Motion and Supervisor Caldwell seconded the Motion to table this item until further study of the contract can be completed.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

K. EXECUTIVE SESSION

The executive session portion of these minutes is recorded under the portion of the minutes called “Executive Session”.

ADDENDUM:

Mr. Nowak informed the Board that ViktorHall had requested the Board authorize their final payment. Supervisor Gardner stated that there are two local vendors that he is aware of who are awaiting payment from ViktorHall. Mr. Nowak stated that a part of the close-out documents include lien agreements.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to settle the payment to ViktorHall contingent upon the architect and Facilities Director Robert Jarmon’s approval of the final close-out documents.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to recess the Board meeting until May 16, 2016, at 9:00 a.m.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

THIS the 2nd day of May, 2016, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Jessie Medlin, President
DeSoto County Board of Supervisors