

**DESOTO COUNTY BOARD OF SUPERVISORS**  
**BOARD MEETING MINUTES**  
**DISTRICT FOUR LEE CALDWELL, PRESIDING**

**April 21, 2014**

**A. CALL TO ORDER**

The April 21, 2014 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Lee Caldwell, 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 Participated by phone
Supervisor Lee Caldwell	District 4
Supervisor Harvey Lee	District 5
Sheriff Bill Rasco	Sheriff
W. E. Sluggo Davis	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

**B. INVOCATION**

Tina Tatum presented the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. CITIZENS REMARKS & PRESENTATIONS**

**1. Resolution of Appreciation for the Horn Lake and Olive Branch Girls Basketball Teams**

Supervisor Lee Caldwell introduced the Lady Eagles from Horn Lake High School. They placed first in the state and they are a tremendous group of young people. Supervisor Caldwell said there are five division 6A girls basketball schools in DeSoto County out of 32 division 6A girls basketball schools in the state. Supervisor Caldwell introduced Coach Janna Thompson and her staff of Horn Lake High School. She said that Coach Lyons expects a lot from the students.

Coach Lyons thanked the Board of Supervisors for the recognition and said it is well deserved for these students. She said that four of the students have a 4.0 gpa. Coach Lyons said everyone on the team are task masters and like challenges. This team is one of the hardest working groups she has ever had. The students have to be very well rounded in all areas including academics.

Supervisor Bill Russell said he graduated from Horn Lake High School and told the students he is extremely proud of how far the school and the athletic program have come.

Supervisor Russell told the students that he attended almost all of their games and they always conducted themselves as ladies. It made him very proud of Horn Lake High School and the Lady Eagles. He told the students that their coach has been inducted into the Horn Lake Hall of Fame and he is so proud of her as well.

Supervisor Russell said Horn Lake played Olive Branch five times and then the two teams played each other in the playoffs in Jackson.

Supervisor Russell thanked the students for their hard work on and off of the gym floor and

congratulated them.

Later in the meeting, the Olive Branch Lady Conquistadors appeared before the Board for the Resolution of Appreciation.

Supervisor Caldwell said the Lady Conquistadors are second in the state and expressed how proud the Board is of their accomplishment. She introduced Coach Blake Jones of Olive Branch.

Supervisor Russell said he attended a lot of the Olive Branch games too and he was very proud of their work and accomplishment.

Supervisor Jessie Medlin said when he played baseball at Olive Branch High School they were called the Eagles, like Horn Lake. Supervisor Medlin said he is very proud of their accomplishments on and off of the court.

Supervisor Mark Gardner said Coach Jones has instilled competitiveness into the students and he is proud of all of them.

Coach Jones thanked the Board of Supervisors for recognizing the ball teams. He said he wanted the students to know that every decision the Board makes affects them in some way. Coach Jones said he knows that the Board makes a lot of weighted decisions for DeSoto County and he appreciated that. He said he grew up in Booneville and it is an honor to be in DeSoto County and to teach in the DeSoto County Schools. He said it helps when tax season comes because he knows his taxes are going for a good cause in this county. Coach Jones said he wanted his students to understand that everything this Board does affects these girls and our county schools. He thanked the Board for the resolution of appreciation for the ball teams.

Supervisor Lee Caldwell read the Resolution of Appreciation for the Horn Lake Lady Eagles and the Olive Branch Lady Conquistadors as follows:

#### *RESOLUTION OF APPRECIATION*

*The DeSoto County Board of Supervisors appreciates the dedication and hard work of Horn Lake High School's Lady Eagles and Olive Branch High School's Lady Conquistadors, whose hard work resulted in the right to play in the MHSAA Girls Class 6A championship basketball game in Jackson, Mississippi on March 15, 2014. The 2014 season came down to a game between the two best teams in the state, and both were from DeSoto County!*

*This impressive accomplishment was the result of countless hours of work for both Coach Janna Thompson of Horn Lake High School and Coach Blake Jones of Olive Branch High School, their staffs and their teams. To play in such a high ranking game formalizes the accomplishments earned each day by both teams throughout the season. A State Championship game is a great public display to honor the hard work and dedication of each team. The DeSoto County Board of Supervisors is deeply honored to have both teams showcase the integrity and talent that exists in our county to the entire State of Mississippi. Both teams are examples to be emulated. This great accomplishment brought honor and respect to each team and to DeSoto County.*

*However, the greatest lesson to be learned from the 2014 State Champion Horn Lake High School Lady Eagles and the runner up Olive Branch High School Lady Conquistadors and their coaches comes from the hard work and many hours of practice that were spent to position the team to accomplish the aforementioned honors. Such work is to be commended. This high honor was not accomplished in one school year, but is the culmination of a lifetime of work, training, commitment, and character both on and off the basketball court. It is our hope that each member of the teams—team members and coaches--will take that work ethic to every aspect of their life and that others will be inspired by the story of the 2014 State Champion Girls 6A Horn Lake Lady Eagles and the runner up Olive Branch Lady Conquistadors basketball teams.*

*The DeSoto County Board of Supervisors thanks you for your contributions to the history of DeSoto County.*

\_\_\_\_\_  
Supervisor Jessie L. Medlin, District 1

\_\_\_\_\_  
Supervisor Mark Gardner, District 2

\_\_\_\_\_  
Supervisor Bill Russell, District 3

\_\_\_\_\_  
Supervisor Lee Caldwell, District 4- President

\_\_\_\_\_  
Supervisor Harvey Lee, District 5

**See Exhibit D.1**

**2. Proclamation for National Day of Prayer – May 1, 2014**

Tina Tatum said there will be a gathering at the city hall locations at noon. Ms. Tatum said there will be another gathering at 6:00 p.m. at the Hernando Courthouse Square in spirit of unity to support our government leaders, military, churches, families, media and all government. There will be a gathering at Horn Lake High School at 7:15 p.m. Ms. Tatum said she believes that prayer brings unity in decision making.

Supervisor Lee Caldwell thanked Ms. Tatum and read the following Proclamation for National Day of Prayer – May 1, 2014:

DESOTO COUNTY, MISSISSIPPI  
PROCLAMATION  
NATIONAL DAY OF PRAYER

*WHEREAS, the national Day of Prayer is a tradition first proclaimed by the Continental Congress in 1775 and it is eminently fitting and proper that this day be observed as a period when all may express gratitude to God for freedoms we enjoy and also to pray that this country and its people will continue to be blessed and made stronger in our moral values; and*

*WHEREAS, leaders of our nation have relied upon the power of prayer throughout American history; and*

*WHEREAS, this year’s National Day of Prayer theme is “One Voice United in Prayer.” and*

*WHEREAS, we are at a time in our nation’s history when the power of prayer is needed more than ever and it is appropriate that we acknowledge God as sovereign and call upon Him in prayer; and*

*WHEREAS, by the unanimous action of both Houses of the United States Congress, the President signed a Bill establishing the first Thursday of May as the National Day of Prayer; and*

*WHEREAS, this year marks the 63<sup>rd</sup> consecutive annual National Day of Prayer celebrated throughout the nation.*

*NOW, THEREFORE, we, the DeSoto County Board of Supervisors, do hereby proclaim May 1, 2014, as:*

NATIONAL DAY OF PRAYER

*In DeSoto County, Mississippi and call this observance to the attention of all of our citizens.*

*In Witness whereof we have here into set our hand and caused this seal to be affixed this First day of May, 2014.*

\_\_\_\_\_  
Lee Caldwell, President  
DeSoto County Board of Supervisors

**See Exhibit D.2**

**E. Approval of Agenda: Additions and Deletions**

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

**1. Supervisor Jessie Medlin requested adding the Maxwell Building Parking Lot in Olive Branch.**

Supervisor Jessie Medlin said the Board discussed this project in the last Board meeting. Supervisor Medlin said the County owns the library and part of the property. He said he met with the Mayor of Olive Branch, Scott Phillips and Alderman David Wallace. Supervisor Medlin said they want to keep the street that goes all the way through to the Senior Citizens Building owned by the city and the Tax Collector’s office owned by the county. He said they want to emphasize that this is a through street into the mind of the public. Now, it stays congested all day. He showed changes to make it more of a two lane street with markings etc.

Supervisor Medlin said the parking spaces would increase from 88 to 106. He said the Board of Alderman approved to proceed with it last Tuesday night. The estimated cost is \$100,000 for the city

and not to exceed \$100,000 for the county.

Supervisor Mark Gardner told Road Manager Andy Swims that MDOT is ready to do road work. He said there are three points of interest and clearly defined roadway and the additional parking spaces need to be repainted.

Supervisor Medlin said he does not remember the year, but previously \$75,000 was already approved for the project but no work ever took place.

Supervisor Medlin said he and Facilities Management Director Tony Martin have been to the area several times and he thinks this new plan will provide a very good circulation pattern through the area.

Supervisor Medlin asked Board Attorney Tony Nowak if road millage and contingency money could be used for the street. He said he really did not like using contingency money and asked if another fund could be used. Mr. Nowak said road funds could be used for the road construction but felt contingency money would have to be used for the parking lot. Mr. Nowak stated he would look into it to be sure.

Mr. Swims said he could pay for the road from the road fund.

Supervisor Lee Caldwell said this is not budgeted and will have to come from ending cash.

Supervisor Medlin said it is not safe to pull in and out of the street. He said there are several fender benders every week.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to allow Board Attorney Tony Nowak to continue to work with Olive Branch on the necessary memorandum of understanding for the project; adopt the design as presented; to fund up to \$100,000 coming from the appropriate accounts including the road fund, facilities management and the remainder of funds coming from the contingency fund.

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> Participated by phone
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

## **2. Board Attorney Tony Nowak requested adding the following items under old business:**

### **a. Fairhaven Fire Department**

Board Attorney Tony Nowak said the new FEMA maps show that the Fairhaven Fire Department is in a floodplain. Mr. Nowak outlined what needs to be done if the County pulls a permit to expand the Fire Department prior to May 5, 2014, and what needs to be done if the permit is pulled after May 5.

Planning Director Ted Garrod said the rule changes on May 5<sup>th</sup> and said you cannot build in areas prone to flooding. Therefore, on May 5<sup>th</sup>, the Fire Station becomes non-conforming and it is classified as a critical business. The Fire Station does conform to the flood ordinance of that day. Mr. Garrod suggested using fill could substantially remove the property from the floodplain. Mr. Garrod said it could be possible to do a Letter Of Map Revision-F (LOMR-F) and it would remove the property from the floodplain.

Road Manager Andy Swims said that is why he was looking so closely at the cell tower behind the Fire Station. Mr. Swims said there is an elevation certificate on the cell tower. When it was finished a surveyed showed the elevation of 4.8 feet above the 500 year floodplain. Mr. Swims said there is a possibility that the road is slightly lower than the flood level. He said it could ultimately be high enough already to take it out of the 500 year floodplain.

Supervisor Bill Russell asked Mr. Swims if they checked the road and building.

Mr. Swims said just the floor of the building. He said a few years ago, he and Scott Young looked at it and the road was just slightly lower than the building.

Supervisor Russell asked if the road and building both have to be above the floodplain. Mr. Swims said as far as he knows, there has been no flooding on the road.

Supervisor Medlin asked if the road and building have to be brought up above the 500 year flood the level. He also asked the difference in this building and a residence.

Mr. Garrod said there are a lot of rules. The Fire Station is a critical building. People may have to come there during a disaster such as a tornado, flood or any other type of disaster. People cannot be sent to a building that is prone to flooding. He said it could have come as a result of Katrina

Mr. Garrod said MEMA and FEMA have approved this ordinance at this time. He said there needs to be a building permit by May 5, 2014; and six months later, there needs to be substantial construction.

Supervisor Medlin asked if this is the same for a home. Mr. Garrod said there are differing standards for residential buildings, commercial buildings and critical buildings.

Mr. Nowak confirmed that if the permit is pulled prior to May 5<sup>th</sup> the construction can be in accordance with the current regulations, provided that substantial construction is completed within six months. He said there is a caveat; if 50% of the value of the building is damaged after May 5 in order to restore the building the entire building will have to be brought above the 500 year floodplain including, as would the road. Mr. Nowak also discussed the regulations regarding portable buildings. If the building is truly road ready with wheels; it is treated as a recreational vehicle. If it is a building on blocks, it is treated like a building and has to comply with the standards for buildings. Mr. Nowak then reviewed the process of flood-proofing a critical facility. Mr. Nowak said there is a provision about applying a variance but that is primarily limited to historical buildings.

Supervisor Mark Gardner asked if we know the elevation of the schools. Mr. Swims and Supervisor Medlin discussed the area at the school. Mr. Swims said it is fairly flat but does have a nice rise. He said water has not gone over Centerhill; if it has gone over the road, it did not last very long. Supervisor Medlin said there has been some flooding on the road but he thinks it was caused by a pipe.

Supervisor Medlin asked how long it would take to get the survey. Mr. Swims said it should not take them long to do the survey.

Supervisor Medlin asked if the architect has the plans and if the project is ready to bid. County Administrator Vanessa Lynchard said the architect has drawn up the plans but changes need to be made to conform to the floodplain requirements.

Supervisor Medlin asked if we could build back if something happens since the property is in the floodplain. Mr. Nowak said yes but if 50% of the value of the building is destroyed the whole building would have to comply with the new regulations and be elevated above the 500 year floodplain, or be flood proofed. He said that MEMA has advised him flood insurance may increase on the property whether or not the building is expanded.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to authorize Road Manager Andy Swims to work with an engineering firm at a cost up to \$2,000; to survey the elevation of the property; authorize pulling the permit for the Fairhaven Fire Department expansion; to approve waiving the permit fees; authorize County Administrator Vanessa Lynchard to get with the Fire Chief to work on the plans and to have them check into insurance costs if the building remains in the flood zone; and to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to work on the LOMAR-F and related matters.

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> Participated by phone
Supervisor Lee Caldwell, Fourth District	<u>YES</u>

Supervisor Harvey Lee, Fifth District YES

Supervisor Medlin asked Mr. Swims if he could get a quote and if he thought it would be more than \$2,000. Mr. Swims said he thought it would be about \$2,000 but did not know for sure.

Supervisor Bill Russell asked Mr. Swims if he could use his engineer’s license on this project. Mr. Swims recommended using an engineering firm who will have the appropriate equipment for this project.

**b. Starlanding Bridge Replacement**

Board Attorney Tony Nowak said there may need to be right of way acquired on the Starlanding Road Bridge in Lake Cormorant and State Aid Engineer Tracy Huffman would like to work with Mr. Nowak.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve hiring the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to work with State Aid Engineer Tracy Huffman on right of way acquisition relating to the Starlanding Road Bridge in Lake Cormorant.

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> Participated by phone
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**3. County Administrator Vanessa Lynchard requested adding the following items:**

**a. Bike Trails Program**

County Administrator Vanessa Lynchard said that recently she was invited to a meeting at Mayor Scott Phillips office to discuss the proposed bike trail on the Bridgforth, Funderburk and Whitten properties. Ms. Lynchard said that Larry Jarrett, Ray Laughter, Peggy Linton and Will McNeer were also in attendance. She said a group of people, including Chris Whitten, want the county to lease property for a bike trail. It is only bicycles without motors and a trail that would be open to the public. Olive Branch requires asphalt with curbs and public restrooms. The property owners want the county to pay \$3,750 per year for five years for the lease of the property. Ms. Lynchard said the city is not pushing for this but the Recreation Committee brought it to the city and county. She said Olive Branch wants to pave the road because they require others to pave their roads.

Supervisor Bill Russell said he has no problem with the \$3,750 but he would like for Olive Branch to do the parking lot.

Supervisor Lee Caldwell suggested tabling the matter until a study can be done and brought to the Board of Supervisors.

Supervisor Russell said he wants them to bring the plans as well.

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded to table the matter of bike trails in Olive Branch until they can study further and the City of Olive Branch can bring their plans to the Board.

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> Participated by phone
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**b. Add documents to item H.2 to the Humana Plan document approval**

Rex Haynes and Sarah Edmiston with SouthGroup appeared before the Board of Supervisors to present the General Liability Insurance report from Travelers Insurance. Mr. Haynes referred to the Travelers summary detail and said that last year this time, the amount was \$904,349 compared to this year's amount of \$863,705. Mr. Haynes said they received a good proposal from MAS and they worked with them but it was still higher.

Mr. Haynes noted the amount of \$101,310,722 on page 2. He said this is for property based on appraisals for last year for replacement costs. He said the property values were higher in addition to three buildings that the county purchased and added to the policy. The renewal is based on higher property values.

Mr. Haynes said they continue to work with Tony and Reby in Facilities Management to fine tune the records; they also work with training the Jailers; and work with the Road Department. They conduct safety training for the county including Animal Control, Sheriff's Department, Road Department and other types of training for various departments. This type of training helps to reduce liability and lower premiums.

Mr. Haynes said there are always a number of changes with vehicles, but the premium is lower than last year.

Supervisor Jessie Medlin confirmed that we pay \$10,000 for Gallagher's services. Mr. Haynes said that is correct.

Supervisor Medlin said there are very good people on the insurance committee and we meet frequently with Mr. Haynes and his people. He said right now claims are down because of training. A few years ago no one wanted to even give us a quote. Supervisor Medlin said the committee does a good job and he has learned a lot and he recommended staying with SouthGroup.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve accepting the General Liability Insurance through Travelers as presented by SouthGroup.

Chancery Clerk Sluggo Davis asked if he is covered by insurance if someone in his department makes an error collecting delinquent taxes. Mr. Haynes said yes, he is covered.

Sheriff Bill Rasco said since he has been in office he has worked hard to get the Sheriff's Department accredited. He asked if that helped on insurance. Mr. Haynes said yes; and the County invested in the new jail makes a big difference. He said the management of the new jail, administrative training at the jail and every application they fill out, shows they are certified. The Sheriff has done a good job of bringing this jail up to certification in all areas.

Supervisor Lee Caldwell said she hears how the Sheriff took the bull by the horns and trained and made things better.

The Sheriff thanked the Board of Supervisors for their help too.

Mr. Haynes said it is the entire facility and not just the training.

Supervisor Caldwell said it is an attribute to all departments and she appreciates the training being made available.

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> Participated by phone
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit E.3.b**

**c. New Business: Approval to apply for CDBG Grant to complete the building for DHS Offices Grant and to increase the local match**

County Administrator Vanessa Lynchard said that last year the county applied for a grant to complete the DHS building to accommodate the increase in the number of employees. The grant was \$150,000 and it was to be used when Facilities Management moved out. Ms. Lynchard said that Grant Writer Melissa Zizmann pulled the grant and it is for \$350,000 instead of \$150,000. Ms. Lynchard recommended reapplying for the grant and use architect, Marvin Johnson. She said it would be a 50/50 matching grant.

Ms. Zizmann explained the points system with this grant. Essentially you have to apply for more than 100% of matching funds against the requested funding to get any additional points; 1-100% equates to 50 points.

Supervisor Jessie Medlin said DHS should work out the space issues without relying totally on the county.

Ms. Lynchard said there are two options:

- 1) County Facilities Management can do a lot of the work but a lot of it will have to be contracted out. It will cost the county to take resources away from Facilities Management daily work in the county.
- 2) Last year grants were awarded to those written individually by North Delta Planning and Development and said the Board should take that into consideration.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded to approve reapplying for the CDBG Public Facilities Grant benefitting DHS to expand office space to accommodate the increase in the number of employees in the grant amount not to exceed \$277,931.00; the Board agreed to provide matching funds not to exceed \$160,000.

The motion passed by a vote as follows:

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

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded to approve reapplying for the CDBG Public Facilities Grant benefitting DHS to expand office space to accommodate the increase in the number of employees in the grant amount not to exceed \$277,931.00; the Board agreed to provide matching funds not to exceed \$150,000 allowing a total of 60 matching points and authorize the Board President to sign the documents.

The motion passed by a vote as follows:

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

Mr. Haynes said the Health Fair and Cookout will be held Friday, June 16<sup>th</sup> at the Administration Building.

Mr. Haynes said the Annual Safety Fish Fry will be held on May 9th at the Road Department.  
**See Exhibit E.3.c**

**d. Executive Session: Personnel – EMS.** This item was later determined to qualify for executive session.

Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to approve

the Agenda with the additions 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> Participated by phone
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**F. CONSENT AGENDA**

The Board of Supervisors considered the following items on the meeting’s Consent Agenda.

**1. Office of Finance & Accounting**

**a. Budget Amendments**

**b. Approval for Interfund Loan**

From: General County Fund	001-000-054	\$100,000.00
To: State Aid Fund	170-000-149	\$100,000.00

**c. Approval for Payment to Animal Control Officer, John Phelps for Training Costs**

John Phelps, animal control officer, is scheduled to go to training in Kansas City, Missouri for a NACA class from April 20<sup>th</sup> through April 25<sup>th</sup>. The lodging cost for five nights is \$535.80 and the maximum meal costs for six days will be \$306.00.

**2. Contracts Administration**

**a. Sheriff’s Dept.: Automatic Renewal Agreement of DeSoto County, MS, DeSoto County Sheriff’s Dept., Tunica County, MS and Tunica County Sheriff’s Dept. for Air Support and Search & Rescue**

**b. Adult Drug Court: Automatic Renewal for one year – Laboratory Drug Testing**

**3. Establish as Part of the Formal Record and Enter into the Board’s Minutes**

**a. Order of the Board of Supervisors Approving and Adopting the Ordinance Establishing Rules and Regulations Regarding Activities within County Parks; Prohibiting Certain Activities in County Parks; Establishing Requirements Related to Vehicles and Traffic within Parks and Providing for Enforcement and Penalties**

**b. Resolution of Board of Supervisors Requesting Local and Private Legislation to Contribute Funds to the DeSoto County Economic Development Council, Inc.**

**4. Road Department**

**a. Safety Report**

**b. Request for Maintenance of School Bus Turnarounds**

- 1) **14239 Holly Springs Road:** Bus # 435 Owner: Robert Mabry
- 2) **7280 Kileton Lane:** Bus # 138/375 Owner: Mary Owens
- 3) **4732 Holly Springs Road:** Bus # 386/032 Owner: Marie Berry
- 33289 Hunter Road N.:** Bus # 005 Owner: Leslea Brant

**c. Addition to Make Official DeSoto County Road Map & Register and to Make Part of the Board Minutes**

<u>Addition</u>	<u>Location</u>	<u>Length</u>	<u>Width</u>
_____		9	04/21/2014
L.C.			

Marshall Farms Dr. Austin Road to end 1,150 feet 24 feet

**5. EMS: Billing Report**

Desoto County  
EMS BILLING REPORT

March 2014

Number of ambulance runs billed: 142  
Amount billed: \$48,101.00  
Amount collected: \$26,476.60  
Un-collectable amount: \$641.56  
Collection rate: 55%

	Eudora	Lewisburg	Walls
Dispatched Calls:	85	95	74
Refusals:	26	19	19
Standby Only:	9	9	11
Billed:	43	59	41
Other:	7	9	3

(unable to locate patient, treated and transferred, treated and released, no treatment required, no patient found, dead at scene, cancelled and unknown)

February 2014

Number of ambulance runs billed: 137  
Amount billed: \$47,308.00  
Amount collected: \$41,619.98  
Write off amount: \$1,571.58  
Collection rate: 90%

**6. Constable Annual Financial Report – a. Brandon D. Hylander b. Chris Plumlee**

**7. Annual Financial Report for Retired Circuit Clerk**

**8. Chancery Court Clerk – Received payment to the County for excess revenues on April 14, 2014 for calendar year 2013 in the amount of \$249,963.70**

**9. Chancery Clerk Allowance (2) - \$1916.66 \$1,500.00**

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve the actions set forth in Consent Agenda.

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> Participated by phone
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit F**

**G. OLD BUSINESS**

**1. Hernando DeSoto Park – Hours of Operation**

Parks and Greenways Coordinator Larry Jarrett said that the Board of Supervisors adopted the ordinance for rules and regulations for the parks. He said they have had committee meetings regarding concerns at the Hernando DeSoto Park. Mr. Jarrett said they would like to see a resolution for a permit to enter the park after hours for this park only. There would be no charge for the permit for hunting and fishing after hours and the permit could be obtained online. Also, an annual permit is available.

Board Attorney Tony Nowak said this resolution needs to be made effective May 1, 2014 because that is when the ordinance goes into effect.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to approve a resolution closing the Hernando DeSoto Park after designated hours, but allowing access upon obtaining an afterhours permit, and to approve the permit application form and process, with the application of the park closing hours to be effective from and after May 1, 2014.

The motion passed by a vote as follows:

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

Supervisor Bill Russell said he appreciated the hard work that has gone into the parks. He said he was at the park yesterday with three other families and six more came through the park. Supervisor Russell said he knows how busy the Road Department is right now but the grass needs to be cut at the park.

Road Manager Andy Swims said the Road Department would cut the grass and hang the signs.

Supervisor Russell thanked Mr. Swims and everyone for the work on this park.

### **See Exhibit G.1**

## **2. Advertising County Resources Policy**

Supervisor Lee Caldwell said there have been a few meetings regarding the policy for advertising county resources. She said the policy is a good policy but needs to be tweaked in some areas.

Supervisor Bill Russell said after talking to the Board, he was pretty happy with the policy but it does need to be tweaked in a few areas; Ms. Lynchard has the list.

Ms. Lynchard referred to item number 8 on page 4 and the youth programs on page 2. She said they would grandfather exceptions to the policy for the following:

- Economic Development Council
- Earth Day
- Arkabutla Physically Challenged Hunt
- Senior Expo
- MAS Magazine – one advertisement annually

Supervisor Bill Russell said he would like for Ms. Lynchard to look at the guidelines and the different organizations and recommend what they qualify for.

Supervisor Mark Gardner said there was good feedback in the emails he received. He said he appreciates the time that has been spent on this.

Supervisor Jessie Medlin asked if the older organizations would be grandfathered in. It would be good to continue some of them. Supervisor Gardner said that would be good and have budgetary limits.

Supervisor Russell said the Board still has to vote on all of them including the ones that are grandfathered in.

Supervisor Lee Caldwell said she would like to discuss the I-69 Coalition another time. The Board briefly discussed how funding for this has been handled in the past. Ms. Lynchard said they wanted to research to see how it was done in the past.

Supervisor Russell asked Ms. Lynchard if she would notify the ones that have been funded in the past but will not be funded in the future; such as events etc. that held by the municipalities.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve renewing the existing Advertising County Resources Policy but to grandfather in the exceptions made

for 1) Economic Development Council 2) Earth Day 3) Arkabutla Physically Challenged Hunt 4) Senior Expo 5) MAS Magazine, one advertisement annually; hold the determination on the I-69 Coalition to a later date; and to consider individually other requests that come before the Board of Supervisors while adhering to the Advertising County Resources 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>YES</u> Participated by phone
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit G.2**

### **3. Animal Control Ordinance**

Director of Administrative Services Pat McLeod said Monica Mock, Frank Rainey, Supervisor Bill Russell and Supervisor Mark Gardner worked on revisions to the Animal Control Ordinance. She said clarifications were made and it is now easier to read. Ms. McLeod said, in addition, this ordinance allows an Animal Control Officer to be deputized as a special deputy and, thereafter, enforce this ordinance. They can write a citation and also seize dogs.

Board Attorney Tony Nowak said the Board would need to advertise for a public hearing and suggested the date as May 19.

Supervisor Jessie Medlin clarified that this is basically the same ordinance; but gives more authority through the court system. Mr. Nowak said yes; and the language is more in laymen's terms, and the Animal Control Officers can be deputized.

Supervisor Mark Gardner thanked Frank Rainey, Monica Mock, Pat McLeod and also Chief Macon Moore who was at the committee meeting. Chief Moore was the liaison to the Sheriff.

Supervisor Gardner said the Animal Control Officers can now be deputized. That means they will not have to wait on a deputy nor disrupt one to come to the scene.

Ms. McLeod stressed that the Animal Control Officers need to be authorized, trained and be qualified through the Sheriff's Department if it is a job requirement.

Mr. Nowak said the Sheriff's Department will need to establish written documentation and details of Animal Control Officer training and their scope of authority.

Supervisor Gardner made the motion and Supervisor Bill Russell seconded the motion to approve setting a Public Hearing on May 19, 2014 at 10:00 a.m. to consider the Animal Control Ordinance.

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> Participated by phone
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit G.3**

Supervisor Bill Russell said he would like to see the ordinance posted on the web site now.

### **4. Enforcement: PUBLIC HEARING**

**Carried over from January 21, 2014 Board of Supervisors meeting**

**2819 Woodland Lake Rd Hernando, MS 38632 Parcel# 3 09 4 18 03 0 Lot #00056 00**

**Mississippi Code Section 19-5-105 Litter Ordinance Violation Hearing**

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to approve opening the Public Hearing regarding an ordinance violation at 2819 Woodland Lake Rd Hernando, MS 38632 Parcel# 3 09 4 18 03 0 Lot #00056 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> Participated by phone
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

Supervisor Lee Caldwell we have been dealing with this property for several years. There are several members of the homeowners association in attendance today. The person seeking to buy this property will have to go to court to purchase the property.

A member of the homeowners association said there is no opposition; this has been going on for eight years.

Environmental Services Manager Ray Laughter said Enforcement Officer Craig Howell has been keeping in contact and everyone is ready to resolve this situation as soon as possible. The interested owner has to go to court to clear up title issues.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin made the motion to extend the Public Hearing to July 21, 2014.

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> Participated by phone
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to approve closing 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> Participated by phone
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**Exhibit G.4**

**H. NEW BUSINESS**

**1. State Aid Program Approval – Ingram Mills Road Bridge Replacement**

State Aid Engineer Tracy Huffman said this bridge has one of the lowest sufficiency ratings in the county and is recommended for replacement.

Harvey Lee said he has looked at this bridge and Mr. Huffman is correct; it is in need of replacement. Supervisor Mark Gardner asked if the current load limit is posted and is it correct. Mr. Huffman said the current posting is correct and the signage is okay.

Supervisor Jessie Medlin asked about how long it would take to build the bridge. Mr. Huffman said it would take about four months.

Supervisor Gardner asked if it was a bridge or a culvert. Mr. Huffman said it is a bridge.

Supervisor Gardner asked if it would be built the same width. Mr. Huffman said it will probably be a little wider.

Supervisor Gardner asked how much right of way would be needed. Mr. Huffman said he did not know yet.

Supervisor Medlin said he was asking how long it would take to replace because a lot of farmers come through that area and cross that bridge. It will affect them.

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve accepting the recommendation from the State Aid Engineer for the Ingrams Mill Road Bridge Replacement (BR#63) – Sufficiency Rating + 58.2 which is scheduled for replacement; and to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to work on right of way acquisitions.

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> Participated by phone
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit H.1**

**2. Dept. of Human Resources: Humana Banking Agreement & Funding Request**

Human Resources Director Janna Rogers said these documents were discussed in the insurance committee and there is one change that they are recommending. She said the version of the banking agreement is for 2013 and the money is a different amount for 2014. Ms. Rogers said the amount for 2014 is as follows:

Claims Payment Account:	\$ 37,900.00
Total Deposit:	\$118,200.00

Ms. Rogers said this is the county account and it is our money to pay claims. It is the county’s escrow account.

Ms. Lynchard said it allows the county to electronically pay claims.

Supervisor Jessie Medlin confirmed that this money comes out of the insurance fund. Ms. Rogers said yes.

Supervisor Mark Gardner asked when the deadline is to approve the documents. Ms. Rogers said it is very convoluted. Certain documents precede other documents and some are viewed by Tony Nowak. She said there is not a definitive date but the timeline is to get it processed as soon as possible.

Supervisor Gardner said it is a lot of information to read and process and the Board did not receive these exhibits prior to the meeting.

Ms. Rogers recommended voting on the banking document today.

Ms. Lynchard said that Ms. Rogers reads all of these documents and it is good for the Board to read as well. It does require a lot of time.

Supervisor Jessie Medlin said some of it began on March 3<sup>rd</sup>.

Ms. Lynchard said that Ms. Rogers received the documents late Thursday.

Supervisor Medlin asked if a budget amended is needed. Ms. Rogers said no; it comes from the 501 account.

Ms. Lynchard asked Ms. Rogers when she got the documents. Ms. Rogers said Mr. Nowak completed them last week; Ms. Rogers said she had to make more changes after the insurance committee met. She said she would forward electronically to the Board so they would have time to review when presented at the Board meetings. She said she got two more last week: PMA and Stop Loss Agreement.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the funding and banking agreement with Humana to pay claims electronically.

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> Participated by phone
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.2

**3. Office of Finance and Accounting**

**a. Inventory Dispositions – Preliminary: Sheriff’s Dept. Declare as Surplus Donation to Board of Education**

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve declaring as surplus and to sell to the Board of Education at a nominal sum, the following:

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE
40809	FORD 2007 CV	FAHP71W37X12810	DECLARE AS SURPLUS / DONATION	10	13K	SO CENTRAL MAINTENANCE	04/21/14
			<i>MILEAGE: 156719</i>				

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>RECUSED</u>
Supervisor Bill Russell, Third District	<u>YES</u> Participated by phone
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.3.a

**b. Supplemental Claims Docket**

Chief Financial Officer Tom Arnold presented the claims docket to the Board of Supervisors. Mr. Arnold read the items on the claims docket individually and the Board discussed these items.

Supervisor Lee Caldwell asked about the following claims:

Page 9 - City of Hernando, \$4,327.68. Chief Financial Officer Tom Arnold said that is for utilities at the detention center.

Page 9 – Entergy, does this include the new EMA Facility. Mr. Arnold said the EMA line item on this page is for the old EMA building. The new EMA facility is listed on page 10.

Supervisor Caldwell asked if the propane is for ACI. Facilities Management Director Tony Martin said that Amerigas comes every other week and tops off the tank instead of waiting until it runs out.

Page 10 – Joe Moore in the amount of \$1,650. Mr. Arnold said this is payment for stripping and waxing the floors at DHS. County Administrator Vanessa Lynchard said that can be turned in to the state for reimbursement.

Page 39 – Tractor Supply for dog food for the dogs in EMS. Mr. Arnold said the handlers are also paid out of this fund in addition to dog expenses. He said that Josh Harper is one of the handlers. All of the dogs are housed at Director Story’s house.

Page 56 – Supervisor Caldwell said she thought they were paying utilities at Robertson Donald Park. Mr. Arnold said bills are sent but they are not doing the reimbursement. Ray Laughter is following up on this. Mr. Laughter said they have not received reimbursement.

Supervisor Jessie Medlin asked about the following claims:

Page 12 - Southern Pipe & Supply. Supervisor Medlin asked if it had to do with the chillers. Mr. Martin said no; it has to do with adult housing at the old jail.

Page 18 – Hunter Paper. Mr. Arnold said this is for various office supplies for Judge Wilson’s office.

Page 19 – Garner & Garner Law Firm. Mr. Arnold said this is for Special Master. When Melinda Meacham is out of town, Mr. Garner fills in. The fee is \$37.50 for a writ and \$100 for a lunacy case.

Page 48 – Extension Service. Mr. Arnold said this is the county portion of retirement costs for Extension Service employees.

Supervisor Lee Caldwell asked about the claim on page 56 for the ball field at 3300 Old Hwy 61 in Walls. Mr. Laughter said they go inside during inclement weather and use the small electric heaters. Mr. Laughter said they are supposed to be reimbursing the county for the utility bills. He said the fee of \$91.98 is for the second light.

Supervisor Harvey Lee asked about the following claims:

Page 58 – Safety Quip for Porta Potties at firing range. Mr. Arnold explained that the trailers are up front and the porta potties are in the back where the firing range is. He said it is a long distance to the building so they need porta potties.

Page 49 – Ask First Bail Bonds. Mr. Arnold said a defendant was caught within the one year period so a reimbursement was due.

Page 62 – Lowe’s Home Improvement Center. Mr. Arnold said it was for a table saw, plastic pipe and boards for repairs.

Supervisor Mark Gardner asked about the following claims:

Page 12 – Southern Pipe, \$3,633.00. Mr. Arnold said this is for work at the old jail.

Page 18 – Hunter Paper. Supervisor Gardner said he has never seen this before and asked if we changed suppliers. Ms. Lynchard said we do allow other vendors to provide certain supplies.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner 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>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u> Participated by phone

Supervisor Lee Caldwell, Fourth District  
Supervisor Harvey Lee, Fifth District

YES  
YES

#### 4. Road Department

##### a. Request to Pay for Commercial Driver's Licenses for Employees

Road Manager Andy Swims said the Road Department needs some flexibility in keeping the county running when drivers are off of work, on vacation or on another project. He said some employees are hired to drive and have their own commercial license. Mr. Swims said other employees already have a commercial license and they can drive for the county as well. He said this is a job requirement in some positions and in others it is not a requirement but comes in handy when we need it. Mr. Swims said he and Stan Rochelle talked about it and it would not be a big expense for the county to pay for commercial licenses.

Mr. Swims said that he asked Board Attorney Tony Nowak about paying for the licenses. Mr. Nowak told them it would be legal as long as the license is primary to the county and secondary to the individual. Mr. Swims said it costs \$41 to apply for the commercial license; it cost \$44 every four to renew the license which equates to \$11 per person per year. He said it is less than \$500 per year for 40 employees.

Mr. Rochelle said he has had to shut down crews to use the driver. He said these employees work for the county and the county is using their license.

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve the county paying for commercial licenses for drivers having found holding a license is a necessary component of the job and the license primarily benefits the county and secondarily benefits the individual.

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> Participated by phone
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

Environmental Services Manager Ray Laughter asked if this would be county-wide. Supervisor Lee Caldwell said it is for the Road Department at this time.

##### b. Finding of Fact

###### 1) 564 White Goose Cove

Road Manager Andy Swims said the county replaced a culvert about two years ago when a garage was being flooded and now the homeowner next door claims change in water flow is damaging her property and their property is now staying wet. Mr. Swims said he would like to trench out 150 feet to keep water contained once it leaves the site.

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to accept the finding of fact and that the conditions at 564 White Goose Cove are adversely affecting the health, safety and welfare of the citizens of DeSoto County in accordance with Mississippi code section 19-5-92; and in order to settle a dispute claim, that the Road Department create a ditch outside the right of way to keep water from spreading out and that the repairs will help prevent future flooding and to authorize the Road Manager to proceed with the work at an estimated cost of \$121.00; and to require the property owner to sign a release to allow the county to go onto their property and to release the county from any future claims.

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> Participated by phone
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit H.4.b.1**

**2) 6779 White Hawk Lane**

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to accept the finding of fact and that the conditions at 6779 White Hawk Lane, Olive Branch, Braybourne Subdivision; that sinkholes are forming in the backyard associated with the storm drain; which is adversely affecting the health, safety and welfare of the citizens of DeSoto County in accordance with Mississippi code section 19-5-92; that to repair the holes would resolve the situation at an estimated cost of \$3,627.17 and to authorize the Road Manager to proceed with the work.

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> Participated by phone
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit H.4.b.2**

**3) Fogg Road-Austin Road**

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to accept the finding of fact and that the flooding conditions at Fogg Road-Austin Road are causing a home to flood as well as the road that the poor drainage is adversely affecting the health, safety and welfare of the citizens of DeSoto County in accordance with Mississippi code section 19-5-92; that it would be necessary to clean out the ditch that runs parallel to Fogg Road to resolve the situation at an estimated cost of 7,948.00 and to authorize the Road Manager to proceed with the work.

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> Participated by phone
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit H.4.b.3**

**4) 14200 Swafford Lane**

Supervisor Jessie Medlin said he thought the subdivision had been taken in. Mr. Swims said that is correct and we pulled the bond on the subdivision.

Supervisor Medlin asked if all of the streets have been repaired. Mr. Swims said yes. Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to accept the finding of fact that the conditions at 14200 Swafford Lane, Olive Branch, in Chappel Creek Estates Subdivision where a hole has occurred at a catch basin are adversely affecting the health, safety and welfare of the citizens of DeSoto County in accordance with Mississippi code section 19-5-92; that it would be necessary to repair the holes to resolve the situation at an estimated cost of \$3,784.10 and to authorize the Road Manager to proceed with the work.

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  
Supervisor Lee Caldwell, Fourth District  
Supervisor Harvey Lee, Fifth District

YES Participated by phone  
YES  
YES

**See Exhibit H.4.b.4**

## **5. County Administrator**

### **a. Centerhill Fire Station**

This item was heard under Additions, item number E.2.a Fairhaven Fire Department.

### **b. Approval to Award the Jail Rebid**

Architect Mike Childress with Evans, Taylor, Foster and Childress Architects, appeared before the Board of Supervisors regarding the award for the jail construction rebid. He said five companies showed interest but one, Olympus, did not return the packet. Mr. Childress read the bids as follows:

<b>Organization</b>	<b>Phone</b>	<b>Fax</b>	<b>Bid Price</b>
Murphy & Sons, Inc.	(662) 393-3130	(901)393-8111	\$8,383,600
<del>Olympus Construction, Inc.</del>	(870)932-6670	(870)932-9856	\$
Smith-Doyle Contractors, Inc.	(901)213-3993	(901)213-3994	\$8,795,000
W.G. Yates & Sons Construction Co.	(901)761-0010	(901)761-0087	\$9,070,000
Zellner Construction Services, LLC	(901)794-1100	(901)794-9141	\$8,558,000

Mr. Childress said the reports and reviews were good and everything was in order for Murphy & Sons. He said they recommended Murphy & Sons to the Jail Committee last week as the lowest and best bid for the jail expansion.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to award the contract for the new jail expansion construction, as set forth in the specifications, to Murphy & Sons, Inc. finding, after consideration of the bids submitted, the recommendation of the architect and jail committee, and all matters and discussions presented, that Murphy & Sons, Inc. to be the lowest and best bid at \$8,383,600.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District ABSENT  
Supervisor Mark Gardner, Second District YES  
Supervisor Bill Russell, Third District YES Participated by phone  
Supervisor Lee Caldwell, Fourth District YES  
Supervisor Harvey Lee, Fifth District YES

**See Exhibit H.5.b**

### **c. Approval to Bid the Sheriff's Administration Building**

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to approve advertising for, using the previously approved specification, for the renovation on the Sheriff's administration building.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District ABSENT  
Supervisor Mark Gardner, Second District YES  
Supervisor Bill Russell, Third District YES Participated by phone  
Supervisor Lee Caldwell, Fourth District YES  
Supervisor Harvey Lee, Fifth District YES

## **I. PLANNING COMMISSION AGENDA**

### **DESOTO COUNTY BOARD OF SUPERVISORS**

## ORDER OF ITEMS

April 21, 2014

11:00 a.m.

### 1. NEW BUSINESS

#### 1. CONSENT

- a. **Marchand Minor Lot (6928) – Application is for final subdivision approval of one (1) lot of 1.5 acres identified as Parcel #2-07-9-29-00-0-00001-00. Subject property is located on the west side of Tchoulahoma Road and south of Lester Road in Section 29, Township 2, Range 7 and is zoned Agricultural-Residential (A-R). (District 5)**

Mr. Haysley presented the Consent Agenda.

Supervisor Lee made a Motion to approve the Consent Agenda item. Supervisor Caldwell seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

#### 2. MINOR LOT

- a. **Tennial Minor Lot (6926) – Application is for final subdivision approval of one (1) lot of 2.89 acres, one (1) lot of 2.00 acres and one (1) lot of 1.51 acres identified as Parcel #2-07-4-19-00-0-00009-07 and Parcel #2-07-4-19-00-0-00009-00. Subject property is located on the north side of Bankston Road and east of Sidewinder Road in Section 19, Township 2, Range 7 and is zoned Agricultural-Residential (A-R). (District 5)**

Mr. Haysley stated the applicant has asked to withdraw this application at this time to make a change to a lot line.

#### 3. FINAL SUBDIVISION

- a. **Villages at Hawks Crossing, Phase 2A (6921) – Application is for approval of final subdivision of 32 lots on 17.98 acres of property, identified as Parcels #2-06-9-32-00-0-00012-03 and 2-06-9-29-00-0-00018-01. Subject property is located on the east side of Craft Rd. and north of Byhalia Rd. in Section 32, 02, 06 and Section 29, Township 2, Range 6 and is zoned PUD. (District 5)**
- b. **Villages at Hawks Crossing, Phase 2B (6922) – Application is for approval of final subdivision of 26 lots on 15.78 acres of property, identified as Parcels #2-06-9-32-00-0-00012-03 and 2-06-9-29-00-0-00018-01. Subject property is located on the east side of Craft Rd. and north of Byhalia Rd. in Section 32, 02, 06 and Section 29, Township 2, Range 6 and is zoned PUD. (District 5)**

Mr. Haysley presented the applications for Villages at Hawks Crossing, Phases 2A and 2B for final subdivision of a total of 58 lots on 33.76 acres. He stated the Planning Commission recommended approval of both phases.

Supervisor Medlin asked how large the lots are. Mr. Haysley stated the lots range in size from 15,000-30,000 sq.

Bob Gann came forward to represent the applications and stated construction began on the development in 2007 but with the economy was never finished, and now there is a new buyer for this phase.

Supervisor Lee made a Motion to approve the applications for Villages at Hawks Crossing, Phases 2A and 2B. Supervisor Gardner seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

There was discussion of the need for a traffic light and crosswalk when development starts in these phases.

- c. **The Retreat at Center Hill (formerly Center Hill Heights) (6927) - Application is for approval of final subdivision of 54 lots 33.84 acres of property, identified as Parcel #1-05-8-28-00-0-00037-03. Subject property is located on the north side of Highway 302 and east of Center Hill Road in Section 28, Township 1, Range 5 and is zoned R-20. (District 1)**

Mr. Haysley presented the application for The Retreat at Center Hill and stated the Planning Commission approval of this item.

Supervisor Medlin asked what the minimum house size will be for this development. Mr. Hendry Porter, the representative for this item, stated the minimum house size would be 2000 sq.

Supervisor Gardner asked if the lots were 20,000 sq. Mr. Haysley confirmed they are 20,000 sqf lots.

Supervisor Medlin asked if there will be Sidewalks. Mr. Porter confirmed that there will be sidewalks.

Supervisor Medlin made a Motion to approve the applications for The Retreat at Center Hill with the stipulation that the Covenants be the same as the covenants that were approved with the original final approval of this development known as Magnolia Commons. Supervisor Lee seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

4. **OTHER ITEMS**

- a. **Refund Request – Robert Simpson, 11423 High Rd. Permit #2014-00169 for Covered Patio, \$65.00.**

Mr. Haysley presented the refund request by Robert Simpson for a building permit fee of \$65.00.

Supervisor Lee made a Motion to approve the refund request by Robert Simpson for a building permit fee of \$65.00. Supervisor Gardner seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

**b. Building Permit Report**

Mr. Haysley presented the building permit reports for March 2014.

**J. EXECUTIVE SESSION**

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

Supervisor Jessie Medlin made the motion to adjourn the Board meeting until May 5, 2014 at 9:00 a.m. The motion was seconded by Supervisor Mark Gardner.

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> Participated by phone
Supervisor Lee Caldwell, Fourth District	<u>ABSENT</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

THIS the 21<sup>st</sup> day of April, 2014, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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Lee Caldwell, President  
DeSoto County Board of Supervisors