

**DESOTO COUNTY BOARD OF SUPERVISORS**

**BOARD MEETING MINUTES**

**DISTRICT FOUR LEE CALDWELL, PRESIDING**

**April 7, 2014**

**A. CALL TO ORDER**

The April 7, 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
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**

Sheriff Bill Rasco presented the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. APPROVAL OF MARCH MINUTES**

The Board of Supervisors considered the minutes for March as presented.

The official minutes of the Board of Supervisors were read for the month of March 2014.

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to accept the minutes of the Board of Supervisors for March, 2014, as presented this date with changes to the draft minutes previously submitted; pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated.

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 Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit D**

**E. CITIZEN REMARKS & PRESENTATIONS**

Supervisor Lee Caldwell asked if there was anyone present in the audience who wished to address the Board regarding an item not on the Agenda.

County Administrator Vanessa Lynchard requested to remove item E.1 from agenda due to the conflicting schedules of the basketball teams and their appearance will be rescheduled.

**1. Proclamation for the Horn Lake and Olive Branch Girls Basketball Teams**

**F. APPROVAL OF AGENDA: ADDITIONS & DELETIONS**

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

1. Supervisor Bill Russell requested adding discussion of the letter they received regarding the elections for 2014.

The Board would like County Administrator Vanessa Lynchard to summarize the letter and put the summary in both papers, reminding voters about ID card and important voting dates.

Supervisor Caldwell asked to have the information added to Website and Facebook, published in a press release now and an advertisement later.

Supervisor Russell made the motion and Supervisor Gardner seconded the motion to summarize the 2014 Election calendar and post in newspapers, website and Facebook.

The motion passed by 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 Harvey Lee, Fifth District	<u>YES</u>

2. Supervisor Bill Russell requested adding discussion on the New Ordinance for School Residency.

Board Attorney Tony Nowak said he wasn't ready to discuss new ordinance today. Tony advised that when the ordinance was ready a Public Hearing would be set. This item was not added April 7<sup>th</sup> Agenda

3. Board Attorney Tony Nowak requested adding the Agreement with the City of Hernando regarding Soccer Field Road construction.

Board Attorney Tony Nowak said that the agreement provides that each entity pays half of the overall project. The County will build the road up to the ditch on the west side and the county will use their manpower. Hernando will build the road on the east side, and the city will get all the right of ways. Each side of ditch will be about the same amount of cost for the work.

Later in the meeting this topic was discussed again. Andy Swims stated the estimate on the western side of the ditch was \$170,000, and Mr. Stockton said the city's cost for the east side would be \$175,000 if not more. Mr. Swims said the city had the shorter road to build but because the city had to cross the creek, it could be more expensive.

Supervisor Jessie Medlin asked if it would be more cost efficient if one entity paved the road and the other entity reimbursed them. Road Manager Andy Swims said this was a good idea and that the road would be ready to pave by the end of summer.

Mr. Nowak said the City generally cannot work on roads outside the city. There is not a dollar amount for the split cost on the project in the Memorandum of Understanding (MOU). Rather, the split is in through the splitting of the work.

Supervisor Harvey Lee motioned and Supervisor Mark Gardner seconded the motion to approve the MOU as presented by the Board Attorney.

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 Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit F.3**

4. Supervisor Mark Gardner requested adding discussion of the Comcast Franchise agreement.

Supervisor Mark Gardner said that he would like for the County to have a public hearing about the level of service that Comcast provides. He said that he receives a lot of complaints and that we give Comcast the authority to operate here in this county. The old franchise has expired. Supervisor Gardner would like to create a committee.

Supervisor Russell said he does not want the public to think that he is in control of what Comcast does. He also noted that the County has similar agreements with other operators.

Supervisor Gardner asked the Board Attorney if their firm has expertise on the Federal Communication Act 94 and its precedence.

Board Attorney Tony Nowak said his firm is reviewing the new proposed franchise agreement and applicable law. He also noted that the discussions of this franchise agreement are important in that every franchise has best provisions clause. Thus, this could impact the future C-Spire franchise agreement the County will be negotiating.

County Administrator Vanessa Lynchard asked what would happen if Comcast would not schedule a meeting. Supervisor Mark Gardner said several times per year Comcast would give us a check and he feels that we are missing an opportunity if we don't have this discussion with Comcast.

Ms. Lynchard said that Comcast said that we are protected under a particular agreement but she is unsure that we are protected.

Tony Nowak said the proposed agreement still calls for 5% of gross revenue, but the definition of gross revenue has changed.

Ms. Lynchard is concerned we will not be getting the same amount of money since the definition of gross revenue has changed.

Supervisor Gardner said there should be 6 separate franchises in the county with Comcast. He suggests a night time meeting in the court room.

Ms. Lynchard stated that there was \$300,000 in our budget and we have collected \$164,000 this year.

Supervisor Gardner suggested having the first meeting with Comcast and then decide how to proceed.

No vote taken on this item.

5. Supervisor Mark Gardner requested adding item for discussion on constable annual reports.

Supervisor Gardner asked what the deadline was for Constable's reports and if all has been submitted.

County Administrator Vanessa Lynchard said the deadline is April 15, and they are responsible to file with the State. She said that with the addition of Mr. Hodges report today that the Board has seen four out of the five reports, and that leaves Brandon Highlander's

report. She said that the administrative office has contacted or left messages for each constable to make them aware of the deadline.

6. Chancery Clerk Sluggo Davis requested adding item for discussion on the upcoming holidays. Board discussed changing the holiday from Confederate Memorial Day to Good Friday. Vanessa told the board they had some discussion in past meetings but board never took a vote. They asked for an employee survey to be done. The survey showed majority of employees wanted Good Friday off. It was asked if people could still come in and purchase tags on Confederate Memorial Day. Vanessa said they could but if something happened to the system our tax office would not be able to get in touch with anyone in Jackson.

Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to have Good Friday as a holiday, April 18<sup>th</sup>, and not Confederate Memorial Day.

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

7. County Road Manager Andy Swims requested adding an item to executive session, for Personnel Road Department.
8. Supervisor Jessie Medlin requested adding an item discussion on the Maxwell parking lot in Olive Branch.  
Road Manager Andy Swims came before Board to discuss the Maxwell parking lot in Olive Branch. He said that Hwy 305 is being made into a 5 lane road with a sidewalk. Supervisor Mark Gardner asked if we are losing parking area. Mr. Swims said that we are actually trying to gain more parking. Each curb opening has to be spaced 125 feet apart. Supervisor Mark Gardner asked if the city of Olive Branch is going to split the cost. Mr. Swims said yes. Mr. Swims said they are allowing us to keep 3 curb cuts. Supervisor Mark Gardner asked about the cost and Mr. Swims said it was estimated to be \$100,000 and that he will have to find the money in his budget.

Later in the meeting this item was discussed again. Road Manager, Andy Swims said that MDOT is moving fast and we probably don't have till the next board meeting to make a decision.

Supervisor Jessie Medlin motioned and Supervisor Harvey Lee seconded the motion to approve the curb cuts as discussed, build a road through the grassy area including paving and striping the road at a cost of \$15,000 for the county's portion of funding; and the City of Olive Branch paying their portion.

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 Harvey Lee, Fifth District	<u>YES</u>

9. Sheriff Bill Rasco requested adding an item for discussion regarding the Fallen Officers Memorial scheduled for May 2, 2014 at 10 a.m.

Sheriff Bill Rasco asked Board Attorney Tony Nowak if the traffic on Highway 51 could be diverted during the Fallen Officers Memorial Service. Supervisor Jessie Medline suggested working with MDOT and the city of Hernando on this issue. Supervisor Mark Gardner said they could just have a detour for this short period of time.

10. Supervisor Lee Caldwell requested adding an item for discussion regarding the National Day of Prayer scheduled for May 1, 2014 at 6:00 p.m.

Supervisor Lee Caldwell stated that at noon, May 1<sup>st</sup>, all the cities in Desoto County would have a day of prayer ceremony. The county will have National Day of Prayer at 6:00 PM .

11. Supervisor Lee Caldwell requested adding an item for discussion on the Earth Day on the Square scheduled for April 26, 2014 starting at 10 a.m. to 2 p.m.

Supervisor Caldwell said that the County would have a shredder at the Courthouse for citizens who would like the shred their private documents during this time frame.

12. Supervisor Lee Caldwell requested an adding item for discussion regarding the Nail Road Interchange.

Supervisor Lee Caldwell said she had spoken with Mike Tagert at MDOT regarding the Nail Road interchange. She said that the Federal Highways Association may not approve the interchange at Nail Road. She stated that a hydrology study has to be done first and that Tracy Huffman will have to put together a scope of work. Supervisor Caldwell stated that she would like to submit the scope of work to MDOT and try to get a cost figure. Supervisor Caldwell said it may be feasible and that the door has not been shut on the project.

Supervisor Gardner asked if the hydrology study was specific to this area. Supervisor Caldwell responded yes.

Supervisor Gardner said he would like to pursue a hydrologic study county wide and Supervisor Caldwell agreed. Supervisor Mark Gardner said that he would like to see the big picture and have more proactive approach to storm water runoff than what we are doing currently and the Transportation Committee needs to talk with Road Manager Andy Swims about the master plan for roads that flood.

Supervisor Russell asked whether the Nail Road interchange scope of work was for an overpass or for an exit. Supervisor Caldwell said it is for both and the Transportation Committee would make recommendations of overall plans.

Supervisor Lee Caldwell motioned and Supervisor Jessie Medlin seconded the motion to approve submitting a scope of work to MDOT for the purposes to get a cost figure on an exit and overpass at Nail Road and I-55.

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 Harvey Lee, Fifth District	<u>YES</u>

Supervisor Bill Russell asked whether there was an interchange on I69 for McIngvale. Supervisor Lee Caldwell said that Melinda with MDOT said they are planning an interchange for McIngvale. Supervisor Jessie Medlin said when he looked at the plans with Ted Garrod that a McIngvale Road interchange was not on the MDOT plans.

13. Director of Administrative Services requested adding the item, Annual Constable Report for Lee Hodges, to the consent agenda.

14. County Administrator Vanessa requested adding the following items:

**New Business - adding two items.**

- a. Procurement – Policy That Reproductions or Copy of Original Records Shall be Deemed to be the Original Records for All Purposes  
Purchase Clerk, Pat McLeod brought before the board a recommendation that the Procurement Department’s records be scanned and kept digitally instead of on hardcopy.

This would cut down on time and paper usage. The same software that the HR department used for their scanning needs could be used in the Procurement Department. MS CODE 19-5-3 states that the reproductions or copies of original records can be deemed to be the original records once the Board of Supervisors approves.

Supervisor Lee Caldwell motioned and Supervisor Jessie Medlin seconded the motion that reproductions or copies of original records in the Procurement Department would be deemed to be the original records for all purposes.

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 Harvey Lee, Fifth District	<u>YES</u>

- b. Item I.8.c – Environmental Services: Recycling Conference Payroll  
Payroll was added to this item and was discussed under Item I.8.c.

**Executive Session - adding four items.**

1. Personnel – Emergency Services
2. Property Acquisition – Solid Waste/Environmental Services
3. Property Acquisition – Jail
4. Industrial Prospect – Olive Branch

**Delete two items from Consent**

**Budget Amendments**

EMS

Environmental Services/Solid Waste

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to approve the Agenda with the additions and deletions set forth above, and as detailed in exhibits.

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 Harvey Lee, Fifth District	<u>YES</u>

**G. CONSENT AGENDA**

The Board of Supervisors considered the following items on the meeting's Consent Agenda. Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to approve the Consent Agenda items as follows:

**1. Dept. of Human Resources: Monthly Health Claims**

The following is a recap of all insurance claims funded for the month of March and paid to Humana:

<b>Funding Request</b>	<b>Date Paid</b>	<b>Amount</b>	<b>Claim Type</b>
<b>Date</b>			
3/1/14	3/3/14	\$84,786.77	Administration Fees
3/3/14	3/4/14	\$34,172.94	Medical
3/3/14	3/4/14	\$7,240.95	Dental
3/3/14	3/4/14	\$16,415.25	Pharmacy
3/10/14	3/12/14	\$58,280.27	Medical
3/10/14	3/12/14	\$1,376.80	Dental
3/10/14	3/12/14	\$17,525.22	Pharmacy
3/17/14	3/19/14	\$101,148.45	Medical
3/17/14	3/19/14	\$6,214.05	Dental
3/17/14	3/19/14	\$15,063.62	Pharmacy
3/24/14	3/24/14	\$88,124.18	Medical
3/24/14	3/24/14	\$5,741.60	Dental
3/24/14	3/24/14	\$15,519.52	Pharmacy

**2. Justice Court Report- March 2014**

Criminal Cases Filed 154  
 Civil Cases Filed 764  
 Traffic Tickets Filed 1,300  
 Total Cases Filed 2,218  
 State Assessments \$93,674.25  
 County General Fund \$140,107.63  
 Total Collections \$233,781.88

**Bailiff Pay**

Liz Medlin \$380.00  
 Bobby Holloway \$340.00  
 Brandon Hylander \$300.00  
 Chris Plumlee \$ 55.00

**3. Publication of Board Proceedings**

**4. Office of Finance & Accounting**

**a. Budget Amendments**

**b. Quarterly Budget Allocations**

**April 7, 2014**

**QUARTERLY BUDGET ALLOCATIONS  
 For Quarter Ending June 30, 2014**

**TAX ASSESSOR:**

**Department 103.....\$330,996.08**

**TAX COLLECTOR:**

**Department 104.....\$331,429.75**

**SHERIFF:**

**Department 200 (Sheriff Administration).....\$ 263,323.00**

Department 201 (Aviation).....\$ 70,082.25  
 Department 202 (Patrol/Law Enforcement).....\$ 2,724,402.58  
 Department 214 (Highway Safety Grant).....\$ 45,168.50  
 Department 215 (Occupant Protection Grant)...\$ 6,000.00  
 Department 220 (Custody of Prisoners).....\$ 1,139,738.58  
 Department 222 (Prisoners' Medical Expense) \$ 348,925.00  
 Department 223 (Juvenile Detention).....\$ 272,326.75  
 TOTAL..... \$4,869,966.66

**c. Request for Transfer of Sheriff Seized Funds**

The following seized funds listed have been forfeited by court order to be transferred from the seized account to the forfeiture account. Please approve the transfer of the funds.

Case #	Defendant	Date Seized	Receipt #	Amount	Date of Forfeiture
2014-05199	Eric Tate	2/7/14	28804	\$137.00	3/14/14
2014-7829	James C. Smith III	2/25/14	28882	\$270.00	3/31/14
			Total	\$407.00	

Transfer from Sheriff-Seized Fund (123-000-139) \$407.00  
 Transfer to Sheriff-Forfeiture Fund (120-000-238) \$407.00

**d. Inventory Dispositions Final & Preliminary/Final**

**1) Sheriff's Dept. – SID: Forfeiture**

AGENCY	CASE #		DATE DECLARED	MFGR	YEAR	DESCRIPTION	SERIAL #	VALUE
SID	2014-03517	KELSEY BROWN	03/05/14	SATURN	2004	ION (BLACK)	1G8AZ52F14Z192288	1500.00
COUNTY ASSET #43793						T210-L227-F120-D200		
SID	2014-02181	MARCO D ANDERSON	02/26/14	BMW	2004	525 (GRAY)	WBANA53514B845874	6000.00
COUNTY ASSET #4794						T210-L227-F120-D200		

**2) IT Dept.: Final**

SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION
7PW20900033	Will not power up / NRC	02	19H	IT-Disposal Closet	03/17/14	FELICIA HOPPER	E-WASTE
9N43353	Broken Rollers /NR	02	4H	IT-Disposal Closet	"	"	"
0549963303	Bad Power Supply /NRC	03	9H	IT-Disposal Closet	"	"	"
	line down screen / NRC	03	18H	IT-Disposal Closet	"	"	"
CN3C1222GP	Will not recognize new ink / NR	04	2H	IT-Disposal Closet	"	"	"
CN4C6C30FG	Will not feed paper / NR	05	1H	IT-Disposal Closet	"	"	"
CNN530025Y	Power supply bad /NR	05	4H	IT-Disposal Closet	"	"	"
SMY5655P25G	Will not print not repairable /NR	05	1H	IT-Disposal Closet	"	"	"
JCCF1400450	Bad Power Supply /NRC	05	2H	IT-Disposal Closet	"	"	"
A2X02520A4057	Loses Power / NRC	05	3H	IT-Disposal Closet	"	"	"
5GTYA51660	Bad MotherBoard / NRC	06	22H	IT-Disposal Closet	"	"	"
EADCE01	Will not display / NR	06	2H	IT-Disposal Closet	"	"	"
ESP3006008624033452702	Will not boot / NRC	06	6H	IT-Disposal Closet	"	"	"
QCW071225062	Screen black will not display / NR	07	2H	IT-Disposal Closet	"	"	"
ETL840B018745010163920	Lines on screen / NR	08	2H	IT-Disposal Closet	"	"	"
ETLBQ0C01181501FD4010	Inverter board bad / NR	08	2H	IT-Disposal Closet	"	"	"
1N1177414001A8	Bad Power Supply /NRC	08	6H	IT-Disposal Closet	"	"	"
CN7CL6V14M	Will not print / NR	08	1H	IT-Disposal Closet	"	"	"
LXE99060068071CA952000	Broken screen / NRC	08	7H	IT-Disposal Closet	"	"	"
U61510E8J677943	Broken Tray & constant Jams / NR	08	6H	IT-Disposal Closet	"	"	"
CNOT571R641800370G3S	Will not power up / NRC	10	2H	IT-Disposal Closet	"	"	"
3433KW5114	Will not power up / NRC	09	39H	IT-Disposal Closet	"	"	"
3433KA5100	Will not power up / NRC	09	39H	IT-Disposal Closet	"	"	"
3433KS5009	Bad MotherBoard / NRC	09	39H	IT-Disposal Closet	"	"	"
3433KS5075	Bad backlight / NRC	09	39H	IT-Disposal Closet	"	"	"
3433KW5180	No GPS / NRC	09	39H	IT-Disposal Closet	"	"	"
3433KW5082	No OSB / NRC	09	39H	IT-Disposal Closet	"	"	"
3433KS5148	Bad MotherBoard / NRC	09	39H	IT-Disposal Closet	"	"	"
3433KG5015	No Keyboard / NC	09	39H	IT-Disposal Closet	"	"	"
3433KG5029	Bad MotherBoard / NRC	09	39H	IT-Disposal Closet	"	"	"
3433KG5026	No GPS / NRC	09	39H	IT-Disposal Closet	"	"	"
GB411A0093	Will not power up / NR	10	4H	IT-Disposal Closet	"	"	"
VNB3B96848	No longer recognized toner / NR	11	2H	IT-Disposal Closet	"	"	"
CNF9B84HPW	Will not feed paper, bad fuser / NRC	10	9H	IT-Disposal Closet	"	"	"
CNGS377278	Does not recognize toner / NR	11	5H	IT-Disposal Closet	"	"	"
2701131813065190000	Phone freezing up, port not working / NR	12	6H	IT-Disposal Closet	"	"	"
CN1C5343X6	Feed rollers broken / NR	12	1H	IT-Disposal Closet	"	"	"
4ZL6CC1	Bad Controller / NR	12	2H	IT-Disposal Closet	"	"	"
CNHD1D1	Bad Motherboard /NR	12	2H	IT-Disposal Closet	"	"	"
MX0G324H746228L1MRL	Screen Broken / NR	13	3H	IT-Disposal Closet	"	"	"

### 3) Road Dept.: Final

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	R A C A	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSE D OF BY	FINAL DISPOSAL LOCATION
30092	FUEL MGT SYSTEM	55AY3143382L	NOT DEPENDABLE - REPAIRS EXCEEDED VALUE - WENT TO FUELMAN - NON-FUNCTIONAL	96	8K	CENTRAL MAINTENANCE	01/21/14	kim northcutt	E-WASTE
39655	HP PHOTOSMART PRINTER	MY885G2307	QUIT WORKING - REPAIRS EXCEEDED VALUE	09	1H	CENTRAL MAINTENANCE	"	"	"
30462	LEXMARK PRINTER	11-8A758	WOULD NOT WORK PROPERLY = REPAIRS EXCEEDED UNIT VALUE	99	5H	CENTRAL MAINTENANCE	"	"	"
30907	LEXMARK PRINTER	391003119L232	WOULD NOT WORK PROPERLY = REPAIRS EXCEEDED UNIT VALUE	00	5H	CENTRAL MAINTENANCE	"	"	"
37027	LEXMARK PRINTER	S8NX3119	WOULD NOT WORK PROPERLY = REPAIRS EXCEEDED UNIT VALUE	06	4H	CENTRAL MAINTENANCE	"	"	"
30185	COBRA WALKIE TALKIE	811000048	NON INV ITEM REMOVED FROM INVENTORY (IN USE) - NO LONGER WORKING	98	1H	CENTRAL MAINTENANCE	"	"	"
30186	COBRA WALKIE TALKIE	811000049	NON INV ITEM REMOVED FROM INVENTORY (IN USE) - NO LONGER WORKING	98	1H	CENTRAL MAINTENANCE	"	"	"
30690	COBRA WALKIE TALKIE (SET)	T903048915 T903049020	NON INV ITEM REMOVED FROM INVENTORY (IN USE) - NO LONGER WORKING	00	1H	CENTRAL MAINTENANCE	"	"	"
30691	COBRA WALKIE TALKIE (SET)	T903049013 T903049022	NON INV ITEM REMOVED FROM INVENTORY (IN USE) - NO LONGER WORKING	00	1H	CENTRAL MAINTENANCE	"	"	"
31131	NOKIA CELL PHONE	0520950DM13TW	WAS BROKEN & DISPOSED 02/21/06 - UNIT WAS NEVER DISCARDED	01	10D	INV CLERK OFC	"	"	"
30995	STAR TAC MOBILE PHONE	11908748357	BURIED AT CNTRL MTNC & DISPOSED 02/21/06 - NOW LOCATED	00	1H	INV CLERK OFC	"	"	"
1086	ATLAS AIR COMPRESSOR	HOL6039703	NO LONGER DEPENDABLE-UNIT REPLACED / TO BE SCRAPED.	97	10K	CENTRAL MAINTENANCE	"	"	"

**4) Sheriff's Dept.: Final**

ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	V A L U E	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED BY	FINAL DISPOSAL LOCATION
42313		2006 Ford F150 (maroon)	1FTPW14VX6KC79236	Auction-Surplus	12	13K	SID LOT	01/21/14	AMY HENLEY	HORN LAKE PD
				TRANSFER OF UNIT TO HORN LAKD POLICE DEPARTMENT						

**5) Sheriff's Dept.: Preliminary/Final**

ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY
43400		SONY HANDYCAM	3331321	LOST OR STOLEN/AFFIDAVIT ATTACHED	13	2H	LOCATION UNKNOWN

**5. Road Department**

**a. Road Report    b. Work Schedule    c. Road Bond Report**

**6. Contracts Administration: Automatic Renewals**

**a. Adult Drug Court: AEM Adapts, Tracker Devices**

**b. BOS: Lease Agreement with North Delta Planning & Development District**

**c. BOS: Interlocal Agreement with Hernando, Southaven and Olive Branch for Reciprocal use of Animal Shelters during overcrowding or disaster.**

**7. Establish as Part of the Formal Record and Enter into the Board's Minutes**

**a. Agreement with the City of Horn Lake for transfer of vehicle from DeSoto County to Horn Lake 2006 Ford F150 Truck, VIN 1FTPW14VX6KC79236**

**b. Fully Executed, DeSoto County Board of Supervisors and MSU Fixed Price Research Agreement for Preliminary Market Determination Analysis and Feasibility Study for DeSoto County Agricultural Education Center**

**8. Sheriff's Dept.: Request Authorization for the Board President to Sign the Inmate Reimbursement Report**

**9. Special Prosecutors & Defenders**

**a. Attorney Bill Seale is appointed to act as Special Public Defender, March 14, 2014 in place of Joe Carney who is unable to defend more than one defendant in a companion case.**

**b. Elizabeth Owens is appointed to act as Special Prosecutor on March 17, 2014 in place of Craig Treadway.**

**c. Special Prosecutor Elizabeth Owens to fill in April 10 & 11, 2014 for Craig Treadway who will be out of town.**

**d. Special Prosecutor Bill Seale to fill in for Elizabeth Owens being the attorney on the case and works in Craig Treadway Office, May 8, 2014.**

**10. Office of Procurement**

**a. Request to Accept & Approve Bid Specifications and Solicit Bids: To purchase up to three (3) rubber tire track skid steers (re-bid 2).**

**b. Appointment of Requisition and Receiving Clerks**

**1) Extension Office: Remove Myra Wells as Receiving Clerk and add Leticia (Tish) Self as Receiving Clerk**

**2) Sheriff's Dept.: Add Margaret Windham as Receiving Clerk**

**11. Constable Annual Financial Report – Bobby G. Holloway**

**12. Chancery Clerk Allowance - \$1,550.00**

Supervisor Harvey Lee motioned and Supervisor Mark Gardner seconded the motion to approve the consent agenda.

Supervisor Mark Gardner asked about the special prosecutors' request listed in the consent agenda.

Supervisor Lee Caldwell requested that Ms. Lynchard send an email to the county prosecutor stating that the Board of Supervisors needs to know in advance, whenever possible, if a special prosecutor has to be appointed.

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 Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit G**

**H. OLD BUSINESS**

**1. Board Attorney**

**a. Holly Springs Utility Department**

Board Attorney Tony Nowak informed the board after discussing the matter with TVA that there isn't a late fee charged by Holly Springs Utility for service at the Sheriff's training facility. TVA confirmed that the late fee being shown is the result of a software problem. TVA hopes to have this corrected in the future. TVA issues a discount if the invoice is paid by the 1<sup>st</sup> date listed. No late fees have ever been accrued by DeSoto County but the County has missed the discount due to the timing of the invoices.

No vote needed on this item.

**b. Approval to Seek AG Opinion Regarding smoking policy in county buildings**

Board Attorney Tony Nowak requested approval to write for an AG opinion on E-cigarettes. He told the board that the statute specifically prohibits smoking in public buildings, but defines smoking as burning tobacco only. Mr. Nowak asked for approval to write the AG about smokeless products.

Supervisor Bill Russell motioned to approve Tony Nowak writing for an AG opinion regarding the County's authority to ban the use of E-cigarettes in public buildings. Supervisor Mark Gardner seconded the motion.

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 Harvey Lee, Fifth District	<u>NO</u>

**2. 10:30 a.m. Public Hearing: Ordinance Establishing Rules and Regulations Regarding Activities County Parks; Providing Certain Activities in County Parks; Establishing Requirements Related to Vehicles and Traffic within Parks and Providing for Enforcement**

Supervisor Mark Gardner motioned and Supervisor Harvey Lee seconded the motion to go into 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 Harvey Lee, Fifth District	<u>YES</u>

Supervisor Mark Gardner asked Sheriff Bill Rasco about the enforcement of this ordinance falling under the Sheriff's department. Sheriff Rasco said he had not looked over it.

Supervisor Mark Gardner asked Larry Jarrett about the section that stated there would be no feeding of wildlife. Larry Jarrett stated that in most parks feeding of wildlife is prohibited. Supervisor Bill Russell wondered if the feeding of wildlife could be allowed if signage stated that it was permitted.

Supervisor Bill Russell said he needed Larry Jarrett to help him understand the park closures particularly in inclement weather conditions. Larry Jarrett said they could use signage or websites, or to possibly contact the park manager in such cases as Robertson Donald Park which is under park management. Ray Laughter suggested putting a phone number on the signage as well.

Supervisor Mark Gardner motioned to adopt this ordinance effective May 1<sup>st</sup>, 2014 with the following changes: section 3.c.1 to allow feeding animals when specifically permitted; section 4.g to reflect that closures will be by signage and the County's designated website. Supervisor Harvey Lee seconded the motion.

Larry Jarrett stated that fishing tournaments would be brought before the recreational district and they may have to charge fees depending on the circumstances.

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

Supervisor Mark Gardner motioned to come out of the public hearing. Supervisor Jessie Medlin seconded the motion.

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 Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit H.2**

**I. NEW BUSINESS**

**1. Tax Exemptions – 10:00 a.m.**

**a. Orgill, Inc. – Personal Property, 10 years & Freeport Warehouse**

**b. Covington Group, Inc. on behalf of 8950 Hacks Cross, LLC – Real Property, 10 years**

**a. Orgill, Inc. – Personal Property, 10 years & Freeport Warehouse**

President and CEO of the DeSoto Economic Development Council, Jim Flanagan and Vern Whitehead representing Orgill, Inc. stated that Orgill was one of the oldest continuing businesses in the Memphis area. Orgill is a wholesale independent hardware distribution center throughout the country, Canada and other foreign countries. The headquarters are in Memphis and they are beginning to need more space. The plan for the space is to have a Concept Center to display new products in a showroom type setting and use the mezzanine area as additional office space.

**b. Covington Group, Inc. on behalf of 8950 Hacks Cross, LLC – Real Property, 10 years**

Supervisor Medlin asked who Covington was. Desoto County Economic Development Council President and CEO, Jim Flanagan said Covington is the owner of the building that Orgill is leasing.

Supervisor Jessie Medlin motioned and Supervisor Harvey Lee seconded the motion to approve both the 10 year Personal property and Free Port Warehouse exemption for Orgill, Inc. and the 10 years Real Property exemption for Covington Group, Inc. on behalf of 8950 Hacks Cross, LLC.

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 Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit I.1.a.b**

**2. Planning Department: Prelude to 2012 Building Codes**

Randy Williams and Ted Garrod came before the board and passed out a copy of Senate Bill 2378. The building code committee has met and discussed the new model building code book. All municipalities plan to adopt to the 2012 code but each jurisdiction can modify or change to better suit their area. Supervisor Russell asked what codes would the County use if we don't go by these. Mr. Williams said ICC standards first established in 2000. Supervisor Gardner said this should be taken under advisement. Supervisor Medlin asked about the National codes we've adopted and wanted to know what is different. Mr. Williams said that State codes are being established. There are 70 counties that don't have codes. If the board decides to adopt the code we should use the State codes as guidelines. Supervisor Medlin asked what the difference in cost is for builder or contractors with these codes. Mr. Williams said there is potential to increase building costs for builders and contractors. Supervisor Caldwell asked if this has been approved. Mr. Williams said yes it has gone before the Governor for signature.

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion for the Board Attorney to work with Randy Williams and Planning on the building codes.

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 Harvey Lee, Fifth District	<u>YES</u>

**3. Environmental Services: DeSoto County's Annual Spring Clean-up 2014**

Ray Laughter came before the Board and discussed DeSoto County's Spring Clean-Up 2014. It will kick off Saturday, April 26 in conjunction with the County's Earth Day celebration and will run until Sunday, May 4<sup>th</sup>. This event will allow citizens, Homeowners Associations (HOA's) and community organizers to take advantage of this once a year county wide clean-up. Thirty cubic yard roll-off

dumpsters will be conveniently placed throughout the county for disposal of rubbish materials. Ray displayed his flyer to the board. The flyer had the drop off locations and various types of acceptable and unacceptable debris listed. He will place flyers around public areas and stores. Supervisor Caldwell asked for flyer to be put on website. Supervisors thanked Ray and his department for all their hard work and said it was very much appreciated.

No vote needed on this item.

**See exhibit I.3**

#### **4. Office of Procurement**

##### **a. Purchase Exceeding \$25,000 for Training Ammunition for Rifles for Sheriff's Dept.**

Procurement clerk Sheila Morris appeared before the board asking for approval to purchase ammunition for rifles for the Sheriff's Dept.

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to approve the purchase of ammunition for rifles.

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 Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit I.4.a**

##### **b. Approval to Extend Road Department Rental Uniform Bid for 1 year**

Procurement Clerk Sheila Morris appeared before the board to ask for approval to extend the Road Department Rental uniform Bid for 1 year. The vendor and the Road Department were both willing to extend the bid.

Supervisor Mark Gardner motioned and Supervisor Lee seconded the motion to approved extending the Uniform Rental Bid for the Road Department for 1 year.

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 Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit I.4.b**

##### **c. Approval to Extend Sheriff's Dept. Uniform Bid for 6 months**

Procurement Clerk Sheila Morris appeared before the board to ask for approval to extend Sheriff's Department uniform bid for 6 months.

Supervisor Harvey Lee motioned and Supervisor Mark Gardner seconded the motion to approval the extension of the Sheriff's Department uniform bid for 6 months.

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 Harvey Lee, Fifth District	<u>YES</u>

See exhibit I.4.c

**d. Purchases exceeding \$25,000 for diesel fuel for the Road Dept.**

Purchase Clerk Pat McLeod asked the board to consider a policy change in the purchase of diesel fuel. Ms. McLeod stated that currently she could only accept a quote that was under \$25,000 and since diesel fuel was now over \$3.40 per gallon, this could make the cost of the gallons requested go over the \$25,000 limit. Ms. Lynchard said she thought it was a good idea to change the policy. Andy does a good job with his budget. The more you order the price goes down.

Supervisor Bill Russell motioned and Supervisor Harvey Lee seconded the motion to change the policy to increase the dollar amount for which the purchase clerk has authority to make purchases of diesel fuel to \$35,000 instead of \$25,000.

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 Harvey Lee, Fifth District	<u>YES</u>

See Exhibit I.4.d

**5. Office of Finance and Accounting**

**a. Inventory Dispositions – Preliminary: Road Department (2)**

Inventory Clerk, Char McCool, explained that the items on the Preliminary Inventory Disposition had been placed out of service due to pieces missing, and/or or the equipment being in disrepair to a state it was unsafe. Road Manager, Andy Swims, said they were purchased separately and they have been stripping parts for other equipment

Supervisor Harvey Lee made the motion and Supervisor Bill Russell seconded the motion to accept the preliminary inventory disposition list.

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 Harvey Lee, Fifth District	<u>YES</u>

See Exhibit I.5.a

**b. Claims Docket**

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

Supervisor Jessie Medlin asked about the following claims:

Page 17 - bill for \$12,982.24 3410 Magnolia Dr. Facilities Director Tony Martin said that is a bill from Entergy.

Page 18- bills from State System Services. Tom Arnold said lighting struck the fire alarm at courthouse

Supervisor Gardner asked why dates range back in October? Tony Martin said he requested to get one bill versus several bills.

Page 19 - bill from Sherwood Laundry Tom said this was our new laundry company.

Supervisor Harvey Lee asked about the following claims:

Page 26 - CDW Government, John Mitchell explained it was for keyboards and printers. Printers were for Administration and Tax Collector.

Page 23 - bill from 3,310 from At&T. Tom said this is for the main phone and has been 8,000 in the past.

Page 24 - phone bill for Tim Curtis. Tom Arnold said it was his county phone and was given to Chris Olson when his phone was broken.

Page 90 - to C-Spire. - Tom Arnold said they are for Homeland grant phones

Supervisor Lee Caldwell asked about the following claims:

Page 25 - Data Management-. Tom said it was for maintenance agreement for all clocks

Page 76 - Reserve Account, Tom said it was for postage meter Family & Children

Supervisor Mark Gardner asked about the following claims:

Page 17 - Power bill to new jail \$13,000. Tony Martin said it was for two months service.

Page 19 - Sherwood Services.-Tom Arnold said this is cleaning services

Page 63 and 64 - bills from Gall's.- Tom Arnold said it was uniforms and gauze for Ambulance. One was for six sweatshirts with County Logo part of their uniform.

Page 91- Language Line Services.- Tom said it's for EMA Critical Alert

Page 106 - Tag Truck Center for \$79,650.-Tom Arnold said purchased dump trucks and they are in service.

Supervisor Gardner asked Sheriff is he was happy with new U.S. Foods. Sheriff said yes and they extended the service for another six months.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin 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>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

#### **6. Contracts Administration GIS: ESRI – Renewal for Software Maintenance**

Director of Administrative Services Pat McLeod appeared before the Board to discuss the renewal of a software maintenance contract for the GIS department. She stated that 3 departments pay for this contract with most of the money coming from the GIS department. This software is used in house and on the website.

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to accept the renewal of the GIS software maintenance contract.

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 Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit I.6**

**7. Inter-governmental Transfer of Sheriff's Dept. vehicle to the Board of Education:  
2007 Crown Vic., 156,719 miles, White in color, Vin. 2FAHP71W37X128101  
(It was a court car, ready for the school 3/19/14)**

Supervisor Lee Caldwell said that this car was on the Sheriff's surplus list and the county would like to donate it to the Board of Education. Board Attorney, Tony Nowak, said the vehicle first needs to be declared surplus.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to authorize Board Attorney Tony Nowak to work with the school and Inventory clerk, Char McCool, to prepare any necessary agreements, and to bring this matter back to the Board to approve the donation of this vehicle from the county to the Board of Education.

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

**See Exhibit I.7**

**8. County Administrator**

**a. Archives and History Training Opportunity – April 15**

County Administrator Vanessa Lynchard spoke to the board about the Mississippi Department of Archives and History coming to Desoto County to do a workshop for the county employees. The workshop is usually held in Grenada, MS but they have asked to come to DeSoto County. The workshop is designed for counties to discuss archives and history training and managing records. Ms. Lynchard wanted to invite other counties and cities to participate in the workshop and wanted to encourage Desoto County employees to take advantage of this. Panola County plans to send four of their people for the class.

No Vote needed

**b. Approval of Travel to MAS Convention, Biloxi, MS June 16 – June 19, Board of Supervisors, Vanessa Lynchard, Andy Swims, Scott Young, Tony Nowak, and other appropriate parties**

County Administrator Vanessa Lynchard presented the item of Travel to the MAS Convention in Biloxi, MS. She requested approval for travel for the Board of Supervisors, Andy Swims, Scott Young, Tony Nowak, herself, and other appropriate parties.

Board Attorney Tony Nowak stated that he could not go but Jody Neyman from the Smith Phillips, Mitchell, Scott and Nowak would go in his place.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve travel for Board of Supervisors, Andy Swims, Scott Young, Tony Nowak or Jody Neyman, Vanessa Lynchard and other appropriate parties to the MAS Convention in Biloxi, MS June 16 -19<sup>th</sup>.

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 Harvey Lee, Fifth District	<u>YES</u>

**c. Environmental Services: Recycling Conference**

County Administrator, Vanessa Lynchard said that Panola County requested to pool departments to get ideas and come up with better solutions for recycling. They have asked to meet with the County solid waste and environmental and payroll departments. Supervisor Mark Gardner said he thought it was a good idea.

No vote needed on this item.

**d. Authorize the Board Attorney to work on EMS Contract with Blue Cross/Blue Shield of Mississippi**

County Administrator Vanessa Lynchard said it is hard to get a contract with Blue Cross/Blue Shield (BCBS). If there is no contract in place with BCBS, and the County bills BCBS for ambulance service, and BCBS will send reimbursement directly to the individual instead of the county. If the county has an agreement, Blue Cross will pay directly to the county.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to authorize Board Attorney Tony Nowak to work on an EMS contract with BCBS of Mississippi.

The motion passed with 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 Harvey Lee, Fifth District	<u>YES</u>

**9. Road Department**

**a. Pecan Estates – Section A: Request that bond be called to complete the required subdivision improvements**

Michael Kennedy, Chief Road and Drainage Construction Inspector came before the board requesting that the bond be called to complete the required subdivision improvements at Pecan Estates. The two-year contract completion to improve Pecan Estates Sec A, will expire May 5, 2014.

Mr. Joe Frank Lauderdale, representing the developer, said the developer would like an extension to get more houses built before completing the road. There currently are 12 homes built and there are 40 lots in S/D.

Supervisor Harvey Lee said the Board will give the developer 90 days to complete and finish the culdesac and patch the holes in road, and if they complete that work then the agreement can be extended for another year.

Board Attorney said the Board could grant an extension based on the work being completed.

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded to extend the bond for one year with the condition that the developer repair the pot holes and rebuild the cul-de-sac within 90 days.

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 Harvey Lee, Fifth District	<u>YES</u>

**See exhibit I.9.a**

**b. Relocation of Water Line by Nesbit Water Association**

Scott Young and Andy Swims appeared before the Board of Supervisors for authorization to pay Nesbit Water Association for the relocation of their water line based on their estimates submitted of \$6,450.70. The reimbursement is for the relocation of the water line due to the installation of the box culvert on the Nesbit Road State Aid Bridge Replacement Project. The County had to encroach upon Nesbit Water’s existing easement.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion authorizing payment to Nesbit Water Association up to \$6,450.70 to relocate the water line.

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 Harvey Lee, Fifth District	<u>YES</u>

**See Exhibit I.9.b**

**10. Advertising County Resources Policy Discussion**

County Administrator Vanessa Lynchard said the committee has met and discussed options but wanted to go back to the Board with the current policy to get their input.

Supervisor Russell said he likes the current policy but thinks it’s too wide open. He feels that the policy needs to tighten the amounts they are too inconsistent.

Supervisor Medlin said he doesn’t want to waste tax payer’s money for non-essential events that are just a beer bash type party.

Supervisor Caldwell suggested sending the policy back to committee with the Board Attorney’s recommendations that each applicant can plead their case to the Board at time of request.

Supervisor Russell said the Board needs to be consistent with donations to groups. They need to give specifics to the Board when asking for donations.

No Vote taken on this item.

**11. Board Attorney**

**a. Johnson Creek Greenway**

**1) Approval of Walls Water Subordination Agreements**

Board Attorney Tony Nowak said he had secured the three easements that the county needed for the Johnson Creek Greenway project. However, per MDOT requirements, the County is required to get subordination agreements from other easement holders who were primarily DCRUA, Walls Water, Texas Gas, and Entergy.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to approve the subordination agreements as presented by the Board Attorney for DCRUA and Walls Water.

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 Harvey Lee, Fifth District	<u>YES</u>

## **2) North Mississippi Land Trust- Assignment of Easement**

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to approve the Board President to sign the assignment of conservation easement from North Mississippi Land Trust to DeSoto County, as presented by the Board Attorney.

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 Harvey Lee, Fifth District	<u>YES</u>

### **b. 2014 H.E.L.P. Bonds**

Steve Pittman, Butler Snow representative, and Demery Grubbs, Financial Advisor, appeared before the Board of Supervisors requesting approval from the Board on the Resolution for the 2014 H.E.L.P Bonds to fund the construction of I-69. Mr. Pittman said MDOT has spent \$192 million on the Interstate 69 construction in DeSoto County. This leaves \$83 million to continue the grading and paving. The original resolution issue was for up to and not to exceed \$275 million. Mr. Pittman said the Board needs to approve two things today:

1. Resolution of the Board of Supervisors of DeSoto County Mississippi declaring the intention of said County to authorize the borrowing of an amount not to exceed \$83 million by entering into a loan with the Mississippi Development Bank for the purpose of providing funds to finance certain capital projects, which shall consist of the design, right of way acquisition, construction, improvement, expansion and extension of US Interstate 69/269 eastward from US Interstate 55 in the County to its intersection with US Highway 78 at the DeSoto County/Marshall County boundary line or any other highway, road and/or bridge improvements in the County, together with related improvements and infrastructure; and for other authorized purposes under the act.
2. Resolution of the Board of Supervisors of DeSoto County approving the form of and authorizing the execution and delivery of a first amendment to the amended and restated Interlocal Cooperative Agreement between the County and MDOT in connection with the financing of certain capital projects consisting of the design, right of way acquisition, construction, improvement, expansion and extension of US Interstate 69/269 eastward from Interstate 55 in the County to its intersection with US Highway 78 at the DeSoto County/Marshall County Mississippi Boundary Line; and for related purposes not to exceed \$375 million.

Demery Grubbs said this is a conduit for the Federal flow of funds through the County and is not County money.

Mr. Pittman said this is a special agreement to meet debt service for Federal Highway.

Board Attorney, Tony Nowak, advised the board that it must approve the addendum to the interlocal agreement and the supporting resolution first.

After Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to approve the amendment to the amended and restated Interlocal Cooperative Agreement between the County and MDOT in connection with the financing of certain capital projects consisting of the design, right of way acquisition, construction, improvement, expansion and extension of US Interstate 69/269 eastward from Interstate 55 in the County to its intersection with US Highway 78 at the DeSoto County/Marshall County Mississippi Boundary Line, so as to increase the not to exceed funding amount from \$275 million to \$375 million for the construction of I69; and to approve the supporting resolution; and to authorize the Board President to sign the addendum to the interlocal and the resolution.

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>
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 the resolution of to authorize the borrowing of an amount not to exceed \$83 million by entering into a loan with the Mississippi Development Bank for the purpose of providing funds to finance certain capital projects, and authorize the Board President to sign the resolution.

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

### **See Exhibit I.11.b**

#### **c. Litigation Audit Report**

Board Attorney Tony Nowak asked the Board for authorization to prepare the annual litigation audit report.

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to authorize Tony Nowak to prepare the litigation audit report.

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 Harvey Lee, Fifth District	<u>YES</u>

## **12. Advertising County Resources**

### **a. Lake Cormorant Band**

After having determined that the request to advertise county resources met the guidelines of the policy adopted by the Board of Supervisors, Supervisor Bill Russell made the motion, and Supervisor Mark Gardner seconded the motion to advertise DeSoto County Resources by contributing \$250.00 to the Lake Cormorant Band. In accordance with Section 17-3-3, of the Mississippi Code of 1972, the Board of Supervisors did make a determination that the above request would advertise the resources and possibilities of DeSoto County and thereby advance the moral, financial and other interests of DeSoto

County. The Board of Supervisors noted that a banner must be placed at the site or pins must be worn at the event to advertise the resources of DeSoto County according to the approved 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>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

#### **b. Hernando Street map and Resource Guide**

County Administrator Vanessa Lynchard said two years ago we gave \$500 to a particular printing company. The company printed the Hernando Street map and Resource Guide and gave them to the Chamber of Commerce to distribute. Supervisor Caldwell said this is a for profit entity. Supervisor Mark Gardner said it is a printing company and then they give the Chamber the maps.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to deny a donation for this item.

The Board discussed this matter and agreed, that since the donation is being denied, no motion nor vote was necessary on this item.

#### **J. EXECUTIVE SESSION**

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

#### **K. OTHER**

##### **1. Advertising County Resources – Rotary Club**

After having determined that the request to advertise county resources met the guidelines of the policy adopted by the Board of Supervisors, Supervisor Mark Gardner made the motion, and Supervisor Lee Caldwell seconded the motion to advertise DeSoto County Resources by contributing \$500.00 to the Rotary Club to sponsor scholarships for Southaven and DeSoto Central. In accordance with Section 17-3-3, of the Mississippi Code of 1972, the Board of Supervisors did make a determination that the above request would advertise the resources and possibilities of DeSoto County and thereby advance the moral, financial and other interests of DeSoto County. The Board of Supervisors noted that a banner must be placed at the site or pins must be worn at the event to advertise the resources of DeSoto County according to the approved policy.

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

Supervisor Mark Gardner said this organization is heavily involved in Living Waters Well Ministry in South America.

##### **2. Special Prosecutor 4/7/2014**

County Administrator Vanessa Lynchard said she just received a request for approval to appoint a special prosecutor for Justice Court. Ms. Lynchard said that both attorneys, Craig Treadway and Elizabeth Owens have conflicts with this matter. The trial date has not been set yet.

Supervisor Lee Caldwell made the motion to approve the request for appointing a special prosecutor

for Justice Court in the matter regarding Paul Nixon when the court date is set. Supervisor Bill Russell seconded this motion.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>ABSENT</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 Harvey Lee, Fifth District	<u>YES</u>

### **3. Fairhaven Fire Department**

Board Attorney Tony Nowak said he had a discussion with Brent Miller at MEMA regarding the changes to the floodplain ordinance. Mr. Nowak said the County would need to pull the permit to build the Fairhaven Fire Department addition before May 5<sup>th</sup> in order to proceed with the addition, since the ordinance would go into effect on May 5, 2014. The construction would have to be completed within 180 days and there are two sections in the new flood ordinance which the County would have to comply with. The additional requirements could be expensive.

County Administrator Vanessa said the road is also a problem in this area because it is below the fire department building.

Supervisor Bill Russell said the County would have to do a LOMAR to get the area out of the flood plain.

Ms. Lynchard said the County would have to build up six feet to get out of the flood zone and the road would also have to be raised.

Supervisor Jessie Medlin asked if a permit would be required to renovate the building.

Ms. Lynchard said because this is considered a critical facility and has special conditions, would this help to get the permit. The plans have been drawn and they will have to be modified.

Supervisor Medlin said to pull the permit both ways.

Mr. Nowak said he would contact MEMA again to discuss additional question he has and the Board has.

No motions were made on this item.

THIS the 7<sup>th</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