

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

DISTRICT ONE JESSIE MEDLIN, PRESIDING

August 20, 2012

A. CALL TO ORDER

The August 20, 2012 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie Medlin, Board President.

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

Supervisor Jessie Medlin	District 1
Supervisor Mark Gardner	District 2
Supervisor Bill Russell	District 3
Supervisor Lee Caldwell	District 4
Supervisor Harvey Lee	District 5
Sheriff Bill Rasco	Sheriff
W. E. Sluggo Davis	Chancery Clerk
Vanessa Lynchard	Interim County Administrator
Tony Nowak	Board Attorney

B. INVOCATION

Sheriff Bill Rasco presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. TAX APPEALS

Supervisor Jessie Medlin asked for a motion to open the Tax Appeals.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to open the meeting for Tax Appeals.

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>

1. NPK Southaven LLC

Interim County Administrator Vanessa Lynchard stated that NPK was held over from the last meeting because no one was present to present the appeal. Supervisor Jessie Medlin asked for anyone present today for this appeal. No one was present. Supervisor Medlin asked the Tax Assessor's official if anyone had been in contact with their office. Peter Zee said they had requested income information from NPK but they have not heard back from them. Supervisor Medlin said they will hold this item until later in the meeting to see if someone shows up.

Later in the meeting Supervisor Medlin asked for anyone present who represented NPK. No one appeared.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to deny the protest and uphold the Tax Assessors tax roll on NPK Southaven 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 D.1

2. M. J. Garretson for Life Pointe Village Southaven LLC – Received after deadline for submission

Chancery Clerk Sluggo Davis said this tax appeal was received in his office at 10AM, which was after the deadline. This tax appeal was denied at the last Board meeting. Further, the person submitting the appraisal for the property in question was not a licensed appraiser.

The Tax Appeal being previously denied, no motions were made.

See Exhibit D.2

3. EADS, Inc.

Jerry and Carolyn Mills appeared before the Board to represent EADS, LLC. Mr. Mills stated that he had recently had a stroke and that his speech was slurred so that he asked Sluggo Davis to present the Tax Appeal case to the Board.

Mr. Davis said that his presentation today is the same one that he presented at the August 6, 2012 Board meeting. His main question regarding the tax roll is the equalization of the rolls. He stated that the property in question had increased to four times the previous value and no other properties in the area have similarly increased. Mr. Davis said he has supplied a listing of properties in the area for the Board to make comparison. Mr. Davis stated that the property is a 10.51 acre tract and for the past four years the taxes have run \$6,736 annually and the assessed value has been \$47,295 until this year's assessment which changed to \$206,017. Mr. Davis there has been no changes or improvements to this property that would justify the increase in assessment value. Mr. Davis stated that there is a 16 acre tract adjoining this 10 acre tract and the assessment for this property did not change. Mr. Davis stated he is just asking for equalization.

Supervisor Lee Caldwell asked if any of these properties have sold and do they know what they sold for.

Jerry Mills said the primary concern is the disparity in the tax rolls and to equalize the property values. He said they feel that the increase in the taxes was because of the sale of the 10.51 acres to the City of Southaven.

Supervisor Bill Russell asked if there was any evidence of another sale of property in this area.

Tax Assessor Consultant Bill Bryant said they are required to submit Tax Roll on July 1st of each year and then the tax rolls belong to the Board of Supervisors. They submit any facts and figures to the Board. They are required to compare parcels in the area and must have comparable parcels in the area to justify assessments in court. They normally ask questions regarding the purchase price and selling price and this gives a range for the assessment value. This property was appraised by Bill Sexton for the City of Southaven.

Supervisor Mark Gardner asked if he needs to be excused from this discussion since his business partner did the appraisal. Board Attorney Tony Nowak said it was not necessary but it may help avoid any appearance of impropriety. Supervisor Gardner left the Board room.

Supervisor Jessie Medlin asked what the land use requirements were for agriculture. Mr. Bryant said it

was 20 acres, but farming could occur on 10 acres, but this would require documentation regarding the farming income on the land for tax purposes.

Supervisor Caldwell asked how a fair assessment was done using the three approaches to figure the taxes. Bill Bryant said since there was no income from the property they had to figure by the sales and make changes when property is sold.

Supervisor Medlin asked about the 16.3 acres and what has happened there. Pieter Zee said this property produces hay. These landowners have property up and down Getwell Road. The property was once a part of the farm that was partially donated to the city for Snowden Grove Park and the other part, including this parcel and the parcel across the road are still farmed

Jerry Mills said, based on the statements made today that he doubts that there are similar situations in the County on other property that has the same problems as the parcel in question.

Supervisor Caldwell said that the State of Mississippi is a non-disclosure State, so where does the Tax Assessor get their information. Bill Bryant said that they talk with the buyer or seller to get the information.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to deny the protest as there is insufficient evidence to demonstrate that the subject parcel was not properly assessed, though there may be disparity among the tax rolls in part due to the non-disclosure law, resulting in a need to equalize the tax rolls generally. Therefore the Board upholds the Tax Assessors assessment on the property appeal by EADS, Inc.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>NO</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 D.3

4. Evans Petree

Drew Raines from Evans Petree was present to represent RWH, LLC, with Tracy Richardson owner of the 14 properties in question on the tax appeal. Mr. Raines said these properties were rental houses in Horn Lake Hallum Estates Subdivision and 13 of them are single family houses. They range between 1,364 sq. ft. and 1,904 sq. ft. The other home is located in Horn Lake North Creek Subdivision. They are here to appeal the tax rate on these homes due to the economic downturn in this area. The values for these homes have diminished over the years and under the income approach they are worth approximately \$44 per square feet. On the tax records they are valued at \$67 per square feet for the Hallum Estate homes and the North Creek home is \$98 per square feet.

Supervisor Jessie Medlin asked if these homes were in foreclosure. Mr. Raines said no they are rental properties.

Mr. Richardson said that if he could get the \$67 per square feet for the property he would sell the homes. The renter has to pay the utilities, but he pays all the insurance, maintenance fees, and taxes. These expenses come off of the income and this makes the actual value run approximately \$44 per sq. ft.

Supervisor Medlin said he does not see anything regarding the taxes paid on this listing. He asked Bill Bryant if they had seen these documents. Mr. Bryant stated no. They check comparable sales in the Hallum Estates and they showed \$55 to \$58 per square feet. They got their information from North Mississippi Real Estate on the sale of homes. Supervisor Mark Gardner stated that it is optional to disclose information by the real estate companies on all rental properties.

Mr. Bryant stated they are required to use potential income less expenses for the assessment value. They get the actual income numbers reported to IRS and calculate what the potential growth would be for

income. Mr. Bryant said if the owner would meet with the Tax Assessors office prior to tax time, they might be able to eliminate some of these appeals.

Supervisor Medlin asked if the tax assessor had talked with petitioner’s counsel prior to today’s board meeting. Mr. Bryant said they had been discussing about 100 appeals and now they were down to the particular listings in the protest.

Mr. Raines ask that all the houses be given the same value. Mr. Bryant stated that each house has different amenities and could not be rated the same. Pieter Zee stated that one of the houses on the list is incorrectly shown to have 1,028 sq. ft. however; the house has an upstairs level which makes the house 1,700 sq. ft.

Supervisor Mark Gardner asked for the Tax Assessors recommendations to the Board.

Mr. Bryant recommended decreasing the Hallum Estates taxes to \$205,000 based on the support documents being provided to the Tax Assessor.

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion based on the Tax Assessors recommendation to lower the assessed taxes on Hallum Estates with supporting documentation being provided.

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>

Drew Raines, with Evans Petree, addressed the Board of Supervisors regarding a Tax Appeal for a Shopping Center Strip located at 285 Stateline Road, Southaven, MS. Mr. Raines introduced Mr. M. A. Powell, the appraiser to the Board. Mr. Powell stated that the shopping center was built in 1987 and the main tenant was Sak N Save grocery store. Since that time the grocery store has been demolished and the shopping center is now 48% vacant. The property has suffered due to the loss of the grocery store and the economic downturn and the landowner Dr. York has reduced the rent in order to keep occupants.

Supervisor Mark Gardner said that once a big anchor is gone you tend to have a lot of vacancies in the center and such could be justification to lower its value. Supervisor Jessie Medlin asked if this information had been supplied to the Tax Assessor. Mr. Raines state they had, but could not work out all of the information.

Bill Bryant said they do not have any income on this property and that Dr. York has protested his taxes on this property every year.

Supervisor Gardner asked the tax assessor if they looked at all three methods of calculating the taxes. Mr. Bryant said that if you use income, this was at one time the highest property in Southaven, but they have depreciated the value over the years. Mr. Bryant recommended leaving as is this year and they will look at next year. Supervisor Gardner said the potential gross income has changed and the reasonable vacancy rate would justify changes next year.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to deny the protest and accept the Tax Assessors recommendation to leave the taxes as is for 2012 year on the Shopping Center Strip owned by Dr. York.

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>

Drew Raines, with Evans Petree, addressed the Board of Supervisors regarding a Tax Appeal on four townhomes in Kingston Estates in Horn Lake, MS. The property owner, Tom Herring, is in China and could not be present today. These four properties are located on Kiki Cove and were purchased in 2005 for \$78,000 each. The area around Kingston Estates has gone down in property value due to the economy downturn, a low income apartment complex being built nearby and the traffic and crime problems in the area. There are also some HUD properties nearby and they have sold from \$39,000 to \$51,000 each. Mr. Raines stated that other houses in the area are listed for \$49,000 and \$62,000. Mr. Raines requested that the value for the townhomes be valued at \$45,000 each for the taxes. He stated that these townhomes are rental property.

Supervisor Jessie Medlin asked the tax assessor employees, if they had seen these documents prior to the Board meeting. Pieter Zee stated that he had spoken with Richard Hunt from Evans Petree, and the value of \$45,000 was based on short sales that cannot be considered. The owner income for the townhouses is \$800 a month which would be \$94,000 per year. Mr. Zee said they found one property at 3178 Kiki Cove that was valued at \$85,160. He said they try to get comparable properties in the area and that they cannot use short sales or foreclosure properties.

Supervisor Gardner stated that it was unfortunate the law does not allow for these instances and asked for the tax assessors' recommendation on this tax appeal.

Pieter Zee said they recommend upholding the existing tax assessment.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to deny the tax protest and uphold the Tax Assessors recommendations.

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.4

E. CITIZEN REMARKS

Supervisor Jessie Medlin asked if anyone was present who wished to address the Board of Supervisors regarding an item not listed on the Agenda.

No one came forward.

F. APPROVAL OF AGENDA: ADDITIONS AND DELETIONS

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

1. a Interim County Administrator, Vanessa Lynchard, requested adding the Department of Justice approval of Greenbrook North Polling Precinct.

1. b Interim County Administrator, Vanessa Lynchard, requested rescinding a motion on the July 16, 2012 minutes regarding the Attorney General Approval of Greenbrook North Polling Place. The Polling Place was stated as being Greenbrook North, but should have been Fairhaven Polling Place.

1. c Interim County Administrator, Vanessa Lynchard requested adding a change from the MS State Extension Service regarding the salary for the 4-H Agent.

1. d Interim County Administrator, Vanessa Lynchard requested adding DeSoto Health & Wellness Center to the Budget Discussions.

1. e Interim County Administrator, Vanessa Lynchard requested adding Contract with Siemens

for the Energy Management Systems with the County.

1. f Interim County Administrator, Vanessa Lynchard requested deleting item I-2, IT Department: Branding Committee Recommendation for DeSoto County Logo, from the agenda.
2. Board Attorney, Tony Nowak, requested adding Attornment Agreement for the Space Center, formally known as the Case Building.
3. Supervisor Bill Russell said he would like to add under Road Department Item #6 Beaver Control.
3. a Supervisor Bill Russell said he would like to add to the Road Department Item 6a, to discuss the Lake Cormorant Park building compliance for handicap accessibility.
4. Supervisor Harvey Lee said he would like to discuss Short Fork Creek Levy Hazardous Mitigation Grant.
5. Sheriff Bill Rasco requested adding authorization for Board President to sign monthly MDOC reports for reimbursement on State Inmate Housing.
6. a County Comptroller, Tom Arnold, requested adding authorization for Board Attorney to draw up an Intergovernmental Agreement for Sheriff Dept. Bullet Proof Vest disbursement.
6. b County Comptroller, Tom Arnold, requested adding approval to cut checks for the Sheriff Dept. helicopter repairs (\$29,647.30) and pre-sale inspection (\$3,075) once completed and approved by Sheriff Dept.
6. c County Comptroller, Tom Arnold, requested adding Budget Amendment for Justice Court Judges for funds needed to establish a Centralized Law Library at the Justice Court Complex.
7. Chancery Clerk, Sluggo Davis, requested changing Agenda Consent Item 5.a to read Order Accepting and Objecting Disallowances on Homestead Exemption by Mississippi State Tax Commission.
8. Supervisor Lee Caldwell requested adding a matter of Beaver Control for Road Dept as an item for Executive Session.
9. Supervisor Mark Gardner requested adding a matter of Road Dept. Personnel as a potential item for Executive Session.
10. Supervisor Bill Russell requested adding a matter of County Administrator as a potential for Executive Session.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the additions and deletions to the 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>ABSENT</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

1. a Department of Justice Approval of Greenbrook North Polling Place

Interim County Administrator, Vanessa Lynchard, stated that Department of Justice Approval to move Greenbrook North Polling Place had been received. She stated that this item could be added to the Consent Agenda for approval. The Board agreed to add to Consent Agenda.

1.b Board Minutes Correction for Department of Justice Approval of Polling Place

Interim County Administrator, Vanessa Lynchard, stated that a correction was needed to the July 16, 2012 Board Minutes. The minutes stated Department of Justice Approval to move Greenbrook North Polling Place and the location should have been Fairhaven Polling Place. She stated that this change could be added to the Consent Agenda for approval. The Board agreed to add to Consent Agenda.

1. c Mississippi State Contract for 4-H Agent Salary Revision

Interim County Administrator, Vanessa Lynchard, stated that she had received a corrected contract for the salary match on the 4-H Agent. There was an incorrect amount on the contract for the County portion of salary. The cost has been revised at a lower cost of \$15,850 for the County.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to rescind the previous motion in the minutes on the contract and to approve the new salary amount of \$15,850 as the County’s portion of salary for the 4-H Agent.

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.1c

1.d See Item Budget Discussion under Old Business (DeSoto Health & Wellness Center)

1.e Siemens Contract for Energy Management System on County Buildings

Interim County Administrator, Vanessa Lynchard, stated that Siemens has submitted a contract for the Energy Management System that is required for the tracking of energy cost on buildings that have been retrofitted for energy savings. Ms. Lynchard said the contract requires the County to notify Siemens of any changes that the buildings experience. Examples are water usage, number of employees in buildings, etc. It will be the responsibility for the Facilities Management Director or Assistant Director to notify Siemens when something occurs that reflects energy expense. Ms. Lynchard stated that Siemens would take these changes off of the amount of our guaranteed savings. This is in the best interest of the County to have this contract.

Supervisor Jessie Medlin asked if court usage would reflect the water savings. Ms. Lynchard stated yes. She said that she would get with the Board Attorney to go over the contract and talk about changes that would reflect the contract.

Sheriff Rasco asked if the new jail was on the Energy Contract. Ms. Lynchard stated no. Sheriff Rasco stated that the old jail was and that they had a problem with their toilets only flushing three times within an hour. He stated that they had a problem with 48 inmates in a pod with only three toilets, and the capability of flushing the toilets. Ms. Lynchard stated that this would be checked out with Siemens when they met on this contract agreement.

Supervisor Harvey Lee made the motion and Supervisor Bill Russell seconded the motion to approve the contract and authorize the Board President to sign the Contract after review by the Board Attorney.

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 F.1e

1.f IT Department: Branding Committee Recommendation for DeSoto County Logo

Interim County Administrator, Vanessa Lynchard, stated this item should be removed from the Agenda listed under I. New Business, Item 2.

2. Lease Agreement for Space Center, formerly known as Case Building

Board Attorney Tony Nowak said he had received an attornment agreement for the Space Center Building. Mr. Nowak stated that this is a county building that was built with industrial development bonds and is now leased by Space Center. Space Center is securing financing and desires to use its lease interest as part of the collateral with the bank. The Bank has requested an attornment that essentially provides for the county to notify the bank if Space Center defaults in the lease so that the bank can try to correct the default. Mr. Nowak asked for authorization for the Board President to sign the Agreement.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve and authorize the Board President to sign the Space Center Attornment.

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.2

3. DeSoto County Road Department Beaver Control

County Road Manager, Andy Swims, stated that the State had two programs, BCAP, which is handled by Kris Godwin, and the Bounty Program, which is handled by Don Underwood. There is no federal funding for either program. The County has to fund programs if they implement. The fee for BCAP is \$7500, which runs October 1 to September 30 of each year. If you go over the \$7500, the County would have to pay for this. Will Miller is the person that would be trapping the beaver and he gets between \$300 and \$500 for each beaver trapped. Mr. Swims said that he has had difficulty getting in touch with Mr. Miller at times.

Supervisor Bill Russell stated that he had received citizen’s calls wanting a person that could get rid of beavers on private property. He said that he also had trouble getting a response from Will Miller.

Mr. Swims said that NCRS can work with landowners under the Bounty Program. This program allows the landowner to harvest the beaver tails and turn them in for a fee, which the County would have to pay.

Supervisor Jessie Medlin asked if Jothie Gee was still doing beaver control. Mr. Swims said he had talked with Mr. Gee at one time and he was interested in doing that work. Mr. Swims stated that if the County does control on right of ways and roadways there should not be that much work. Supervisor Medlin asked to let the Road Manager contact Mr. Gee to see if he was interested and if so, to give him the names of the citizens that want help with their beaver control.

Board Attorney Tony Nowak said they would have to look at issues if he works for others.

No motions were made on this item.

See Exhibit F.3

3. a Road Department – Lake Cormorant Ball Park

Supervisor Bill Russell said that he asked Facilities Management Director, Tony Martin to look at the Lake Cormorant Ball Park regarding the wheelchair accessibility. Supervisor Russell said they are setting the bleachers at the park, but there is a building on site that needs to be handicap accessible. Supervisor Russell stated that he received a cost of \$2,650 bid for concrete ramp to be poured at the building site to accomplish the handicap accessibility.

Supervisor Russell made the motion and Supervisor Mark Gardner seconded the motion to authorize Facilities Management to have a concrete ramp poured at the Lake Cormorant Ball Park building site with cost not to exceed \$2,650 and funds to come from District 3 Park Funds.

The motion passed by a vote as follows:

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

4. Short Fork Creek – Hazardous Mitigation Grant

Supervisor Harvey Lee asked Contract Engineer Tracy Huffman about the HMG for Short Fork Creek Levy repair. Mr. Huffman said that the County needs to approve the grant, which requires the County to match funds totaling \$120,000. The total grant is \$475,000 and the County has to put up a 25% match in funds. All of the money will be used to repair blowouts on the Short Fork Creek levy. They hope to be able to improve the levy all along Holly Springs Road.

Supervisor Bill Russell asked why the Short Fork Creek Drainage Districts millage could not cover the match of funds. Mr. Huffman said they only have \$7,500 in collection and that was looking to go up to \$15,000 with changes to the millage in 2013. County Comptroller Tom Arnold said their millage was only \$0.25.

Chancery Clerk Sluggo Davis said this drainage district is not active and they have lost several members on their board. Supervisor Russell said the Board of Supervisors need to get this drainage district more involved in this project.

Mr. Huffman stated the drainage district plans to widen their assessment area, which will help in getting more funds. Board Attorney Tony Nowak said the drainage district is working with the Corp of Engineers to petition the courts to widen the assessment area.

Mr. Huffman said he needs a decision from the Board of Supervisors today so that the State can allocate funds to this grant.

Supervisor Jessie Medlin asked if this repair affects the sewer operation. Mr. Huffman stated that there are no environmental issues but the repairs will protect the road. Supervisor Lee Caldwell asked if this project will affect the Holly Springs Road funds. Mr. Huffman said the repairs would protect the area during the first phase of the Holly Springs Road Construction. Supervisor Caldwell said they need to commit to the grant because of the interest on Holly Springs Road.

Supervisor Russell said to commit to the grant funds he would like to know that this was a critical issue. Supervisor Harvey Lee said there was not prediction on rain, but if the County gets any additional blowouts on Short Fork Creek, it would be a critical issue for the road. Board Attorney Tony Nowak said it would take the drainage district years to collect funds. Supervisor Russell asked for Supervisor Lee, Road Manager Andy Swims, Contract County Engineer Tracy Huffman and County Engineer Scott Young to work with drainage district to draw up an interlocal agreement for funds to be used for the grant.

Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion for the Board President to sign the Hazardous Mitigation Grant for Short Fork Creek and for the county to provide matching funds up to \$120,000.

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 F.4

5. MDOC Documents for State Inmate Housing

Sheriff Bill Rasco stated that the Board President needs to authorize documents being submitted to MDOC for reimbursement of funds on State Inmate Housing.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to authorize the Board President to sign MDOC reports on State Inmate Housing for reimbursement to the County.

The motion passed by a vote as follows:

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

See Exhibit F.5

6. a Sheriff Department Intergovernmental Agreement for Bullet Proof Vest

County Comptroller Tom Arnold asked for the Board of Supervisors to authorize Board Attorney to draw up an Intergovernmental Agreement for the Bullet Proof Vest that the Sheriff Department plans to disburse to various governmental agencies.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to authorize the Board Attorney to draw up an Intergovernmental Agreement for the Sheriff Departments disbursement of surplus Bullet Proof Vest.

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. b Sheriff Department Sale Inspection/Repair of Helicopter

County Comptroller Tom Arnold requested authorization from the Board to cut checks once the helicopter repairs, in the amount of \$29,647.30, and the pre-sale inspection cost, \$3,075. Mr. Arnold said this would allow the payment when job was completed and funds would not carry over into the new budget year.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to authorize the Comptroller to cut checks for the Sheriff Department sale inspection \$3,075 and repair \$29,647.30, of helicopter once completion has been approved.

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. c Budget Amendment Justice Court – Centralized Law Library

County Comptroller Tom Arnold requested Board authorization for a budget amendment in the amount of \$7,900 to move funds in the Justice Court budget that will allow the purchase of furniture, to train and

purchase educational material for the Centralized Law Library.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded to motion to authorize the Justice Court Budget Amendment in the amount of \$7,900 for the Centralized Law Library requirements.

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>

7. Consent Agenda Item 5.a Change

Chancery Clerk Sluggo Davis stated that on the Agenda for today under the Consent Agenda Item 5.a should read as Order Accepting/Objected Disallowances on Homestead Exemption by Mississippi State Tax Commission.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the change to the Consent Agenda Item 5.a to read as Order Accepting/Objected Disallowances on Homestead Exemption by Mississippi State Tax Commission.

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

8. See Executive Session, Road Department – Beaver Control

9. See Executive Session, Road Department – Personnel

10. See Executive Session, County Administration - Personnel

G. CONSENT AGENDA

The Board of Supervisors considered the items presented on the Consent Agenda as listed.

Supervisor Jessie Medlin asked for clarification on item 2b the Attorney General opinion regarding Horn Lake Creek and the Interlocal Agreement. County Engineer Scott Young said this was for the project on Horn Lake Road Bridge.

Chancery Clerk Sluggo Davis said that under item 5 there should read as 5c for Objections on Homestead Exemption Supplemental Roll.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve the Consent Agenda items as follows:

G. Consent Agenda

1. Office of Finance & Accounting

a. Budget Amendments – Detailed in Exhibit G

b. Request to Repay Interfund Loan

Transfer From: I-69 Corridor Study-MPO Part 2	\$154,305.22	(312-000-149)
Transfer To: General County Fund	\$154,305.22	(001-000-054)

SERIAL #	REASON FOR DISPOSAL	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	LOCATION OF FINAL DISPOSAL
2FAHP71WX5X161626	Parts Only	Sheriff Dept.	08/06/12	C SCOTT	CM - PARTS
358427033675227	Broken	"	"	"	E-WASTE
35003663	Broken	"	"	"	"
2FAHP71V78X158551	Parts Only	"	"	"	CM - PARTS
2FAHP71W97X156162	Parts Only	"	"	"	CM - PARTS
2FAHP71W06X140236	Parts Only	"	"	EDDIE V	INS PICKUP
PS00804727060003601000	Broken	"	"	C SCOTT	E-WASTE
2L16F21	Broken	"	"	"	"
CNBZ82T16R	Broken	"	"	"	"
CNBC93V22Z	Broken	"	"	"	"
CN0G51524864343L3655	Broken	"	"	"	"
PSV5406004812093392701	Broken	"	"	"	"
PSV530Z00783201C492702	Broken	"	"	"	"
PSV54060047490B6182701	Broken	"	"	"	"
PS008047227060001900100	Broken	"	"	"	"
PS00804722706000140100	Broken	"	"	"	"
64207DD02701	Broken	"	"	"	"
PS00804722706000080100	Broken	"	"	"	"
PSV5406004803070A42701	Broken	"	"	"	"
PSV53060172211A2C2703	Broken	"	"	"	"
8NL7880	Broken	"	"	"	"
S9N53155	Broken	"	"	"	"
MY19H9LQA18237K	Broken	"	"	"	"

f. Grants Administration: Accept Homeland Security Grants for Portions of Salary for Chris Olson and Fred Randle's Task Force Security Contract and Homeland Security Task Force Equipment

Grant #1: \$80,000 for portions of Chris Olson's salary and for Fred Randle's Task Force security contract.
Grant #2: \$25,000 for Homeland Security Task Force equipment

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

- a. Interlocal Agreement with the Town of Walls, MS for Fire Code Inspection Services
- b. Interlocal Agreement and Attorney General's Opinion for Drainage Construction Project at Horn Lake Road Bridge (between Desoto County, MS & Horn Lake Creek Watershed Drainage District)

3. Department of Road Management

- a. Adopt-a-Road Application: Omega Psi Phi Fraternity, Inc.: Psi Mu Chapter – Craft Road, from Church Road to College Road
- b. Safety Report
- c. Addition to Road Register: Hilltop Cove (Delta Crest Subdivision)

4. Chancery Clerk Allowance (2) \$1,500.00 \$1,550.00

5. Chancery Clerk's Office: Order Accepting & Objecting Disallowances on Homestead Exemptions by Mississippi State Tax Commission

- a. Order Accepting Disallowances on Homestead Exemptions by Mississippi State Tax Commission
- b. Petition to Adjust Exemption on Homestead Exemption Supplemental Roll
- c. Petition to Object Exemption on Homestead Exemption Supplemental Roll

6. Tax Assessor's Office: Petition for Reduction of Assessment

7. Sheriff's Dept. Appointment: Cheryl Scott as Assistant Inventory Clerk with authority to enter items into inventory software

8. Authority for Melissa Grant to Sign Requisitions for all funds under the direction of the County Administrator

The motion passed by a vote as follows:

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

See Exhibit G

H. OLD BUSINESS

1. Budget Discussions

a. DeSoto County Arts Council

Cindy Pittman, Lisa Bean and Vicki Neyman appeared before the Board of Supervisors to thank the Board for their support. Ms. Pittman said the arts council has coordinated and supported various local people with space and events to show their arts. Ms. Pittman stated that the budget requested was \$20,000 and their community resources have supplemented the balance of their needs. Funds are to be used to finish the development of the Banks property where they are located now. Ms. Pittman said she would like to thank Board Attorney Tony Nowak for his past year as president for the arts council.

Vicki Neyman said the arts council has helped various artists to sell approximately \$10,000 worth of art through the art gallery. This applies to arts, music and other art areas. There have been request from Corporate Companies for local art displays in their buildings that are displayed in their foyers. Ms. Neyman stated that the Mississippi Arts Commission came to DeSoto County to make recommendations for the arts council to use. One area was the county's cultural and music heritage. The art council plans to build on county talent and creativity to make the county popular for economic development.

Lisa Bean, who is the treasurer for the Arts Camp, gave the Board an update on the past years Kids Camp that was held by the arts council. Pictures and a bag of money was displayed to the Board on the previous campers. Ms. Bean said the money was from child who wanted to reserve his spot for next year's camp. She stated that the program plans to raise funds for scholarships for the kids' camp. They will ask for funds at different levels to provide the scholarships.

Supervisor Gardner said he wanted to thank the arts council for his invitation to attend the camp and that he felt the camp was well organized. He appreciated what they do for the county. Supervisor Gardner said the Board had asked all departments to cut their budgets, because the Board does not want to raise taxes. Any cuts made to anyone's budget in no way reflect the job being done by the people.

Supervisor Lee Caldwell said the county cannot provide funds for some programs but this Board can assist agencies in areas with people resources.

Ms. Pittman said she appreciates this offer and the Board will be getting more opportunities to be involved with their programs.

Supervisor Bill Russell said he appreciates the efforts of the Arts Council and they along with the Museum and the Greenway are the reasons that Cities are listed in rankings, because of the work they do.

No motions or votes were taken.

b. Volunteer Northwest Mississippi

Peggy Linton and Anna Dickerson appeared before the Board regarding the Volunteer Northwest Mississippi (VNW) budget request. Ms. Linton said VNW receives 67% of their budget from grants, 16% from the County, 16% from the City of Southaven and the balance from various small grants. Ms. Linton said that under Anna's directive they have tripled the work that has been done in DeSoto County. Anna is an attorney and works part time for VNW, but she was formerly a volunteer for VNW.

Ms. Linton said that the VNM group also assists the Emergency Management Agency to staff the emergency shelters and to handle the phones when emergencies arise.

Ms. Dickerson passed out handouts and stated that the Boards help on the recent food distribution, which will not end until April 2013, had been a great success. This is a two year event for the food giveaway. She said they provide Non-Profits with training and organization guidelines along with holding monthly meetings at a cost of \$15 per meeting. They also work to meet with communities on events and get people within the community involved.

Supervisor Mark Gardner asked the reason for the increase requested budget. Ms. Linton stated that they have to provide match funds on their grants and the County funds would be used for this purpose. Supervisor Gardner said he wanted to thank VNM for their efforts to recruit volunteers for the Fire Departments. This effort has helped the EMA Director Bobby Storey to find personnel for the fire department.

Supervisor Bill Russell said that if VNM gets grants and need additional funds for match, they can come back to the Board at that time to request funds.

No motion or votes were taken on this item.

c. DeSoto County Museum

DeSoto County Museum Director Brian Hicks, Dr. Roma Thorn, Attorney Bill Brown, and Horn Lake citizen Don Wilkerson appeared before the Board of Supervisors regarding the budget for the Museum.

Mr. Hicks gave a presentation to the Board on how the Museum budget has been spent. He stated that the mission for the museum is preservation, education and tourism. He said they recently received 90 boxes of artifacts from Chucalissa Indian Village to go through and put up display. They also have the World War II collection and the other various war collections that they are displaying. In the past year, they gave over 100 school programs in DeSoto County schools. They have also put on display special exhibits on Native Americans, Independence Hall on the Fourth of July, and two major exhibits in regards to the Veterans. They had the New Harmonies exhibit from the Smithsonian and the New Blues and Civil Rights exhibits. They also work with the Tourism Development for visits by foreign countries. They try to assist or partnership for events that take place in DeSoto County.

Mr. Hicks said that in the past years funds were available from donors, but those funds are not available anymore. The museum is trying to do as much in house as possible. The museum is open six days a week for operation. The cities try to help with funds also, but the county funds are used in specific areas that are needed and also for match funds on grants that are applied for. Mr. Hicks said the cuts to their budget would reflect three weeks of operation that would have to be suspended. They try to collect funds for operation through memberships at \$5 per senior, corporate memberships at \$100 and family memberships at \$20 to \$25. They also do wedding rentals for funds.

Attorney Bill Brown said the museum board appreciates the help the Board of Supervisors has given over the past several years. Mr. Brown said that Brian Hicks is an asset to the museum as well as to the county. He runs the museum, does the custodial work, and also is working on his PHD. Mr. Brown said that the donations are not what they used to be, so they have to rely on the Board of Supervisors for help with our budget.

There were no motions for votes taken on this item.

e. House of Grace

House of Grace Director, Loraine Cady, appeared before the Board of Supervisors regarding their budget request. Ms. Cady said wanted to recognize the Board for their service and thank them. Ms. Cady said the shelter for abused women has been at capacity for July and August of this year with eight children and their parents. She said that she wants to thank the DeSoto Health and Wellness Center for providing care for their occupants health needs. Ms. Cady said she is requesting the Board to not cut their funds due to the local churches not being able to provide funds as they have in the past. They are seeing more homeless women in our care due to the loss of homes and jobs and they

are having trouble providing care due to the lack of funds to operate.

Supervisor Jessie Medlin said he appreciated all Ms. Cady's work.

Supervisor Lee Caldwell said she admires all that Ms. Cady does and if there are things that the County can help to raise event awareness to secure funds that is what they are here for.

Ms. Cady said their shelter is ranked third in the state, but the state has cut funds to the shelter.

Supervisor Mark Gardner asked if the shelter needed any donations that would help. Ms. Cady said she appreciates these offers, but the basic need is funds for operation.

No motions or votes were taken on this item.

f. DeSoto Health and Wellness Center

Billie Wilhite, President of Board for the DeSoto Health and Wellness Center (DHWC), appeared before the Board of Supervisors requesting to be added to the budget category for the 2013 Budget year. Ms. Wilhite said she works three days a week at the DHWC as a volunteer. She said that 27% of DeSoto County's citizens do not have health care and these people either use the DHWC or go to the hospital emergency rooms. Ms. Wilhite said the DHWC only has three paid employees at the clinic and they see everything in ailments. There are a lot of single parents who do not have health care. Due to the downturn in economy they are seeing more patients than in the past. They reach out to the community for professionals to help when they can't provide care for patients. DHWC has patients who cannot pay for medications and they assist them with assistance programs direct from drug suppliers. DHWC has approximately 747 people on the drug assistance program. The cost for these drugs if not provided by this program would be \$847,000. Ms. Wilhite said the center receives no Federal or State funds. All funds come from donations and this year these funds are not there. They are asking for the county to provide \$40,000 for this next year's budget. She stated that most of the patients they see are citizens from DeSoto County.

County Comptroller Tom Arnold stated that the County had only designated \$9,500 for the 2013 budget.

Ms. Wilhite stated that if they could find 3,000 people who would donate \$100 per year, this amount would fund the DHWC each year.

All Board members stated their appreciation to Ms. Wilhite for her efforts at the clinic.

No motions or votes were taken on this item.

2. Dept. of Road Mgt.: Floodplain Management 101 Training

County Road Manager Andy Swims said that Stacey Ricks of MEMA had sent him a schedule on the Floodplain Management 101 training. This is a four hour course that the Supervisors need to attend. The dates are as follows:

September 11-13; September 18-20; September 24-27

Mr. Swims said he needs to give a date and an alternate date. This training will be held in the Board Room.

After discussion by the Board member the date was set for Wednesday, September 12, 2012 from 8am to 12pm with the alternate date being Wednesday, September 19, 2012 from 8am to 12pm.

3. Parks and Recreation

Board Attorney Tony Nowak said the prior Board of Supervisors had established a Recreation District and this was done by order in 1994. The Recreation District Committee has been vacant since 1997. Mr. Nowak asked the Board let him know how and when they want to set up a new Recreation District Board. The Board needs to decide how many appointees they want to have and the manner in

which they will be appointed. The discussion had been for two from the Economic Council, and one from each Supervisor district. Mr. Nowak said he would set up meetings with all members for training and they will all report to the Board of Supervisors.

Supervisor Russell said the reason for the recreation district is that it would handle more than just parks. He feels that this could cover parks, greenways and other areas in the county that involve recreational activities that the county is involved in.

Mr. Nowak said he would have to draw up document to dissolve the parks committee.

Supervisor Russell said he recommends that Larry Jarrett report to the Economic Council and that the cities be made aware of that. He said he would like to segregate Mr. Jarrett's salary and the balance portion to be for overhead expenses which will be reported to the Board of Supervisors.

Mr. Nowak said the city mayors will be an honorary part of the board.

Larry Jarrett asked if by activating the Recreational District, will liability fall under the Tort Claims Act? Attorney Nowak said yes the Recreation District would receive the immunities provided by the Tort Claims Act. Mr. Jarrett said he would meet with the committee monthly and have minutes of each meeting that he would report to the BOS.

Supervisor Mark Gardner stated the money in the budget was a combination of the two funds.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to authorize the Board Attorney Tony Nowak to take the necessary steps to dissolve the Park Commission, establish the commissioners of the Recreational District, which will be composed of committee representatives, two from the Economic Development Council, one from each Supervisor district, and have the Mayors of each city serve as an Honorary member, District Commissioners will serve a four year term by state statute.

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>

I. NEW BUSINESS

1. Election Commission – Long Range Plan

Circuit Clerk Dale Thompson and Election Commissioner Danny Klein appeared before the Board of Supervisors to discuss the Election Commissions plans for new election equipment.

Ms. Thompson said they would need \$450,000 for the next M100 scanners to take the place of the paper ballots for handicap voting.

Supervisor Jessie Medlin asked why they need to change the equipment.

Ms. Thompson said the existing equipment is 11 years old and in 3 years it will be 14 years old. The equipment is having some problems now and the maintenance cost for equipment is \$30,000 per year. They need backup equipment for larger precinct voting. The company is not making the existing DS100 equipment, so they will have to go to the DS200. They bought the Optical Scan equipment in 2002 and they were reimbursed by the state for this purchase.

Supervisor Mark Gardner asked if the county would be reimbursed for the new equipment. Ms. Thompson said no, but the maintenance cost on existing equipment could be utilized to go toward the new equipment.

Supervisor Medlin stated that this is for the 2014 budget year. Ms. Thompson said yes.

Supervisor Bill Russell asked if the county should set up a budget line to build funds up toward this purchase. Ms. Lynchard said yes and they have started some work on this already.

Ms. Thompson said that the Automarks equipment for handicap voting requires a maintenance cost of \$15,000 per machine and there are 45 of them. She asked to Board to approve dropping this maintenance cost on the machines.

Supervisor Medlin asked if the purchase of new election equipment could be phased in on purchases. Ms. Thompson said no because the software on equipment also has to be changed.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve the recommendation of the Circuit Clerk and Election Commission to drop the maintenance contract for the existing 45 Automark election equipment at a cost of \$15,000 per 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>

2. IT Department: Branding Committee Recommendation for DeSoto County Logo

This item was removed from the agenda.

3. Office of Finance and Accounting

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the inventory disposition for surplus inventory at the Sheriff’s Dept.

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>

a. Inventory Control Dispositions – Preliminary: Sheriff’s Dept. – Surplus Items for Auction

PRELIMINARY

FISCAL
YEAR:

200

DEPARTMENT:

SHERIFF DEPARTMENT

2012

ASSET #	DESCRIPTION	SERIAL #	REASON FOR DISPOSAL	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	LOCATION OF FINAL DISPOSAL	DATE OF FINAL APPROVAL
31278	2002 Dodge Durango	1B4HR38NX2F140046	Surplus	Sheriff Dept.	08/20/12			
30909	2001 Crown Vic	2FAFP74W71X125180	Surplus	Sheriff Dept.	"			
35148	2005 Crown Vic	2FAHP71W15X127090	Surplus	Sheriff Dept.	"			
35143	2005 Crown Vic	2FAHP71W65X144385	Surplus	Sheriff Dept.	"			
39811	2006 Crown Vic	2FAHP71W36X154809	Surplus	Sheriff Dept.	"			
38708	2006 Crown Vic	2FHAP71W86X131588	Surplus	Sheriff Dept.	"			
35051	2005 Crown Vic	2FAHP71W35X1270	Surplus	Sheriff Dept.	"			

		91						
38417	2003 Crown Vic	2FAHP71W45X156776	Surplus	Sheriff Dept.	"			
38707	2006 Crown Vic	2FHAP71W56X154729	Surplus	Sheriff Dept.				
33602	2002 Crown Vic	2FAFP71W72X122432	Surplus	Sheriff Dept.				
38702	2006 Crown Vic	2FHAP71W46X140241	Surplus	Sheriff Dept.				
34631	2004 Crown Vic	2FAFP71W84X157886	Surplus	Sheriff Dept.				
36436	2003 Crown Vic	2FAFP71W93X206222	Surplus	Sheriff Dept.				
38416	2005 Crown Vic	2FAHP71W15X121368	Surplus	Sheriff Dept.				
35146	2005 Crown Vic	2FAHP71W55X152669	Surplus	Sheriff Dept.				
40277	2002 Ford F-150	1FTRW08L72KB62736	Surplus	Sheriff Dept.				
38705	2006 Crown Vic	2FHAP71W16X140228	Surplus	Sheriff Dept.				

AUTHORIZATION TO DISPOSE					NOTES			
DEPARTMENT:	CHERYL SCOTT	DATE:	08/14/12		Going to auction on 10/20/2012			
PRINT NAME:								
DISPOSED BY:		DATE:						
PRINT NAME:								
INVENTORY CLERK:	CHARMAINE MCCOOL	DATE:	08/14/812					

PRELIMINARY

FISCAL YEAR:

200 DEPARTMENT: SHERIFF DEPARTMENT YEAR: 2012

ASSET #	DESCRIPTION	SERIAL #	REASON FOR DISPOSAL	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	LOCATION OF FINAL DISPOSAL	DATE OF FINAL APPROVAL
42334	Suzuki Samurai 1988 / White	JS4JC51C9J4204661	Surplus	Sheriff Dept.	08/20/12			
39600	JEEP CHEROKEE 2004	1J4GW48S34C194435	Surplus	Sheriff Dept.	"			
42031	Jeep Cherokee 1993 Black	1J4GZ58Y8PC547774	Surplus	Sheriff Dept.	"			
42095	Buick Regal 1998 Gold	2G4WB52K4W1508626	Surplus	Sheriff Dept.	"			
42032	Nissan Pathfinder 2001 Gold	JN8DR07Y01W526506	Surplus	Sheriff Dept.	"			
32253	FORD TAURUS 2003	1FAFP52U63A118156	Surplus	Sheriff Dept.	"			
41717	2003 FORD F-150 TRUCK BLACK	2FTRX17L03CA99666	Surplus	Sheriff Dept.	"			
41745	Interstate Load Runner Enclosed Trailer	4RACS10135C002298	Surplus	Sheriff Dept.	"			

AUTHORIZATION TO DISPOSE		
DEPARTMENT:	CHERYL SCOTT	DATE: 08/14/12
PRINT NAME:		
DISPOSED BY:		DATE:
PRINT NAME:		
INVENTORY CLERK:	CHARMAINE MCCOOL	DATE: 08/14/12

NOTES
Going to auction 10/20/12

b. Grants Administration: Grant Application Proposal & Request for Approval to Apply for Waste Tire Grant for Environmental Services.

Grants Administrator Tom Haysley and Environmental Director Ray Laughter appeared before the Board of Supervisors requesting approval to apply for the MDEQ Waste Tire Grant. Mr. Haysley said this will be a two year grant in the amount of \$35,000.

Supervisor Bill Russell said he would like for the county to do a special day for tire collection. Supervisor Jessie Medlin asked if the county road department picks up tires on the side of the road when they find them. Road Personnel Stan Rochelle said yes.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the application to MDEQ for the Waste Tire Grant for two years in the amount of \$35,000.

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>

c. Supplemental Claims Docket

Chief Financial Officer Tom Arnold, of the Office of Finance and Accounting, 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 claim on page 63 to install gate at Central Maintenance. Road Manager Andy Swims said they had to replace the gate with an auto closure and that it was a heavy duty gate.

Supervisor Jessie Medlin asked about the claim on page 11 to Monroe Pointer. Chief Financial Officer Tom Arnold said this bill is for a portion of the utilities on the Southaven Health Department.

Supervisor Mark Gardner asked about the claim on page 11 to Rainbow Carpet. Chief Financial Officer Tom Arnold said this was for cleaning the administration building carpets.

Supervisor Gardner asked about the claim on page 11 to Hanna Services. Mr. Arnold said this is for the contracted cleaning services for the buildings in Southaven.

Supervisor Gardner said on page 15 there is a claim to Premise, Inc. for \$1,250. Mr. Arnold said this is for the contract on the mail service.

Supervisor Gardner asked about the claim on page 30 to American Technologies for night vision mounts and the claim to Crows Truck Service for a generator. Mr. Arnold said the night vision mounts are for the rifles for the Sheriff's Department. The generator is for the SWAT Truck at the Sheriff's Dept.

Supervisor Gardner asked about the claim on page 38 to Sunbelt Fire Apparatus for another generator at \$11,150. Mr. Arnold said this generator is for the ambulance service.

Supervisor Gardner asked about claim on page 44 to Backyard Landscape for a 12X24 barn. Interim County Administrator Vanessa Lynchard said this was budgeted for the animal shelter purchase to be used for storage.

Supervisor Gardner asked about claim on page 56 to North Miss Two Way on the Kenwood radios. Mr. Arnold said this is purchased with UASI Homeland Security funds.

Supervisor Gardner asked about the claim on page 57 the claim to Pro Tent for wenches. Mr. Arnold said the wenches are for the Homeland Security vehicles and paid with grant funds.

Supervisor Gardner asked about the claim on page 63 to Mailhot Services. Mr. Arnold said this was for a tree cut that was blocking Desoto Road and it was around the utility lines.

Supervisor Gardner noted that on page 68 there are several claims for gravel purchases. Road Manager Andy Swims said they are beginning to stock pile gravel since they are using a lot for shoulders on roads. The gravel is delivered to the various maintenance shops in the county.

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

4. Office of Procurement: Sheriff/Aviation Department Purchase exceeding \$25,000

Interim County Administrator Vanessa Lynchard said the Sheriff is having work done to the helicopter they have sold and the amount of repairs is greater than \$25,000. This is not subject to quotes because when they went in to repair the motor they found more damage than expected; the additional work for the repair needs approval.

Sheriff Rasco said they have to rebuild the motor for the helicopter to be able to sell it. The total for the repair to the helicopter is \$29,647.30.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve the amount of repairs to the helicopter in the amount \$29,647.30.

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

5. Contracts Administration

a. Justice Court: Contract Addendum with RJ Young for Copier

Interim County Administrator Vanessa Lynchard said that Justice Court Judge Sanders had called and requested a copier in the court room. Ms. Lynchard said this was the last year on the copier contract so this purchase would go under a pool program for copiers.

Supervisor Jessie Medlin questioned the amount per month cost. Ms. Lynchard said she would verify the contact amount.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve the copier purchase pending contract changes.

The motion failed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>NO</u>
Supervisor Mark Gardner, Second District	<u>NO</u>

Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>NO</u>
Supervisor Harvey Lee, Fifth District	<u>NO</u>

See Exhibit I.5.a

Supervisor Mark Gardner said he needed more information before he could vote.

Supervisor Jessie Medlin said he felt this request should have come from the Justice Court Clerk.

b. IT Department: Contract Addendum for BOS with Delta Computer

Ms. Lynchard said this contract was for renewal of all software for the county users and the rates have changed. IT Director John Mitchell said he has the contract for the Board Attorney to review and approve.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to approve the contract addendum with Delta Computer with changes to the contract being reviewed by Board Attorney Tony Nowak.

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.b

c. Facilities Management: Holiday Exterminating – Approve Addendum

Ms. Lynchard said that the buildings listed were not in the original county termite control contract. This addendum will add these buildings.

- (1.) **DC Courthouse**
- (2.) **Hernando Library**
- (3.) **DC Ag. Center**

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the addendum for Facilities Management to Holiday Exterminating for the additional county buildings: DC Courthouse; Hernando Library; and DC Ag. Center.

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.c

6. Department of Road Management

a. Fence Installation and Ditch Repair – 6696 Casey Cove (Ranch Meadows Subdivision)

Road Manager Andy Swims said there were issues with what had been done on 6696 Casey Cove. The County took down two sections of fence and the homeowner took down two additional sections of fence so that the county could do some drainage problem repairs. He said that he spoke to the Board Attorney to see if the county was responsible for putting the fence back. Board Attorney Tony Nowak said that under State Statue the Attorney General says that the county can repair the fence to the extent it was damaged by the County.

Supervisor Bill Russell said the fence was up when the Board approved work on the drainage. He said that he advised the homeowner that the county would fill area with dirt and put the fence up that the County moved, and then the homeowner would have to sign a release to the county for this work. Mr. Swims said the cost for the dirt and to put the fence back up would be \$317.00.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve the recommendations of the Road Manager for the fence installation and ditch repair and to have the homeowner signoff on the work when completed.

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.a

b. Finding of Fact: 6879 White Hawk Lane (Braybourne Subdivision)

Interim Road Manager Andy Swims presented information regarding damages to private property at 6879 White Hawk Lane in Braybourne Subdivision. Mr. Swims said that the repairs on this property were necessary for the health safety and welfare of community. There was a metal culvert with bands in place and the bands were not properly installed and tightened and this created the property to have major sinkholes. He said the work that needs to be done to correct the problem. They will inspect area before to make sure the work is done properly before culvert in covered with dirt. Mr. Swims said the damages are associated with drainage and erosion, affecting the health, safety and welfare of the public. The estimated cost to repair the damages is \$10,374.

At the recommendation of the Interim Road Manager, Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to declare the damages caused by drainage and erosion on the property located at 6879 White Hawk Lane in Braybourne Subdivision, a health, safety and welfare issue to the citizens of DeSoto County as outlined in Mississippi code section 19-5-92.1, and to repair the damages at an estimated cost of \$10,374.

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.b

c. Cost Estimate for Ditch Improvements in from of the Old Imperial Dinette Building

County Road Manager Andy Swims said they had looked at the cost to repair the ditch at the Old Imperial Dinette Building and if the county does the work it will cost \$14,541, but if someone else does the work it will cost more. He said that he received a quote from Daniel Murphy that gave several ways to repair the ditch. He said that it would take three days to do the repairs. Supervisor Jessie Medlin asked what the labor cost would be. Mr. Swims said that labor is built into the price, but the material cost is \$7,400 and the balance is labor. Mr. Swims said they are not doing the crushed stone or asphalt.

Supervisor Mark Gardner said that there is a furniture distribution company in the building and they plan on cleaning up the area and spending \$600,000 to \$900,000 for the work.

Supervisor Bill Russell said the water in front of the building is not draining properly and the county needs to do this work on the drainage to protect the County's property.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion for the county road department to do the ditch drainage improvements on the Old Imperial Dinette site at a cost of \$14,541.

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.c

d. Cost Estimate of Fairview Ballpark Parking Lot

County Engineer Scott Young stated that the ballpark parking lot has a culvert that runs across the lot and that it needs to be replaced before the parking lot is paved. He said that they need to replace the driveway culvert and put down crushed stone in this area. He said the parking lot was destroyed by the dump trucks that come on the property to pick up the dumpsters and the area around the dumpsters will need to have limestone put down.

Supervisor Jessie Medlin said he would like to use District One park funds to do this. He asked CFO Tom Arnold what amount was in the park fund. Mr. Arnold said there was \$61,813 in the fund.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to authorize the repairs to the Fairview Ballpark Parking Lot and approve the payment from the District One Park Funds.

The motion passed by a vote as follows:

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

See Exhibit I.6.d

J. Planning Commission Agenda

NEW BUSINESS

Minor Lot

Kenneth Thompson Minor Lot (6852) – Application is for final subdivision approval of one (1) lot of 5.98 acres. Subject property is located at 2055 Mosby Road on the south side of Mosby Road and east of Love Road in Section 9, Township 4, Range 7 and is zoned Agricultural (A). (District 5)

Mr. Ted Garrod presented the application for Kenneth Thompson Minor Lot for final subdivision approval of one (1) lot of 5.98 acres. Mr. Garrod stated the application was scheduled to be heard by the Planning Commission on August 2, 2012 but the meeting was cancelled due to lack of a quorum. Mr. Garrod explained that rather than holding the application over until the next month's meeting, staff elected to bring it forward to the Board of Supervisors without a recommendation for approval. He said that application appears to meet all requirements of the Subdivision Ordinance and staff believes it should be approved subject to Health Department approvals and any required right-of-way dedication.

Supervisor Medlin asked if there was anyone present who wished to speak regarding this application. There was no one.

Supervisor Lee made a Motion to approve Kenneth Thompson Minor Lot, as presented, and subject to Health Department approvals and any required right-of-way dedication. Supervisor Medlin 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>ABSENT</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

Other Items

1. Code Enforcement – 6861 Center Hill Road

Mr. Ray Laughter announced that three quotes were received regarding the court-ordered cleanup of the subject property. He said that the low bid received was from Broadway Construction with a total estimate of \$3,750. Mr. Laughter noted that this estimate was substantially lower than the other bids received because Broadway Construction will sell materials removed from the site for scrap metal.

Supervisor Lee made a Motion to accept the bid estimate of \$3,750 to complete the court-ordered cleanup of the property at 6861 Center Hill Road. Supervisor Russell 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>ABSENT</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

2. 2012 Waste Connections Price Adjustment

Mr. Laughter that the fuel rate in June 2012 was down so all resident bills from Waste Connections will be lowered by \$0.10 (10 cents). He reported that this will result in a \$14,790 savings to taxpayers. Mr. Laughter also said this would result in a solid waste rubbish pit savings of \$3,882.15 in 2012.

Supervisor Medlin made a Motion to accept the 2012 Waste Connections Price Adjustment, as presented. Supervisor Russell 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>

K. OTHER

1. County Trucks

Supervisor Jessie Medlin asked about the trucks on fleet management and what departments were getting the new trucks. The Planning Department has over \$100,000 and the Animal Shelter has \$100,000 in planned purchases.

CFO Tom Arnold said that Facilities Management needs vehicles badly and the county in the past has

passed down various vehicles to this department.

Supervisor Bill Russell asked why does Planning need vehicles more than the Tax Assessors. Mr. Arnold said some of the personnel have to go out into field areas. He feels that the Facilities Management really needs newer vehicles due to the cost that it is taking to do maintenance on the current vehicles.

Interim County Administrator Vanessa Lynchard said she would get a log of all County vehicles and what has been spent in the way of maintenance on each vehicle. She said that she would have this to the Board at the next meeting.

Supervisor Jessie Medlin said he would like to see justification for the type of vehicles requested from each department.

2. DCRUA Office Renovation

Supervisor Bill Russell stated that he was approached by DCRUA Director Bill Austin about remodeling the DCRUA office. The cost would be approximately \$27,000 for this remodel. He said that he had no problem with the remodel if DCRUA would pay for it.

Supervisor Jessie Medlin said they need to make sure that whatever is done that it will not have to be redone at a later date.

The Board of Supervisors said if DCRUA wants to pay for the remodel out of their budget, this was ok with them.

There were no motions or votes on this item.

L. 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 August 29, 2012 at 8:30 a.m. The motion was seconded the motion by Supervisor Harvey Lee.

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>

THIS the 20th day of August 2012, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Jessie Medlin, President
DeSoto County Board of Supervisors