

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

**December 19, 2016**

**A. CALL TO ORDER**

The December 19, 2016 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie Medlin, Board President.

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

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

**B. INVOCATION**

Supervisor Jessie Medlin gave the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. CITIZENS REMARKS & PRESENTATIONS**

**E. 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. Sheriff Bill Rasco requested to add the following:**

- a. Approval to declare barn stalls as surplus and send to auction.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to declare as surplus the barn stalls that the Sheriff's Department has in their possession as they will deteriorate before the Agri-Education Center is ready for them.

The motion passed by a vote as follows:

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

- b. To move discussion of Senior Deputy salaries out of Executive Session to New Business.  
(New, H.13.)

**2. Supervisor Bill Russell requested to add the following:**

- a. Authority for the Board Attorney to work on renewing the Local & Private Legislation that allows the Board to give funds to the DeSoto County Economic Development Council in an amount up to

\$25,000,000.00 if necessary for recruitment of economic prospects.

Mr. Nowak stated the Local & Private authorizes the giving of funds, and that a separate agreement with the DeSoto County Economic Development Council has to be issued in order to spend the money. He further stated the current Local & Private expires soon.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott and Nowak to draw up a new Local & Private Legislation request that allows the Board of Supervisors to give funds to the DeSoto County Economic Development Council for the purpose of recruiting economic prospects with a cap of \$25,000,000.00.

The motion passed by a vote as follows:

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

3. County Administrator requested to add the following:

- a. Late Bill for Waggoner Engineering for Johnson Creek (New, H.4.c.)

4. Supervisor Medlin requested to add the following:

- a. Consideration for Executive Session – Possible Litigation – Code Enforcement (Executive, J.4.)

5. Chancery Clerk Heffner requested to add the following:

- a. Mobile Shelving for Land Records (New, H.14.)

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

The motion passed by a vote as follows:

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

F. CONSENT AGENDA

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

1. Publication of Board Proceedings

2. Office of Finance & Accounting

a. Budget Amendments – Volunteer Fire Dept. Buildings, Animal Shelter Operations, IT/Sheriff’s Department, Sheriff Forfeitures

	Fund/Department #	313 / 355				Updated 7/15
(1)	Volunteer Fire Department Buildings					
		YEAR TO DATE	ADOPTED			REVISED
ACCT #	LINE ITEM	EXPENSES	BUDGET	INCREASE	DECREASE	BUDGET
	Revenue					\$ -
313-000-001	Beginning Cash	\$ -	\$ 124,262.00		\$ 5,476.00	\$ 118,786.00
	Expenses					
313-355-902	Love Fire Dept Building Line Item	\$ -	\$ 123,592.00		\$ 5,260.00	\$ 118,332.00
313-999-999	Ending Cash	\$ -	\$ 670.00		\$ 216.00	\$ 454.00
	TOTALS		OVERALL DECREASE OF \$ 5,476.00			
Reason for Request: (Show detailed justification)	To true up budget numbers and account for prior year expenditures spent during the last month of the fiscal year.					

	Fund/Department #	001 / 445				Updated 7/15
(2)	Animal Shelter Operations					
		YEAR TO DATE	ADOPTED			REVISED
ACCT #	LINE ITEM	EXPENSES	BUDGET	INCREASE	DECREASE	BUDGET
	Revenue					
001-000-370	Animal Shelter Donations	\$ 3,084.54	\$ 1,419.00	\$ 1,690.00		\$ 3,109.00
	Expenses					
001-445-696	Pharmacy Supplies	\$ -	\$ 1,870.00	\$ 540.00		\$ 2,410.00
001-445-697	Animal Testing & Vaccinations	\$ 900.00	\$ 15,250.00	\$ 485.00		\$ 15,735.00
001-445-698	Canine Supplies	\$ 3,370.53	\$ 20,269.00	\$ 455.00		\$ 20,724.00
001-445-921	Other Cap Outlay Under \$5000	\$ -	\$ 6,300.00	\$ 210.00		\$ 6,510.00
	TOTALS		OVERALL INCREASE OF \$ 1,690.00			
Reason for Request:	To account for various donations to the animal shelter.					

	Fund/Department #	001/152-001/200				Updated 7/15
(3)	I.T. Department/Sheriff's Department					
		YEAR TO DATE	ADOPTED			REVISED
ACCT #	LINE ITEM	EXPENSES	BUDGET	INCREASE	DECREASE	BUDGET
001-200-606	Computer Supplies	\$ -	\$ 3,000.00	\$ 5,000.00		\$ 8,000.00
001-152-924	Computer Hardware & Software	\$ 15,701.79	\$ 237,492.00	\$ 500.00		\$ 237,992.00
001-200-924	Computer Hardware & Software	\$ 6,251.79	\$ 25,468.00		\$ 5,500.00	\$ 19,968.00
	TOTALS	\$ 21,953.58	\$ 265,960.00	\$ 5,500.00	\$ 5,500.00	\$ 265,960.00
Reason for Request: Data Systems-Interface Software Justice Court & Sheriff Department						

	Fund/Department #	120/227				Updated 7/15
(4)	Sheriff-Forfeitures					
		YEAR TO DATE	ADOPTED			REVISED
ACCT #	LINE ITEM	EXPENSES	BUDGET	INCREASE	DECREASE	BUDGET
120-224-546	Other Repairs & Maintenance	\$ -	\$ 7,600.00	\$ 7,000.00		\$ 14,600.00
120-227-476	Meals and Lodging		\$ 5,800.00		\$ 3,000.00	\$ 2,800.00
120-227-533	Rental of Other Equipment	\$ -	\$ 4,000.00		\$ 4,000.00	\$ -
	TOTALS	\$ -	\$ 17,400.00	\$ 7,000.00	\$ 7,000.00	\$ 17,400.00
Reason for Request: Program Radios						

b. SID Forfeitures

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 #	Date Seized	Receipt #	Amount	Date of Forfeiture
2016-57572	11/04/2016	32825	347.00	12/07/2016
		TOTAL	\$ 347.00	

Transfer from Sheriff-Seized Fund

(123-000-139) \$ 347.00

Transfer to Sheriff-Forfeiture Fund

(120-000-238) \$ 347.00

c. Final Inventory Disposition – Sheriff’s Department, Adult Drug Court

FISCAL YEAR: 2016/2017

PRELIMINARY

INVENTORY DISPOSITION

DEPT NAME: SHERIFF'S DEPARTMENT

WIC = NON REPAIRABLE (COST) K = THOUSANDS  
MR = NON REPAIRABLE H = HOURS/DEG  
DAS = DOLLARS AS SUPPLIES D = DOLLARS

DEPT LOC: 200

KEY#	DESCRIPTION	ISSUE #	WHERE/WHEN FOR DISPOSAL	QTY	UNIT	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	EMPLOYED BY	FINAL APPROVAL LOCATION	DATE OF FINAL APPROVAL
31923	Yamaha Beartrucker 2002 4-Wheeler	G302E084290	Seizure to Auction	01	3K	SID	11-7-16	Handy Head		
31924	Yamaha Beartrucker 2002 4-Wheeler	G302E084484	Seizure to Auction	01	3K					
38591	FIBERGLASS BED COVER	N/A	Item attached to A838494 To Auction	08	8H	SID	11-7-16	Handy Head		
38592	CARGO LOADER	N/A	Item attached to A838494 To Auction	08	7H					

AUTHORIZATION TO DISPOSE

ISSUED BY: [Signature]  
PRINT NAME: Roger MacCabe  
EMPLOYED BY: [Signature]  
PRINT NAME: Andy Headley  
BY CLERK: [Signature]  
Angie Tackey

DATE: 10/25/16  
DATE: 12-14-16  
DATE: 11-7-16

INVENTORY CLAIM INFORMATION

PRELIMINARY PREPARED TO BE: November 7, 2016  
FINAL PREPARED TO BE: 12-19-16  
(SEE INVENTORY LIST FOR DETAILS)

DATE OF FINAL APPROVAL

NOTES

A838494 previously approved for Auction on September 18, 2016.

[illegible][illegible][illegible]

### 3. Office of Procurement

**a. Request to Approve Bid Specifications and Solicit Bids for Fairview Park Walking Trail  
Bid File #17-101-537-001**

b. Procurement Card Purchase – Human Resources - Printing Employee Benefits Books

4. Road Department – Safety Report

Workman Compensation Claims

There were no workman compensation Claims for this period.  
Please continue to pray for Danny Pool, an employee of the Road Department that was seriously hurt while loading a pipe.

Accidents

There were not any incidents of broken glass from mowers.  
There was one (1) incident where a car ran into the back of county truck # 18, driven by Frankie Merriweather on Tulane 11-16-2016.

Safety Meeting

There was a safety class for all shop employees on 11-30-2016. Mr. Alistair Leslie with Lipscomb & Pitts was the presenter.

We at the Road Department would like to take this opportunity to wish everyone a very blessed Christmas and the best New Year.

  
Kenny Woods/DeSoto County Road Superintendent

5. EMS Monthly Report: November 2016

Number of ambulance runs billed: 132  
Amount billed: \$ 71,801.20  
Amount collected: \$33,617.48  
Un-collectable amount: \$7,593.17

	Eudora #6	Lewisburg #2	Walls #9
Dispatched Calls:	86	99	71
Refusals:	18	28	22
Standby Only:	3	0	0
Billed:	51	65	45
Other:	14	6	4

Other = unable to locate patient, treated and transferred, treated and released, no treatment required, no patient found, dead at scene, cancelled and unknown.

October 2016  
Number of ambulance runs billed: 110  
Amount billed: \$66,458.00  
Amount collected: \$36,347.05  
Un-collectable amount: \$4,427.06

Fiscal Year To Date Collections:  
Number of ambulance runs billed: 271  
Amount billed: \$153,820.80  
Amount collected: \$69,608.53  
Un-collectable amount: \$12,020.23

6. Justice Court Monthly Report  
November 2016

Criminal Cases Filed	199
Civil Cases Filed	734
Traffic Tickets Filed	1,087
Total Cases Filed	2,020
State Assessments	\$65,495.00
County General Fund	\$112,472.40
DPS	\$8,450.00
Total Collections	\$186,417.40

7. Final Approval of Order/Certificate of the Department of Revenue Approving Real and Personal Rolls

8. Design Waiver for Firearm Training Facility – Blythe Road – District 3

**9. Insurance Pool with E911 and Horn Lake Sewer District**

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the actions and matters presented in the Consent Agenda.

Supervisor Medlin asked what the procurement card purchase included. Mrs. Lynchard stated that amount was just for printing the Employee Benefits Books. Mr. Medlin asked if HR should wait until after the Employee Handbook is through with revisions before printing the Benefit Books. Mrs. Lynchard stated it is really two separate things, and employees get a synopsis handbook rather than the entire Employee Manual. Mr. Nowak stated that benefits are subject to change periodically, and the Employee Manual is more established.

The motion passed by a vote as follows:

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

**See Exhibit F.**

**G. OLD BUSINESS**

**1. ACI (Alphaba, Cockrum, Ingrams Mill) Graded Fire District – Public Hearing**

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

The motion passed by a vote as follows:

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

Board Attorney Tony Nowak stated that on November 7, 2016 the Board of Supervisors made a finding that the formation of an ACI (Alphaba, Cockrum, Ingrams Mill) Graded Fire District would be a public benefit and convenience. The appropriate publications have been made and there have been no written protests received in the Administration Office or the Chancery Clerk’s office. There was no one present to speak against the formation of the fire district.

Supervisor Medlin asked if there is a public water entity in the area. EMA Chief Deputy Director Chris Olsen stated there is not, the grading will depend on the department’s tanker capability, water supplies, response times, training, etc. He stated this area is currently at a 10 rating and they hope to get it to an 8. He stated the County and Volunteer Fire Departments have done a tremendous job working to lower fire ratings. He stated this is the last department in the County with a 10 rating.

Supervisor Gardner asked if there had been a press release regarding the lower ratings. Supervisor Caldwell stated the Fire/EMA Committee recommended featuring a different fire department each week in the newspaper, on the website, and social media, showing area maps, ratings, and giving information on the department. She said the articles also encourage people to support and join their local volunteer fire department.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve the formation of the ACI (Alphaba, Cockrum, Ingrams Mill) Graded Fire District finding there was no protest filed to the Board, finding it is necessary for the health and safety of the residents of the Alphaba, Cockrum, and Ingrams Mill communities, and approve the Final Resolution establishing said district.

The motion passed by a vote as follows:

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

See Exhibit G.1.

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

The motion passed by a vote as follows:

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

2. Dr. Ken Thompson, Physician – Medical Control Director Agreement

Mr. Nowak stated he revised the Medical Control Director Agreement only to change the name of the Director to Dr. Ken Thompson. He stated the rest of the contract is identical with the same rate of pay as the previous director.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve the Medical Control Director Agreement with Dr. Ken Thompson.

The motion passed by a vote as follows:

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

Mrs. Lynchard stated EMS Director Mark Davis has been taking steps to make the transition with state licensures, but she said some licenses will have to be applied for a second time after January 1, 2017. She said the State has agreed to waive the \$3,000.00 license fee, but the paperwork will have to be done twice.

Supervisor Gardner asked if the Sheriff would invite Dr. Thompson to a Board meeting so all the Board could meet him and he could speak to the Board.

See Exhibit G.2.

3. Environmental Services – DeSoto County Rubbish Facility – North Central Scope of Work

Environmental Services Director Ray Laughter stated this is part of the rubbish pit air space utilization project. Mr. Laughter stated Mr. Nowak said the letter in Exhibit G.3. will suffice for identifying North Central’s scope of work and requested it be made a part of the Board minutes. He said they have poles on the ground, ready to install with the Board’s approval. Mr. Nowak affirmed that the letter did cover everything necessary.

Mr. Laughter stated the total cost of the project is \$64,000.00 with payment due 45 days after the work is completed.

Supervisor Russell asked if the lines would still be on County property. Mr. Laughter stated that is correct, but they will not be in the fill area. He stated the poles were moved once before, in 2003.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve North Central’s scope of work and record the documentation in the Board minutes.

The motion passed by a vote as follows:

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

See Exhibit G.3.

**4. Bridgetown Fire Department – Request for Proclamation**

Supervisor Lee stated that Bridgetown Fire Department would like a resolution from the Board honoring Chief Jerry Sides. He stated the County, and particularly Bridgetown Fire Department, has been very fortunate to have such as man as Chief Jerry Sides to accomplish the work he has in the last 40 years.

Supervisor Caldwell agreed that Chief Sides’ leadership has been most beneficial.

Supervisor Lee also said he spoke with Mr. Poppenheimer at the Bridgetown Fire Department and they would like to request a sign be placed on Malone Road north of Pleasant Hill Road in honor of Chief Sides and his service.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to have the Board draw up and sign a proclamation in honor of Chief Jerry Sides and his service; and to have a sign placed on Malone Road north of Pleasant Hill Road to honor Chief Sides and his service to the Bridgetown community.

The motion passed by a vote as follows:

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

**5. Payment for Bar Dues for Youth Court Attorney**

Mrs. Lynchard stated this item was held over from the last Board meeting. She stated she found that Ms. Jennifer Morgan does have to be a member of the Bar Association to practice law, but it does not seem she has to be a member of any other association. She stated the County does not pay the professional dues for any other employee, but they do pay association dues for some employees.

Mr. Nowak stated the difference between Ms. Morgan and other attorneys is; she is a County employee.

Supervisor Caldwell pointed out that teachers pay their own license fees. Supervisor Gardner stated real estate brokers do as well. Supervisor Lee stated he has to have two licenses for his profession, and you go into it knowing you have to pay those fees.

Supervisor Gardner asked if this was a promise at the time of employment. Mrs. Lynchard stated she was not aware if it was.

Supervisor Lee stated she has to pay bar dues regardless of where she works, and he does not think being a County employee changes that.

The Board members said they did not want to set a precedent of paying professional license fees for employees.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to deny the request to pay Jennifer Morgan’s bar dues.

The motion passed by a vote as follows:

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

Later in the meeting Judge Allen Couch came to request the Board change their decision and pay Ms. Morgan’s dues. He stated that MS Code 73-3-119 required the dues or her license will be suspended. The Board explained to Judge Couch they did not want to set a precedent and they felt like Ms. Morgan should pay her own license fees. Supervisor Gardner asked Judge Couch if this was a promise at employment. Judge Couch stated he was not sure, but they did increase their dues and subscriptions budget line item. Judge Couch also pointed out Ms. Morgan only works for the County and cannot practice law outside her job with Youth Court. He said he would ask Judge Wilson about the promise at employment.

Later in the meeting Judge Celeste Wilson came to request the Board change their decision and pay Ms. Morgan’s dues. She stated she did ask for money to pay the bar dues when presenting Ms. Morgan to the Board for hiring. No Board members remembered that request and it was not stated in the minutes.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to reconsider the previous action on this matter.

The motion failed 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>NO</u>
Supervisor Michael Lee, Fifth District	<u>NO</u>

**6. Deferred Compensation**

Mrs. Lynchard stated the Insurance Committee, with Supervisor Gardner as an ad hoc member, and looked in depth to be sure this was a good recommendation. She stated the committee met because MAS offered an option on deferred compensation carriers, and the County had to decide whether or not to switch. She said everyone on the committee was impressed with Nationwide, but there was a lot of expense involved.

Supervisor Gardner said with the alternate plan, the County would have to provide a fiduciary; and both HR and Accounting said they did not have anyone on staff qualified to be the fiduciary advisor. He stated this would require hiring another person or contract for the services.

Supervisor Medlin stated he feels it is the responsibility of the Board to be sure all employees know about deferred compensation.

Supervisor Gardner stated the information is in the new Employee Benefits Book, but it needs to be a part of new-hire orientation, and a part of open enrollment.

Public Information Officer Tanner Kuntz informed the Board that the HR department has scheduled a “PERS on the Move” day on January 25, 2017. He stated there will be 2 sessions for employees to attend.

Mrs. Lynchard read the recommendation of the committee as follows:  
“Supervisor Gardner made the motion and Supervisor Medlin seconded the motion to stay with PERS, and tell them they are on probation for a year to give better service to the employees. Unanimous vote.”

Supervisor Mark Gardner made the motion and Supervisor Michael Lee seconded the motion to accept the recommendation of the Insurance Committee and stay with PERS for deferred compensation, and to advise PERS the Board will come back in 12 months to evaluate their service with anticipation of seeing more employee participation.

The motion passed by a vote as follows:

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

**H. NEW BUSINESS**

**1. Business Investment Incentives**

Bryant Henley from the DeSoto County Economic Council presented the representatives from the following businesses:

**a. Drake Waterfowl: 10-Year Personal Property (New): \$634,028.87 and Free Port Warehouse**

Mr. Henley introduced Mr. Kevin Williams, co-owner of Drake Waterfowl. Supervisor Medlin asked Mr. Williams if Drake was new to the Olive Branch area. Mr. Williams stated the distribution center is new, but their headquarters has been in the area for about 15 years. He said their business has grown tremendously.

Mr. Williams stated Drake’s previous logistics were handled out of Maryland, and then they went to a 3<sup>rd</sup> party logistics company in Memphis. He stated they have now brought all their logistics internally to DeSoto County and had a major employment expansion.

Supervisor Medlin asked if some of the management lived in DeSoto County. Mr. Williams stated one of the owners lives in the Olive Branch area.

Supervisor Gardner encouraged Mr. Williams to hire DeSoto County Residents.

Supervisor Caldwell stated the WIN Job Center can help with DeSoto County hiring; and she asked Mr. Williams to look into supporting local charities. Mr. Williams stated his company plans to do both.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to approve the 10-Year Personal Property exemption for \$634,028.87 and the Free Port Warehouse exemption.

The motion passed by a vote as follows:

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

**See Exhibit H.1.a.**

**b. XPO Logistics Worldwide, Inc.: 10-Year Real & 10-Year Personal (New): \$11,815.214.60**

Ms. Beth Willard, Warehouse Manager for XPO Logistics, stated XPO is a distributor of hardware networking equipment by Hewlett Packard. She stated they recently signed a lease for 220,000 sq ft as they have doubled their work force in Olive Branch. She stated they are actively looking in DeSoto County for employees.

Supervisor Caldwell asked them to use the WIN Job Center to find employees, and stated that

community support is appreciated.  
Ms. Willard informed the Board they had a fundraiser and collected almost \$400 for the Olive Branch Food Ministries; and they are looking to do several more fundraisers throughout the year for different charities. Supervisor Caldwell expressed appreciation for their support.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve 10-Yr. Real & 10-Yr. Personal property exemption in the amount of \$11,815,214 for XPO Logistics (\$10,451,159.00 for Real and \$1,364,055.60 for Personal), and a Free Port Warehouse exemption in the name of Hewlett Packard Enterprise.

The motion passed by a vote as follows:

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

See Exhibit H.1.b.

**c. Innovel Solutions, Inc.: Free Port Warehouse**

Mr. Gary Brooks stated Innovel’s main function is to distribute appliances for Sears. He stated they are returning to Olive Branch after moving to Memphis 1 ½ years ago. Mr. Brooks said when Innovel needed more space; they elected to move back to Olive Branch.

Mr. Brooks stated Innovel is in the process of actively recruiting more employees from Olive Branch and the surrounding area. Supervisor Caldwell told him that the WIN Job Center can help with that process and encouraged him to utilize their services.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the Free Port Warehouse exemption for Innovel Solutions, Inc.

The motion passed by a vote as follows:

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

See Exhibit H.1.c.

**d. Intuitive Surgical, Inc.: Free Port Warehouse**

Mr. Harry Welch, Senior Manager of Intuitive Surgical in Southaven, informed the Board that his company designs and manufactures surgical robots. He stated they moved from California as most of their customers are on the East Coast and this location set them up closer.

Supervisor Caldwell asked Mr. Welch to utilize the services of WIN Job Center to help with hiring of DeSoto County residents. She also encouraged Mr. Welch to contact the Career Tech Center and stated that center will train students for the work force in specific areas. Supervisor Caldwell also asked them to be aware of local charitable organizations.

Supervisor Russell stated he liked the wages paid by Intuitive Surgical.

Supervisor Lee informed Mr. Welch that the Board sponsors a robotics team and would like for Intuitive to see if they could partner with them in some way. Mr. Welch stated they would be very interested in learning more about the team and would love to meet them. Mr. Welch also extended an invitation to the Board to tour their facility.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve the Free Port Warehouse exemption for Intuitive Surgical, Inc.

The motion passed by a vote as follows:

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

See Exhibit H.1.d.

**e. Olympia Tools International, Inc.: Free Port Warehouse**

Ms. Jennifer Richardson, Warehouse Manager for Olympia Tools, stated they are a 10-month old company. She stated they are a hand tool company, but also sell service carts, and make and deliver Ozark trail mugs. Ms. Richardson said they have two sides: a distribution center that ships to all the U.S., and a .com side that ships to individuals. She stated they intend to expand in February as all the California shipping will be coming to Olive Branch within 6 months. She also stated they are planning to hire about 30 employees in the next year.

Ms. Richardson also informed the Board they are a “second chance” employer. Supervisor Caldwell asked Ms. Richardson to hire within DeSoto County and use the WIN Job Center’s services. Ms. Richardson said they plan to start getting involved in community charities soon.

Supervisor Medlin told Ms. Richardson the Career Tech Centers in DeSoto County train in distribution and encouraged her to contact them as well. Sheriff Rasco asked Ms. Richardson whom the Sheriff’s Department should contact for the second chance opportunities. Ms. Richardson said they can contact her directly. She said most are great guys and work very hard; and she has had to let very few go.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve the Free Port Warehouse exemption for Olympia Tools International, Inc. in Olive Branch.

The motion passed by a vote as follows:

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

See Exhibit H.1.e.

**f. Titan Distributors, Inc.: Free Port Warehouse**

Robert Hill, Chief Operating Officer of Titan Distributors, informed the Board that Titan designs, manufactures, and sells farm equipment, fitness products, and outdoor equipment. He stated they just purchased the old Dover Elevator building in Horn Lake. Mr. Hill said right now they are just distributing, but they purchased the site with manufacturing in mind. He anticipates hiring 60-100 employees over the next couple of years. Mr. Hill stated his vision is to have a full manufacturing facility at this site within 3 years, and to have a need for an additional distribution area. Mr. Hill also informed the Board that Titan sells straight to the consumer. He encouraged them to visit the website at palletforks.com to see a wide range of utility pieces for the average farmer.

Supervisor Caldwell informed Mr. Hill the Career Tech Center is right in his area, and welding is one of the trades taught there. She told Mr. Hill to let the school know what he is looking for, and they can start training the work force in the 9<sup>th</sup> grade. She also encouraged him to use the services of the WIN Job Center. Supervisor Caldwell thanked Mr. Hill for his company’s support of the Palmer Home. Mr. Hill stated they are also trying to get involved with Southern Reins.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the Free Port Warehouse exemption for Titan Distributors, Inc.

The motion passed by a vote as follows:

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

See Exhibit H.1.f.

**2. Office of Procurement**

**a. Recommendation to Reject All Bids for Central Maintenance Building Bid File #17-399-001**

Procurement Coordinator Karen McNeil stated there were some confusing specs involving the number of openings on the plans. She stated the picture of the elevation did not match the written specs and one bidder went by the picture while the other went by the specs.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to reject all bids for the Central Maintenance Building because of the discrepancy in the specs.

The motion passed by a vote as follows:

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

See Exhibit H.2.a.

**b. Request to Approve Bid Specifications and Solicit Bids for Rebid of Central Maintenance Addition Bid File #17-399-002**

Mrs. McNeil stated the drawing has been revised to match the written specs.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve the bid specifications and solicit bids for the rebid of the Central Maintenance Addition, Bid File #17-399-002.

The motion passed by a vote as follows:

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

See Exhibit H.2.b.

**c. Request to Approve Recommendations on the Following Bids:**

**1) Tandem Axle Day Dump Trailer – Bid File #17-300-016**

Mrs. McNeil stated they received two bids, ( Technology International at \$46,135.00 and Crow’s Truck Service at \$40,566.00) both met specs, and they are recommending Crow’s Truck Service as the lowest and best qualified bid at \$40,566.00.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve

the recommendation of the purchase of a tandem axle dump trailer from Crow’s Truck Service for \$40,566.00 finding it is the lowest and best qualified bid.

The motion passed by a vote as follows:

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

See Exhibit H.2.c.1.

**2) Tandem Axle Day Cab Tractor Truck – Bid File #17-300-017**

Mrs. McNeil stated this is for a tractor truck to pull the Road Department’s large trailers. She said they received bids from General Truck Sales & Service and Crow’s Truck Service; but General Truck Sales did not meet all the specs. The recommendation is to award the bid to Crow’s Truck Service as the best qualified bid at \$125,265.00 plus a five-year extended warranty and a five-year unlimited mileage transmission warranty for a total cost of \$129,926.00.

Supervisor Gardner stated the quotes were lower than anticipated by about \$30,000.00. Mrs. McNeil stated one of the specs not met by General Truck Sales was horsepower, and she said that was very important because of how they use the truck.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to accept the recommendation to purchase the tractor truck from Crow’s Truck Service as the best qualified bid based on the facts that the General Truck Sales & Service bid did not meet specs; and to include in the purchase the five-year extended warranty and the five-year unlimited mileage transmission warranty at a total cost of \$129,926.00; and that when figuring in the warranty, Crow’s is a lower total price.

The motion passed by a vote as follows:

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

See Exhibit H.2.c.2.

**d. Request to Approve Recommendation for Inmate Supplies Bid – Bid File #17-200-001**

Mrs. McNeil stated the bid recommendations are broken down into different categories. She presented a spreadsheet showing all the bids and the recommended awards, 1<sup>st</sup> alternates, and 2<sup>nd</sup> alternates for each line item based upon the lowest qualified bids.

Mrs. Lynchard said the Sheriff deserves a lot of credit for maximizing where he saves money doing a line-by-line bid award.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to award the bids for inmate supplies as recommended by the Procurement Department, as the lowest and best qualified bids, and as shown on Exhibit H.2.d.

The motion passed by a vote as follows:

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

INMATE SUPPLIES BID RECOMMENDATION			
CATEGORY	AWARD	1st ALTERNATE	2nd ALTERNATE
CATEGORY A: PERSONAL HYGIENE	Bob Barker	ICS	Americare
CATEGORY B: CLOTHING			
T-SHIRTS	Bob Barker	Uniforms Manufacturing	
PRINTED T-SHIRTS	Bob Barker	Victory Supply	Uniforms Manufacturing
BOXERS	Bob Barker	Uniforms Manufacturing	Charm Tex
PANTIES	Bob Barker	Victory Supply	Charm Tex
JUMPSUITS - YELLOW	Bob Barker	Uniforms Manufacturing	Charm Tex
JUMPSUITS - PINK	Bob Barker	Charm Tex	Uniforms Manufacturing
JUMPSUITS - GREEN	Bob Barker	Uniforms Manufacturing	Charm Tex
JUMPSUITS - RED	Bob Barker	Uniforms Manufacturing	Charm Tex
WORK PANTS	ICS	Uniforms Manufacturing	Bob Barker
THONG SANDALS	Bob Barker	Charm Tex	ICS
SOCKS	Bob Barker	Charm Tex	ICS
CATEGORY C: LINENS			
TOWELS	Carolina Textiles	Victory Supply	Charm Tex
WASH CLOTHS	Uniforms Manufacturing	Carolina Textiles	Charm Tex/Bob Barker
BLANKETS	Charm Tex	Bob Barker	Victory Supply
CATEGORY D: MATTRESSES	Cornerstone Institutional	Bob Barker	Charm Tex
CATEGORY E: MISC. ITEMS			
CORELESS TOILET TISSUE	ICS	NONE	NONE
BUCKET/WRINGER SET	Bob Barker	ICS	NONE
DISPENSER CLIPS	Bob Barker	ICS	NONE
GOLF PENCILS	Bob Barker	ICS	NONE
LAUNDRY NETS	Bob Barker	Charm Tex	ICS
CLINCHER ID WRISTBANDS	Bob Barker	ICS	NONE

See Exhibit H.2.d.

3. Facilities Management

a. Emergency Purchase for Repair at Jail on 12/13

Facilities Director Robert Jarman said the grinder in the sewer pit at the jail went out and had to be replaced. He stated they are getting some credit by exchanging the grinder. Mr. Jarman informed the Board this particular grinder is built specifically to be put into the concrete form; and if they were to go with another brand, they would have to rebuild a large portion of the concrete form.

Supervisor Lee asked what the chances of this happening again were. Mr. Jarman stated all sewage from the jail has to be run through a grinder before going into the city sewer lines. He stated the part is 5 years old and it runs 24 hours a day out of necessity. He stated it has a dedicated generator because of the necessity of it running.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to approve the purchase order and expenditure for the emergency repair at the jail as presented in Exhibit H.3.a., finding the grinder is a necessity and it’s non-operation caused an emergency situation.

The motion passed by a vote as follows:

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

See Exhibit H.3.a.

b. Update of DHS Build-Out Reimbursement

Mr. Jarman reminded the Board that Facilities did a build-out at DHS for 7 offices and a new entry, with a budget of \$25,000.00. He stated they actually spent approximately \$20,000.00 by reusing some items from other remodels. Mr. Jarman reported he received a check from the State for \$15,000.00 as reimbursement for the project.

Mrs. Lynchard stated the credit went to Terry and Tammi Crawford at DHS, Mr. Jarman, and Chris

Christmas at the State office. She said she does not know of any other county Board of Supervisors that has done a project like that and partnered with the State to get a reimbursement.

**c. Janitorial Supplies**

Mr. Jarman stated he has been working with Procurement and Mrs. Lynchard to get some figures together. He stated the County has had problems with janitorial services for years and the problem is not getting any better. Mr. Jarman presented several options and cost scenarios to the Board for their review.

After much discussion, Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to go with American Maintenance and Service Master by Stratos with their low bids as shown in Exhibit H.3.c. for a period of one year, authorize the Facilities Department to provide paper products, and authorize the firm of Smith, Phillips, Mitchell, Scott and Nowak to review the contracts.

The motion failed by a vote as follows:

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

Supervisor Russell asked Mr. Jarman to work on his proposals for a full-time crew with a manager and a hybrid of hiring a service and having a few key people to be full-time and bring his findings back to the Board.

**See Exhibit H.3.c.**

**4. Office of Finance and Accounting**

**a. Inventory Dispositions – Preliminary – Sheriff’s Department**

Sheriff Rasco stated the disposition list is so long because this should have been done years ago, and it is now being done right. Mrs. Lynchard informed the Board that almost every department will look like this during the year as Mrs. Tapley goes to each department to do a physical inventory.

Inventory Clerk Angie Tapley stated the electronic items will go to e-waste, scrap metal will go to DeSoto Recycling, and the radios on the last page will go to auction. She stated the radios are the only items that have any sellable value.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the preliminary inventory dispositions for the Sheriff’s Department as presented.

The motion passed by a vote as follows:

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

**See Exhibit H.4.a.**

**b. Claims Docket**

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

**Supervisor Jessie Medlin asked about the following claims:**

Page 32 – Ecam – Mrs. Hanks stated that is a yearly conference the Election Commissioners attend with registration and yearly dues.

**Supervisor Mark Gardner asked about the following claims:**

Page 1 – Pioneer Credit – The invoice showed this is the percentage fee for their collections.  
Page 7 – EAN Holding – The invoice showed this is a rental car from an accident at Enterprise.  
Page 39 – Progressive Technologies - \$900 – The invoice showed this as fingerprint processing at Juvenile Detention. Sheriff Rasco stated they had to move the fingerprint machine and do some extra wiring when they moved the Juvenile Detention.  
Page 41 – Bass Pro – 62 qt cooler – The invoice showed this is for Search & Rescue.  
Page 41 – Sportsmans Warehouse – The invoice showed this is boots for Search & Rescue.  
Page 43 – WalMart – gift cards – The invoice showed juvenile court. Mrs. Freeze said they usually give them out at graduation.  
Page 45 – 2017 F250 – The invoice showed this is for Environmental Services. Mr. Laughter stated this truck will pull the recycle trailers.  
Page 56 – Wingate – Chris Olsen – The invoice showed this was a conference in Gulfport.  
Page 60 – Gov Deals – The Sheriff stated this is their percentage from selling seized vehicles.  
Page 62 – L&T Services – Scott Young said this is a bill for railroad crossing repairs.  
Page 63 – Coop – Hog Wire – The invoice showed this is for the southern maintenance shop. Supervisor Caldwell stated they had a project on Williams Road that took down an embankment and a man’s fence had to be replaced.  
Page 63 – Truck Pro - \$389 work light – The invoice showed this is for 6 lights.  
Page 66 – Neil Schaffer - \$3558 – Mr. Young said this is a yearly contract for stormwater work and it is paid monthly. He stated it is a not to exceed contract.

**Supervisor Bill Russell asked about the following claims:**

Page 51 – Question on why all amounts seem to be very much the same. Mrs. Freeze said the amount seems to be normal. She said it is for their insurance and retirement paid to the AOC.

**Supervisor Lee Caldwell asked about the following claims:**

Page 4 & 23 – Sandy Brister – Mrs. Freeze stated Mrs. Brister divides her fees between two accounts.  
Page 7 – Modular classroom – Sheriff Rasco said that is for the building and to have it set up. He said the company waived the 25% up-front costs, and he wants to give them a check when they are finished with the set up.  
Page 18 – Contractor’s Supply – Mr. Jarman stated that is the new drop bed/dump trailer.  
Page 23 – Lambert’s Coffee – Circuit Clerk – The invoice showed this was a bulk coffee purchase for jurors and the donuts were for grand jury.  
Page 36 – Alpine Water & Coffee – Sheriff Rasco stated that is just for water. Mrs. Hanks stated the company recently changed their name and added “coffee”. The invoice shows just water purchase.  
Page 36 – Bryant Tire - \$59.95 – The invoice showed an alignment  
Page 36 – Cliff Freeman – The Sheriff stated he does the polygraph tests.

**Supervisor Michael Lee had no questions.**

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Michael Lee made the motion and Supervisor Mark Gardner seconded the motion to approve the claims docket and 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>ABSENT</u>
Supervisor Michael Lee, Fifth District	<u>YES</u>

**c. Late Bill – Waggoner Engineering for Johnson Creek**

Mrs. Lynchard presented a bill from Waggoner Engineering for October, November, and December for work done on the Johnson Creek Greenway. Mr. Laughter said the bill is for engineering and design

work including bridges and paving. He stated most of the money will come from the grant, with a small portion being the County’s match. Mr. Laughter stated the bills have been going to the wrong address and Mrs. Lynchard reached out to Waggoner to find out if anything was outstanding.

Supervisor Gardner asked if this started through the Recreation District. Supervisor Caldwell stated the grant is an LPA through MDOT. She said the County pays and is reimbursed from the State.

Mr. Laughter stated the grant is for \$1,000,000.00 with the County’s 20% match being \$200,000.00. He stated it was in the budget.

Mr. Nowak stated the right of way acquisitions have been about a two-year process.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to authorize the payment of the late bill to Waggoner Engineering as presented and authorize the clerk to write the check.

The motion passed by a vote as follows:

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

See Exhibit H.4.c.

**5. Environmental Services/Parks & Recreation**

**a. Fairview Park Late Fees for Lewisburg Water**

Environmental Services Director & Interim Parks & Recreation Director Ray Laughter stated he has been going through the park items with a fine tooth comb. He found that Lewisburg Water Association was tacking on a 10% late fee on the months when the bill was not paid by the 20<sup>th</sup>. He stated some months the bills were not received in time to get on the docket and be paid by that time.

Mr. Nowak stated he had received an Attorney General opinion referring to MS Code 31-7-305 saying as long as the bill is paid within 45 days of receipt, the County is not liable for late fees. Mr. Nowak further stated he does not think they have the authority to charge late fees.

Mr. Laughter stated he has spoken with the office person and she told him their board voted not to waive late charges for any customer, but he also said she was unaware of the statute.

Mr. Laughter requested authorization for Mr. Nowak to contact Hugh Armistead, lawyer for Lewisburg Water, and see if something could be worked out.

Supervisor Medlin asked Mr. Laughter if the well was still at Fairview Park. Mr. Laughter stated it is and he asked Facilities to look at it. Mr. Jarman stated it does not seem to be in bad shape.

Supervisor Caldwell stated she would like to know how much it would take to get the well in working order.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott and Nowak to contact Hugh Armistead and try to work out a resolution; and authorize Facilities to find out how much it would take to get the well in working order.

The motion passed 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 YES  
Supervisor Michael Lee, Fifth District YES

See Exhibit H.5.a.

**b. Holiday Schedule for Residential Garbage Collection in Unincorporated County**

Mr. Laughter informed the Board that Waste Connections has decided not to take an extra day off for Christmas & New Year’s so there will not be any interruption of service. Stacy Michael of Waste Connection said notification of regular pick-up will be on their web site and they will do an automated call to all valid numbers for County residents to let them know they will be running a normal schedule.

Supervisor Medlin asked Ms. Michael to stress to their drivers to pick up the trash that is outside the cans. Ms. Michael said she would do that. Mr. Laughter also stated all recycle locations will be available during the holidays.

See Exhibit H.5.b.

**c. Solid Waste**

**1) Approval of Contract – Environmental Business Services**

Mr. Laughter stated this contract is with Jim McNaughton and it is the same price as 6 years ago, with a \$17,500.00 cap. He stated the Solid Waste Committee reviewed and approved the contract.

Supervisor Russell asked if the \$17,500.00 included reimbursements. Mr. Laughter stated it did. Mr. Nowak stated the wording could be a little clearer on that item. (See motion in 5.c.2.)

**2) Authorize Board Attorney to Work of Specs, Contracts, & Agreements**

Supervisor Russell made the motion and Supervisor Mark Gardner seconded the motion to authorize the firm of Smith, Phillips, Mitchell, Scott & Nowak to works on the specs, contract, and agreement with Environmental Business Services; to include the RFP and to be involved through the process as necessary until completion.

The motion passed as follows:

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

See Exhibit H.5.c.

**6. Road Department – Road Condition List**

Mr. Scott Young, Road Department Engineer, stated the Road Condition List will be put in the four-year road plan in February. He stated the Road Condition List has to be completed by December 31<sup>st</sup> and the affidavit signed by all the County Supervisors.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to accept the Road Condition List and authorize the entire Board to sign the affidavit.

The motion passed as follows:

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

See Exhibit H.6.

7. Contract Administration

a. IT – BeneCom Technologies – Maintenance on IT Printers - Prepayment

Mrs. McLeod stated BeneCom bought out Tsakarakis and the contract is a little less than last year. She stated the County pays the invoice quarterly for maintenance on the large, green-bar printer used by Accounting. Mrs. McLeod stated this company has been in business for 25 years and provide a necessary and immediate service to the County.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve prepayment to BeneCom Technologies finding they have been in business for 25 years and provide a necessary and immediate service to the County.

The motion passed as follows:

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

See Exhibit H.7.a.

b. Road Department – Pickering Engineering – Contract Amount has Changed

Supervisor Medlin asked if this was a contract we kept in place in case we needed Pickering’s services. Mr. Young affirmed that it was a continuing services contract. He stated that a few of the services have gone up \$5 or \$10. He said the work is work-order based and on not-to-exceed terms.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to authorize the Board President to sign the contract with Pickering Engineering as presented.

The motion passed as follows:

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

See Exhibit H.7.b.

c. Sheriff’s Department – Dr. Thompson – Yearly Renewal – 3% Salary Increase

Supervisor Medlin said he thought this was covered at budget time. Mrs. Lynchard stated she just found out that Dr. Thompson’s contract last year was renewed at a 3% increase and he never received it. She stated he is owed \$2,781.00 for 2016 and the Sheriff is asking for a 3% raise this year that would make Dr. Thompson’s 2017 salary \$98,345.43.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to approve the contract with Dr. Thompson and authorize the Board President to sign; pay \$2,781.00 for 2016; and authorize a 3% raise for FY2017; and authorize the clerk to write the check.

The motion passed as follows:

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

Supervisor Michael Lee, Fifth District YES

See Exhibit H.7.b.

**8. Justice Court Special Prosecutors – Elizabeth Owens & Hugh Armistead**

Mrs. Lynchard stated Judge Carter cancelled one court date and put all the cases on the December 5<sup>th</sup> docket. County Prosecutor Craig Treadway has already made a commitment before this was announced, and he left at noon. Mrs. Lynchard was told that Ms. Owens and Mr. Armistead were in court, and as soon as they finished their cases, they began handling County prosecutor cases to help get the docket cleared. She said it took Owens, Armistead, and Asst. Prosecutor Mark Sorrell to get all 650 cases done.

Mrs. Lynchard stated, according to a previous Board order, these two prosecutors are due \$400 each for the number of hours they worked.

Supervisor Gardner asked had they not specified that any special prosecutors have to be approved ahead of time. Mrs. Lynchard affirmed. The Board asked Mrs. Lynchard to remind everyone at Justice Court that special prosecutors have to be approved in advance unless emergency situations require an immediate appointment. Supervisor Gardner suggested the money come from the County Prosecutor’s budget. Supervisor Caldwell suggested the money come from the Judge’s budget.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve payment of \$400.00 each to Elizabeth Owens and Hugh Armistead and authorize the clerk to write the checks.

The motion passed as follows:

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

See Exhibit H.8.

**9. Personnel Manual Update – Risk Management – Chapter 18**

Mrs. Lynchard stated she and Risk Manager Reby Johnson have been over the personnel manual update regarding risk management and have suggestions to make after the legal review.

Supervisor Russell asked who the Safety Officers were. Mrs. Lynchard stated only the Road Department has Safety Officers and they coordinate with Reby. Mrs. Lynchard stated there is a definition section at the beginning of the manual.

Mrs. Lynchard requested bringing back the group that looked at this previously to bring back a final for adoption.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the group to get back together for the purpose of looking at Chapter 18, Risk Management for a final draft; and to bring the final to the Board for adoption.

The motion passed as follows:

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

See Exhibit H.9.

**10. Concern Agreement for Signature**

Mrs. Lynchard stated the County currently pays \$1.10 per employee for the Concern service and this is an update to the agreement that needs to be signed.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to renew the contract and authorize the Board President to sign the Concern Agreement.

The motion passed as follows:

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

**11. Late Bill – Butler Snow**

Mrs. Lynchard stated the Board had previously approved a contract with Butler Snow to find out where DeSoto County had issues that the IRS might flag. She said, before Butler Snow had a chance to do anything, the County received a notice of IRS audit. Mrs. Lynchard stated Butler Snow got into overdrive and drafted a letter, as well as helped with some things that were issues. She stated there were several phone calls to find out how to answer questions and where to find some things that were requested by the IRS. Mrs. Lynchard stated the charge for this additional work was \$2,082.00.

Supervisor Gardner asked if that was over the \$15,000 that the Board previously authorized. Mrs. Lynchard affirmed. Supervisor Gardner asked if the Board could pay over the amount that was authorized. Mr. Nowak stated he would have to do some research and review the agreement with Butler Snow.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to pay the late bill to Butler Snow in the amount of \$2,082.00 contingent on Mr. Nowak’s research to be sure it was legal.

The motion passed as follows:

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

**12. Agri-Education Exploratory Committee Update**

Supervisor Caldwell stated the committee has had 3 meetings with about 10 at each meeting. She said the committee has formulated questions to put together on a survey to get out to the public and find out their interest in the project. Supervisor Caldwell said the committee is very excited. She stated that one thing in the discussions was to move the Extension Services to the new site.

Supervisor Gardner and Supervisor Caldwell stated they were glad to hear all the varied interests expressed; from poultry to gardening, and installing a commercial kitchen to be able to teach larger classes. Supervisor Caldwell said there was a lot of discussion to expand the 4H clubs, having a conference area, and a barn for cattle and equipment shows.

Supervisor Caldwell state the next meeting will be the end of January when committee members will be turning in their surveys. She stated the surveys will be available on the County website, by putting information in the newspapers, and available on social media. Committee members are also excited about presentations to chambers, rotary clubs, churches and other groups to get the word out.

Supervisor Caldwell stated the Committee will report their findings to the Board the first meeting in

February.

Ms. Betty Pruitt asked whether the Agri-Education Center going to be on the old landfill area. Supervisor Caldwell stated you cannot build on the landfill, but it will be on the surrounding area. Ms. Pruitt asked if the EPA has checked the site. Supervisor Caldwell affirmed, and stated the new steering committee will be going to look at other facilities.

Supervisor Medlin asked how many acres would be required. Supervisor Caldwell stated that will be determined when the surveys are back and it is clear what will be built. Ms. Pruitt asked how big the old landfill area is. Supervisor Caldwell stated there are about 40-50 acres of buildable site.

Dr. Joy Anderson of the Extension Service said they would like to be involved to be sure all the agencies involved with the Extension Service are considered. She expressed a need for a larger meeting room, and said she is excited to hear these wonderful ideas. Supervisor Caldwell stated when the steering committee is formed, she definitely wants the Extension Service to be a part.

### **13. Sheriff's Senior Deputies Salaries**

Sheriff Rasco said his department is losing deputies to other agencies and he would like to raise the salaries of Lieutenants to \$58,225.44, Sergeants to \$52,110.00, and Senior Deputies to \$48,048.00. He stated this will impact about 45-50 officers and will mean \$237,330.78 to carry through for the 9 months left in this budget year.

Supervisor Caldwell stated the Board talked about this in August and asked the Sheriff if he could find anything in his budget to help with the increases. Sheriff Rasco stated he will bring a budget amendment to the next Board meeting to move some money into payroll for the increases. He stated he wanted to be sure the Board would be in favor of it. He stated he will have to sit down and see where the money can come from for the next budget year.

Supervisor Gardner stated he was in favor and he appreciated the Sheriff looking within his budget and coming up with the money. Sheriff Rasco stated he is just trying to keep good people in his department. He said this raise will put them in a good spot with competition in the area. Sheriff Rasco stated he will take forfeiture money to buy cars and move some of the fleet budget to payroll.

Supervisor Caldwell expressed her appreciation to the Sheriff for doing that. Sheriff Rasco stated, when you lose a trained officer, it takes about a year to get an officer back with training.

Supervisor Lee asked what a Lieutenant makes now. Sheriff Rasco stated this would be about a \$3,000.00 raise.

Supervisor Medlin asked what shape the department would be in next year with cars. Sheriff Rasco stated they still have a few Crown Vics, but not nearly as many. He stated they may have money next year for a better raise because they won't need as many cars.

No action was taken. The Sheriff will ask for a budget amendment at the next Board meeting.

### **14. Mobile Shelving for Land Records**

Chancery Clerk Misty Heffner informed the Board the shelving they have in the courthouse offices will not be ADA compliant in their new space. She stated she has looked at some options for rolling shelving that compacts down and rolls out as needed to save space. Mrs. Heffner also told the Board she took the measurements of their existing cabinets to GIS to help with space planning in the new space, and they will not fit.

Mrs. Heffner has had one company come look at the new space and he anticipates the new shelving will hold apx 70-80% of the existing books. Mr. Jarman showed the Board a diagram of the proposed shelving and cabinets. He stated the shelves are not motorized.

Mrs. Heffner stated she is still looking and getting quotes to find the best deal. She requested the Board allow her to use some of the monies remaining in the renovation budget to purchase the shelves so she will not have to make a hasty, uninformed decision and purchase them before the end of the year. Mrs.

Heffner reminded the Board, she will not be able to purchase the shelves in January as she will turn in her excess earnings at the end of December.  
Mrs. Heffner also said she will look into selling the old shelves on Gov Deals and possibly donating some to the Genealogical Society.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to allow Mrs. Heffner to get quotes and pay for new shelving out of the Land Records Project costs.

The motion passed as follows:

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

**I. PLANNING COMMISSION**

**1. PUBLIC HEARING – 11:00 a.m.**

**a. Appeal of Board of Adjustment decision – Michael DePriest**

Supervisor Gardner made the motion and Supervisor Caldwell seconded the motion to open Michael DePriest’s Appeal of the Board of Adjustment decision denying a conditional use application Public Hearing advertised for this day.

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

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

Mr. Hopkins presented the appeal by Michael DePriest of the Board of Adjustment’s decision to deny a request for a Conditional Use to allow nursery in the A-R Zone. He stated the Board of Adjustment denied the application due to findings that it will increase traffic hazards and adversely affect the character of the neighborhood.

Supervisor Medlin asked what the request for a time limit was at the Board of Adjustment meeting. Mr. Hopkins stated a time limit was not discussed but generally in previous approvals the time limit has been 15 years.

Mr. Michael DePriest came forward and stated his family has owned the 100 acres for 30 years and he is requesting to open a small retail nursery business. He stated he does not feel the business will increase traffic significantly. He went on to state that his fleet trucks would leave the site around 7:00 a.m., before school starts and return to the site at 6:00 p.m. after school has dismissed for the day. He then stated so the fleet traffic will not impact the school. Mr. DePriest stated his busiest season would be when the school is out for summer session. He then stated that there would only be bi-monthly deliveries by 18 wheelers during the summer season and maybe one deliver a month during the winter season. Mr. DePriest stated that there will not be a lot of noise associated with the proposed business. He then stated that due to the flood zone located on the property he feels like this type of use is the best use for the property.

Supervisor Gardner asked if he had any architectural drawings of the proposed buildings. Mr. DePriest stated he did not have any drawings but he did have pictures that are examples of the designs for the buildings he is considering.

There was discussion of where the buildings would be located on the property.

Supervisor Lee asked what type of trucks are his fleet trucks. Mr. DePriest stated he has a lawn service truck and a spray truck.

Supervisor Medlin asked if he could back his greenhouses further back on his property. Mr. DePriest stated they are willing to move the trucks to where ever is necessary.

Supervisor Medlin stated that if approved the applicant will need to meet with the road manager about the need and cost of a turn lane.

Supervisor Medlin asked if there was anyone to speak for or against this item.

Mike Kirk – 13359 Center Hill Road – came forward and stated he does not have a problem with the application as long as it is properly conditioned.

Supervisor Medlin stated he met with the applicant on the property and he is willing to move the greenhouses further back on the property so they will not be as noticeable. Supervisor Gardner asked if aesthetically pleasing, the project will be ok with the neighbors. Mr. Kirk stated it would.

Supervisor Caldwell stated she feels this could be an asset and could create less traffic than a residential neighborhood.

Supervisor Medlin made a Motion to approve the Conditional Use to allow a nursery in the AR zone for 10 years until December 19, 2026 with the following conditions:

- 1. The site plan shall be approved by the Planning Department;
- 2. The greenhouses are to be moved further off the road with the trees to serve as a buffer;
- 3. The applicant shall meet with the Road Manager to discuss adding a turn lane at the site;
- 4. There shall be two (2) greenhouses, with the option to return to the Board of Adjustment to increase the number of greenhouses allowed in the future;
- 5. There shall be paved parking in the front of the retail building and limestone parking in the rear;
- 6. The retail building shall be 75 ft. from the right of way; and
- 7. The hours of operation shall be 7:00 a.m. to 6:00 p.m. for the fleet trucks to exit and enter the property and retail hours of 8:00 a.m. to 5:00 p.m. Monday to Saturday.

Supervisor Russell seconded the Motion.

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

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

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

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

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

- b. Zoning Ordinance Amendment – The DeSoto County Board of Supervisors will consider amending Article V, Paragraph 2, Sections C 11 & 12 of the DeSoto County Zoning Ordinance regarding mobile homes and regarding extraction of minerals including sand and gravel, respectively, to change the dates to read December 31, 2017.

Supervisor Medlin made the motion and Supervisor Gardner seconded the motion to open the Zoning Ordinance Amendment Public Hearing advertised for this day.

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

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

Mr. Hopkins presented the request to adopt extending the deadline for applications for Gravel Pits and Mobile Homes in the Agricultural-Residential Zone to December 31, 2017.

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

Supervisor Caldwell made a Motion to rescind the December 31, 2016 repealer, and extend the application deadline for mobile home and gravel mining operation conditional uses in the Agricultural-Residential Zone from December 31, 2016 to December 31, 2017. Supervisor Lee seconded the Motion.

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

<b>FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN</b>	<b>YES</b>
<b>SECOND DISTRICT SUPERVISOR, MARK GARDNER</b>	<b>YES</b>
<b>THIRD DISTRICT SUPERVISOR, BILL RUSSELL</b>	<b>NO</b>
<b>FOURTH DISTRICT SUPERVISOR, LEE CALDWELL</b>	<b>YES</b>
<b>FIFTH DISTRICT SUPERVISOR, MICHAEL LEE</b>	<b>YES</b>

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

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

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

- c. Rezoning - The Board of Supervisors will consider rezoning the development known as “Scenic Hollow PUD” from PUD to AR. Subject property is located on the south and north of Goodman Road, east and west of Poplar Corner Road in Section 35, Township 1, Range 09, and is currently zoned PUD. (District 3)**

Supervisor Gardner made the motion and Supervisor Caldwell seconded the motion to open the Scenic Hollow Rezoning Public Hearing advertised for this day.

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

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

Mr. Hopkins stated Scenic Hollow PUD was approved in 2005 and that other than some dirt work and the construction of an entrance monument, minimal activity has occurred since the approval. He then stated that according to the County zoning ordinance “If construction of the PUD district is not started within two years of the date of approval, the Board of Supervisors may consider rezoning the site to its previous classification.” He stated in this case, the existing zoning was AR. Mr. Hopkins stated the property is limited to the approved site plan and uses and that there is a constituent interested in purchasing a portion of the property to build a single family dwelling but cannot as long as it is zoned PUD. He stated certified notices were sent to all property owners concerning the proposed change in zoning.

Supervisor Russell stated there has been some land cleared but that is about all.

Supervisor Russell asked if staff heard from any of the current owners. Mr. Hopkins stated all the current owners signed for the certified letters of notice, there were no calls received from any of the owners by Planning staff.

Supervisor Medlin asked if there was anyone present to speak for or against this item.

Ricky Horton – 7115 Poplar Corner – stated he is concerned what will happen to the property on the north west corner as there is currently a lake on the property that is a nuisance.

Monty Westmoreland came forward asked for clarification that this does not involve the property on the north side of Goodman Road. Mr. Cardosi confirmed that the property Mr. Westmoreland is concerned with is not a part of this development.

Todd Campbell came forward and stated he represents the couple who own a 5 acre portion that was somehow mistakenly added to the PUD application in 2005. He stated they wish to sell the property but it cannot have a home built on it if it is included in the PUD.

Supervisor Russell made a Motion and Supervisor Gardner seconded the Motion to rescind the PUD zoning known as Scenic Hollow PUD and revert the property back to A-R zoning, finding that the limited work that was performed does not constitute the start of construction and, therefore construction of the PUD has not been started within the past 10 years.

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

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

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

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

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

**2. NEW BUSINESS**

**a. Consent Agenda**

- i. **Peeler Place Minor Lot (7104) – Application is for minor lot subdivision approval of 2 lots on 34.3 acres. Identified as parcel #3-07-8-33-00-0-00002-06. Subject property is located on the south side of Slocum Road and east of McIngvale Road S. in Section 33, Township 3, Range 7 - District 5  
Applicant: James Peeler**
- ii. **James M. Laughter Subdivision, 1<sup>st</sup> Rev. (7105) – Application is for final subdivision approval of 3 lot(s) on 6.69. Identified as parcel #2-06-5-16-04-0-00002-00. Subject property is located on the south side of Dunn Lane and east of Craft Road in Section 16, Township 2, Range 6 - District 5  
Applicant: James Laughter/Ray Laughter**

Mr. Hopkins presented the Consent Agenda. He then stated the applications meet all Subdivision Ordinance requirements.

Supervisor Lee made the motion and Supervisor Caldwell seconded the motion to approve the Consent Agenda items as presented.

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

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

**3. OTHER**

**a. LPA-100 MDOT**

Mr. Cardosi stated this request is for approval for the Board President to sign the MDOT LPA-100 form for Project Number: STP-0017-00(036)LPA 106405-701000.

Supervisor Caldwell made a Motion and Supervisor Lee seconded the Motion to approve the Board President to sign the MDOT LPA-100 form for Project Number: STP-0017-00(036)LPA 106405-

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

b. Red Banks Road Subdivision/Pebble Ridge Subdivision – approval for Board President to sign the RDA

Supervisor Caldwell Recused herself from this item.

Mr. Cardosi stated this request is for approval for the Board President to sign the RDA for Red Banks Road Subdivision/Pebble Ridge Subdivision.

Supervisor Medlin made a Motion and Supervisor Gardner seconded the Motion to approve the RDA and authorize the Board President to sign the Red Banks Road Subdivision/Pebble Ridge Subdivision.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

See Exhibit I.

J. EXECUTIVE SESSION

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

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to adjourn the Board meeting until Tuesday, January 3, 2017, at 9:00 a.m.

The motion passed by a vote as follows:

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

THIS the 19<sup>th</sup> day of December, 2016, these minutes have been read and approved by the DeSoto County Board of Supervisors.

\_\_\_\_\_  
Jessie Medlin, President  
DeSoto County Board of Supervisors