

DESOTO COUNTY BOARD OF SUPERVISORS
BOARD MEETING MINUTES
DISTRICT THREE BILL RUSSELL, PRESIDING

December 21, 2015

A. CALL TO ORDER

The December 21, 2015 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Bill Russell, Board President.

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

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

B. INVOCATION

Supervisor Lee Caldwell presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. CITIZENS REMARKS & PRESENTATIONS

Supervisor Bill Russell asked if there was anyone present who wished to address the Board on items not regarding the agenda. No one came forward.

Supervisor Michael Lee stated, as this was the last board meeting of the year, he has fulfilled his obligation of finishing up Harvey Lee's term; and on behalf of his family he wished to thank the Board for allowing him to do so. He was wearing Harvey's tie today in his memory. The Board expressed their appreciation to Supervisor Michael Lee for his willingness to step into his brother's position, and how much they appreciated the job he had done as they look forward to another term.

E. APPROVAL OF AGENDA: ADDITIONS AND DELETIONS

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

- a. **Supervisor Gardner requested the Board consider potential litigation with the CVB in Executive Session.** (Executive, J.2.)
- b. **Supervisor Bill Russell requested to add discussion of off street parking to Old Business.** (Old, G.1.)
- c. **Road Manager Andy Swims requested to add a Finding of Fact for Byhalia Road West of Box Corner Road to Old Business.** (Old, G.2.)
- d. **Chancery Clerk Sluggo Davis stated this was his last Board meeting and he has enjoyed serving as the Board's Clerk. He wished his best to the Board for the future. The Board expressed their appreciation to Mr. Davis and said they will miss him.**

- a. **Director of Procurement and Administrative Services Pat McLeod requested to add approval of specs for the dispatch furniture procurement to New Business. (New, H.6.)**

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the Agenda with the above additions.

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. Office of Finance & Accounting

Budget Amendment Requests – Sheriff's Department, Circuit Court Administrators

DeSoto County, Mississippi						
BUDGET AMENDMENT REQUEST						
Fund/Department #		001 & 120				Updated 7/15
Date:		12/21/2015				
Sheriff's Department						
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
120-227-594	Other Contractual Services	\$ -	\$ 8,000.00	\$ 3,000.00		\$ 11,000.00
120-227-921	Other Cap Outlay Under \$5000	\$ 3,000.69	\$ 36,200.00		\$ 3,000.00	\$ 33,200.00
001-202-594	Other Contractual Services	\$ -	\$ -	\$ 1,500.00		\$ 1,500.00
001-202-554	Consultant/Counseling Fees	\$ 5,450.00	\$ 25,130.00		\$ 1,500.00	\$ 23,630.00
						\$ -
						\$ -
						\$ -
TOTALS			\$ 69,330.00	\$ 4,500.00	\$ 4,500.00	\$ 69,330.00
Reason for Request: (Show detailed justification)	Adjust various accounts for budget deficits.					
Requested by:	Donna Ford					

DeSoto County, Mississippi						
BUDGET AMENDMENT REQUEST						
Fund/Department #		025 / 171				Updated 7/15
Date:		12/21/2015				
Circuit Court Administrators						
LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET	
Counties Share - Court Admin	\$ 3,934.21	\$ 61,600.00	\$ 4,664.00		\$ 66,264.00	
Administrative/Manager/Foreman	\$ 30,424.73	\$ 121,000.00	\$ 4,664.00		\$ 125,664.00	
Increase in Jamie Smith's salary per Judge Chamberlin's order. Andrea Freeze						

Fund/Department #		025 / 171 & 999				Updated 7/15
Date:		12/21/2015				
Circuit Court Administrators						
LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET	
Administrative/Manager/Foreman	\$ 30,424.73	\$ 131,006.00	\$ 3,974.00		\$ 134,980.00	
Ending Cash	\$ -	\$ 19,850.00		\$ 3,974.00	\$ 15,876.00	
Totals		\$ 150,856.00	\$ 3,974.00	\$ 3,974.00	\$ 150,856.00	

DeSoto County's portion of increase in Jamie Smith's salary per Judge Chamberlin's order.
Andrea Freeze

(Consent, cont.)

2. Designation of Bobby Storey as County Fire Investigator per M.C.A. 83-1-39(5) and Acceptance of Sheriff’s Concurrent Designation

3. Chancery Clerk Allowance

4. Business Investment Incentives – Final Approval

- a. Innpack, LLC – 10-year Real & Personal Property: \$2,429,933
- b. United Exchange Corporation – 9-year Real Property: \$2,363,681

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

The motion passed by a vote as follows:

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

See Exhibit F

G. OLD BUSINESS

1. Off Street Parking Ordinance

Supervisor Bill Russell informed the Board that the Off Street Parking Committee is just about ready to ask for a public hearing. They need one more meeting to finalize the draft and get it to the Board.

Supervisor Lee Caldwell asked to have the original ordinance and the changes to be able to compare the two.

The Board discussed the restrictions that are presently in place in Agricultural and Agricultural/Residential zoned areas. Board Attorney Tony Nowak suggested that there would always be an option to get a variance from the Board of Adjustments. It was determined that incoming Chancery Clerk Misty Heffner would meet with the committee to discuss the final draft before it is presented to the Board.

Supervisor Bill Russell made the motion and Supervisor Michael Lee seconded the motion to schedule a public hearing on February 1, 2016 for the matter of presenting the revised Off Street Parking Ordinance to the public.

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. Finding of Fact Byhalia Road West of Box Corner Road

Road Manager Andy Swims informed the Board that this same location was brought before them several months ago because of a ditch that would not drain. The Board approved the work then, but the situation has never really been resolved. In order to make the ditch drain and water to not stand in the culvert, a ditch must be made to take the water to a larger ditch about 300 feet off the road. The property owner has given approval to dig the ditch, but requested a culvert be put in so she could access

(G. Old Business, cont.)

the section of her property on the other side, which access will be cut off by the ditch. Mr. Swims stated that the standing water affects the health and safety of the public and damage is beginning to show in the culvert that is under Byhalia Road because of the standing water.

Supervisor Jessie Medlin stated that the lady who owns the property is fine with the ditch being cut to drain the culvert, but she does not want her property cut in half with no access. Board Attorney Tony Nowak stated that the culvert would be fine on private property since the County will be denying access to part of the property. Mr. Swims provided an aerial photo of the land with the proposed ditch drawn in. He stated that the property is very flat and does not offer good drainage from the road. He also stated that there are some pipes on the maintenance lot that could possibly be used in the ditch to create the access the landowner is requesting. The cost will be approximately \$9,179.40.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize the Road Department to proceed with the work that would allow free water flow from the culvert under Byhalia Road that affects the health, welfare, and safety of the public and to install a pipe in the newly-made ditch that would otherwise deny her access to all of her property.

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.2.

H. NEW BUSINESS

1. Office of Procurement

Procurement Coordinator Sheila Morris reminded the Board that they approved the Road Department’s purchase of trucks in November. They now need to purchase dump bodies for those trucks. Two bids were received: Country Ford at \$7,595 per truck and Aerial Truck at \$7,937.75 per truck. The Procurement Department recommends Country Ford as the lowest and best qualified bid for dump bodies as used by the Road Department.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to authorize the purchase of dump bodies for trucks from Country Ford as recommended by the Procurement Department as the lowest and best qualified bid for dump bodies as used by the Road Department.

The motion passed by a vote as follows:

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

See Exhibit H.1.

2. Contract Administration

a. Electronic Auction Services, Inc. (EASI)

Director of Procurement and Administrative Services Pat McLeod informed the Board that she has been talking with Frank Jackson, a representative of EASI. The company does forward and reverse auctions. Mrs. McLeod is interested in the reverse auction, particularly on the election equipment that is presently being sought. A reverse auction allows bidders to see they are not in first place and make

(New Business, cont.)

adjustments to their bids. Mrs. McLeod also stated that she has been in contact with Hinds County and they were very complimentary of Mr. Jackson and EASI. She said she felt this service would be valuable in looking for ambulances, defibrillators, and other high cost equipment. EASI has more vendors region-wide than the County and they specialize in high cost purchases. The fees for EASI are passed on to the vendors, and vendors receive training on the bidding process from EASI. Mrs. McLeod further stated that the fee is 3% and goes down by the size of the bid. Mrs. McLeod asked for Board approval and the Board President to sign the agreement with EASI.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the Board President to sign the agreement with EASI regarding forward and reverse auction services.

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. Hexagon Safety & Infrastructure – Signature Required

Chief Deputy Macon Moore reminded the Board that they had given approval for Mr. Nowak to work with the Sheriff’s Department on this and the AT&T contracts. Hexagon is the data sharing program that is in place currently and the contract needs to be renewed for one year until they undergo the transition to AT&T. The Sheriff’s Department has been working with Hexagon for 8 years. Mr. Nowak has looked at the contract to be sure it meets County standards.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the Board President to sign the agreement with Hexagon regarding data sharing for the Sheriff’s Department.

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.

3. Discussion of Transportation Improve Program (TIP) Applications

- a. Getwell Road (Star Landing to Pleasant Hill) – widening**
- b. Byhalia Road (Craft Road to MS 305) – resurfacing**
- c. Red Banks Road (Byhalia Road to Lee Road) – resurfacing**
- d. Johnson Creek Greenway Extension**

Supervisor Lee Caldwell brought a report from the Transportation Committee regarding information gained at a recent Metropolitan Planning Organization (MPO) meeting. The City of Southaven would like for the section of Getwell Road from Star Landing to Pleasant Hill to be curbed and have a boulevard median. The Transportation Committee feels like a five lane with open ditches is a better option and about 5 million dollars less expensive. Supervisor Caldwell said the concerns of the committee were tying up the bulk of available money on the Getwell Road project, and that section of Getwell Road is not an economic stimulus. The Board agreed that the boulevard option was not the best option for the County and the taxpayers.

Deputy Planning Director Austin Cardosi informed the Board that the 20 million dollars is from

(New Business, cont.)

backlogs and got built up somewhat because of lack of coordination of county and cities. The annual allotment is 2.5 million dollars. Supervisor Caldwell asked Mr. Cardosi to do some research and come back to the Board with more information regarding the urban areas that are critical.

Supervisor Medlin stated that Hernando will potentially need help with Pleasant Hill Road when I-269 opens. Supervisor Russell and Supervisor Medlin expressed concerns regarding Highway 305 and the critical need for widening there. Supervisor Russell also stated that Holly Springs Road is a major project.

Supervisor Gardner commended Supervisor Caldwell and her work with MPO and being a decision maker on that Board. Supervisor Caldwell said DeSoto County has a voice and is being recognized in the state and nationally. She told the Board this was exactly the input the Transportation Committee was hoping for and they would take everything under advisement and come back to the Board with more facts.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to set a public hearing on January 4, 2016 at 11 a.m. to discuss DeSoto County's TIP application.

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

4. Sheriff's Administration Building

Facilities Manager Robert Jarman informed the Board that, after some negotiation, the City of Hernando is requiring a 70 foot sidewalk on top of the ground along the street from the driveway to the parking lot. Mr. Jarman stated the work can be done by the Facilities Department for \$1200 - \$1500, much less than a quote of \$7000 from a contractor.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve the Facilities Department to install the sidewalk at the Sheriff's Administration Building as required by the City of Hernando.

The motion passed by a vote as follows:

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

5. Personnel – Grants Administration

County Administrator Vanessa Lynchard stated that the Grants Administrator job was posted, and after one day was taken down for discussion on modifying the position. Mrs. Lynchard had a discussion with Chief Financial Officer Andrea Freeze and they both determined the job description would include Public Information Officer duties. Mrs. Freeze said she has experience with that and could oversee the position.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve the job description modification to be Grants Administrator/Public Information Officer and authorize the posting of the job on the County website.

(New Business, cont.)

The motion passed by a vote as follows:

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

6. Bid for Dispatch Furniture (Bid File #16-200-003)

Director of Procurement and Administrative Services Pat McLeod informed the Board that there was some miscommunication between the Procurement Department and Facilities Director Robert Jarman regarding the urgency for this bid. Mrs. McLeod asked the Board to approve the specs listed in Bid File #16-200-003 with a few minor changes that Mr. Jarman might need to make.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve the specs listed in Bid File #16-200-003, to authorize minor changes to the specifications that Mr. Jarman determines are necessary to make and to allow the bid to go out.

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.6.**

I. PLANNING COMMISSION

1. PUBLIC HEARING

a. Rezoning Amendment

- i. Getwell Road Development (738) - Application is for approval of Rezoning of property from Agricultural (A) to Planned Unit Development (PUD), identified as Parcel #3-07-2-10-00-0-00003-01. Subject property is located on the east side of Getwell Road and south of Bright Road in Section 10, Township 3, Range 7 and is zoned Agricultural (A) (District 5) Applicant: Short Creek, LLC**

Supervisor Medlin made the motion and Supervisor Caldwell seconded the motion to open the Getwell Road Development 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

Supervisor Caldwell recused herself from this item.

Mr. Hopkins presented the Getwell Road Development application for rezoning of property from Agricultural to Planned Unit Development. Mr. Bob Barber was present to represent the application.

Supervisor Russell asked how far this site is from I-269. Mr. Barber stated it is approximately 1.5 miles.

Supervisor Medlin asked how many acres are being rezoned. Mr. Cardosi stated 20 acres are being rezoned as part of this application. Supervisor Medlin asked why the applicant is not rezoning the entire 40 acres. Mr. Barber stated he is only familiar with the 20 acres that are a part of this application.

Mr. Barber gave the following as examples of change in the neighborhood to support the rezoning of this property:

- Conforms to the DeSoto County Comprehensive plan
- Conforms to the Discover DeSoto- I-269 corridor study
- Nearby construction of I-269 and location of the Getwell Road interchange
- New developments in the area
- Installation of bike trails nearby
- Expansion of DCRUA services nearby
- Establishment of the Greenway Plan
- Major extraction activity in the area
- New home construction in the area

Mr. Barber stated the original idea would have consisted of the entire parcel being used for lots with little to no open space. He went on to state that the new idea for the development is clustered lots with 60% of the site being open space. He stated there will be two entrances into the subdivision and some of the lots will have alley access. He also stated there will be amenities, such as gazebos in the common open spaces. Mr. Barber presented pictures and features included in the design features of the proposed homes for this development. He stated that this new design for the development would be an asset to the Community.

Mr. Barber stated there is a minor amount of flood plane on property and that the flood area around the creek will not be disturbed.

Supervisor Medlin asked how wide the alley access for the homes would be. Mr. Barber stated the alley access will be 18 feet wide.

Mr. Barber stated he would like to change the 60 foot lot widths to 50 foot lot widths as needed. Supervisor Russell asked if these are “zero” lot lines. Mr. Barber stated they are not; they are similar to the lots in Windstone. Supervisor Russell asked much front yard do the lots facing the common space have. Mr. Barber stated they have 10 feet of front yard space. Supervisor Russell asked if the green space will be left natural or be maintained. Mr. Barber stated the green space is a meadow that will be maintained by the HOA/ developer.

Supervisor Lee asked if there will be fencing along the rear of the development. Mr. Barber stated there will be with design specifics. Supervisor Russell asked if the developer or the homeowner will install the fence. Mr. Barber stated the homeowner will install the fence.

Supervisor Russell asked if there will be sidewalks in the development. Mr. Barber stated there will be sidewalks on one side of the street on the north side of the development and also walking trails with in the common area.

Mr. Barber stated the homes will not have garages facing the streets and the minimum square footage of the small lots will be 2000 sqf and the larger lots will be 2400 sqf.

There was discussion about the amount of green space proposed for this development. Mr. Barber stated this is a conservation subdivision so it calls for more open space.

Supervisor Medlin asked what the side setbacks will be. Mr. Barber stated the side setback in area B would be 3 foot and in area A would be 5 foot.

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

Supervisor Lee asked if this will be a gated community. Mr. Barber stated it will not be gated.

There was discussion of whether alley access road could be taken in as a County Road. Supervisor Russell asked if the alley access road were a public road would it need to be wider. Mr. Barber stated the developer would prefer to keep the access road private.

Supervisor Gardner asked if fire hydrants will be installed in the development. Mr. Barber stated they will install whatever hydrants are required. Supervisor Lee stated the neighbors are concerned about fire protection.

Supervisor Lee stated personally he likes this type of subdivision.

Supervisor Lee made a Motion to approve Getwell Road Development rezoning after giving consideration of the recommendations of the planning department, the comments received from the applicant, the documents presented, his knowledge of the neighborhood, fully considering the comprehensive plan and all matters presented, and finding there has been a substantial change in the character of the neighborhood and public need for such rezoning. Supervisor Gardner 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	Recused
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

Supervisor Gardner made the motion and Supervisor Medlin seconded the motion to close the Public Hearing.

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

2. NEW BUSINESS

a. Subdivision

- i. Skufca Subdivision (7022 & 7023) - Application is for approval of Preliminary and Final Subdivision of four (4) lots on 8.6 acre(s) identified as Parcel #1-05-8-33-00-0-00015-00 Subject property is located on the west side of Payne Lane and south of Smokey Lane in Section 33, Township 1, Range 5 and is zoned Agricultural-Residential (A-R). (District 1) Applicant: Diane Skufca**

Mr. Hopkins presented the application for Skufca Subdivision for preliminary and final subdivision approval of four lots on 8.6 acres. Mr. Henry Porter was present to represent the application.

Supervisor Russell asked if this division was being done for family reasons. Mr. Cardosi stated he believes they are being divided to sell.

Mr. Porter stated Ms. Skufca is developing the lots to fit in with Kyle's' Creek.

Supervisor Medlin made the motion and Supervisor Caldwell seconded the motion to approve preliminary and final subdivision of Skufca 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	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

- ii. Bakers Trail Subdivision (7024 & 7025) - Application is for approval of Preliminary and Final Subdivision of three (3) lots on 1.4 acre(s) identified as Parcel #2-07-7-26-2-0-00012-00, Subject property is located on the south side of Pleasant Hill Road and east side of Bakers Trail in Section 26, Township 2, Range 7 and is zoned R-20. (District 5) Applicant: Bridgforth**

Mr. Hopkins presented the application for Bakers Trail Subdivision for preliminary and final subdivision of three lots on 1.4 acres. Mr. J. F. Lauderdale was present to represent the application.

Mr. Lauderdale stated the property was rezoned a couple of months ago. He stated the road and the utilities are existing and this subdivision will have the same restrictive covenants as Bakersfield Subdivision.

Supervisor Lee asked if these will be the only lots with sidewalks in this area. Mr. Lauderdale stated if sidewalks are required they will be the only ones, there are no sidewalks in Bakersfield Subdivision. He also stated that the road will need to be widened to 29 feet to accommodate a walking lane if required.

Supervisor Lee made a Motion and Supervisor Caldwell seconded the Motion to approve preliminary and final subdivision of Bakers Trail Subdivision conditioned that sidewalks would be waived but the street will be widened to 29 feet to accommodate a walking lane.

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

- iii. Village at Hawks Crossing, Phase 3 A (7026) – Application is for approval of final subdivision of 51 lots on 21 acres of property, identified as Parcels #2-06-9-30-00-0-00016-01. Subject property is located on the west side of Craft Rd. and north of Byhalia Rd. in Section 30, 02, 06 and Section 29, Township 2, Range 6 and is zoned PUD. (District 5) Applicant: CB&S Bank**

Todd Whetstone, CBS Bank, Huntsville, AL, came forward asking for final approval of Villages at Hawks Crossing, Phase 3 A. He stated between preliminary approval and now, FEMA changed floodways in the area so he, is asking to swap common area lot from revised floodway to Lot 134 & 134A., where pool and other amenities can be added. A 50 ft wide easement benefitting DCRUA runs across the south side of the phase that goes to pump station west of the subdivision. A gravel drive connects to the DCRUA easement. There is an easement to the County that will serve as the Northernmost entrance to the subdivision and access the adjacent County park. Mr. Nowak reviewed the history of the development, and the adjacent County park, for the Supervisors. Mr. Nowak noted that the County holds a temporary easement which connects with the DCRUA easement, but noted it is not a public easement and only provides access for county maintenance purposes. Therefore, there is no public access to southern part of the County park. Mr. Whetstone stated the subdivision was never designed to have a southern access to the County’s park, and the Bank prefers not to have a public walking trail behind all the residents homes. The Board discussed the issue of whether or not public access to the south side of the County park would be proper. Andy Swims advised the Board that there is permanent easement around the lake, that is part of the County park, so County can get back to mow. Mr. Whetstone added that the Bank is willing to dedicate a 12 ft easement along the south side of the southern lots so the County can continue to have maintenance access to the south side of the County park.

Supervisor Lee made the motion and Supervisor Gardner seconded the motion to approve final subdivision of Villages at Hawks Crossing, Phase 3 conditioned upon a 12 foot maintenance easement along the south side of lots 134,135, and 136 being dedicated to the county for access to the County park and to authorize Mr. Nowak to prepare documents necessary to accomplish this, including amending the existing agreement between the County and the Bank.

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

- iv. Blue Lake Springs, Phase 3 1st Rev. to Lots 124-129 (7031) – Application is for approval of final subdivision of 6 lots on 5.18 acres of property to remove Lot 127 from the subdivision, identified as Parcels #2-09-9-32-00-0-00005-07. Subject property is located on the north side of Green River Rd. and east of American River Rd. in Section 32, 02, 09 and is zoned A-R Overlay. (District 3) Applicant: Robert Hodges**

Mr. Hopkins presented the application for Blue Lakes Springs, Phase 3 1st Rev. to Lots 124-129 for final subdivision approval to remove Lot 127 from the subdivision. Mr. Robert Hodges was present to represent the application.

Mr. Hodges stated he owns 217 acres to the east of the subdivision and purchased Lot 127 to use to put utilities to service a home to be built on his acreage. He stated he does not want to build on Lot 127. He stated he is concerned with who will need to sign the plat revision. Supervisor Russell asked if his acreage touches Lot 127. Mr. Hodges confirmed that it does touch Lot 127. Supervisor Russell stated Mr. Hodges owns the lake adjacent Blue Lake Springs, and asked if he had a formal agreement to allow people in the subdivision to use the lake. Mr. Hodges stated there are rules and a liability waiver online to allow the residents to use the lake.

Supervisor Russell asked if the covenants restrict the use of the lots in Blue Lake Springs for utilities. Mr. Hodges stated he is not sure.

Supervisor Russell stated he is concerned with a lot owner being able to remove a lot from a subdivision without the HOA approving. This may set a precedent, and if someone did not want to pay dues to the HOA they could just remove their lot from the subdivision. Mr. Hodges stated financially it is a concern because he will pay HOA dues and higher taxes on a lot he has no intentions of building on. Supervisor Russell stated he feels the HOA will need to sign off on removing the lot from the subdivision. He then stated he would like the applicant to try and talk to the HOA about allowing him to withdraw the lot from the subdivision.

Supervisor Russell made the motion and Supervisor Caldwell seconded the motion to table for Blue Lakes Springs, Phase 3 1st Rev. to Lots 124-129 for final subdivision approval to remove Lot 127 from the subdivision until the January 4, 2016 meeting.

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

i. Design Standards Variance Request - Michael Hatcher is requesting a waiver of design requirements, as listed on the attached memo. Applicant: Michael Hatcher

Mr. Hopkins presented the Design Standards Variance Request by Michael Hatcher requesting a waiver of design requirements of sidewalks, paved parking and buildings having a brick façade.

Mr. Hatcher explained his site plans and stated the office building will be metal with a portion that is stone but the other buildings will be all metal. He stated the main office is set back 300 feet from the road and the other buildings are behind it. He then stated there will not be room for sidewalks with the addition of deceleration lane.

Mr. Hatcher stated the parking around the building will be paved but the employee parking on the side and rear of the building will be gravel.

He stated he left natural vegetation to screen some of the buildings.

Supervisor Gardner asked how long Mr. Hatcher has been in business. Mr. Hatcher stated he has been in business for 30 years.

Supervisor Gardner asked if there is an MPO plan to widen Center Hill Road. Supervisor Caldwell further down Center Hill Road there is but it is a long range plan.

Supervisor Medlin made the motion and Supervisor Caldwell seconded the motion to waive the Design Standard requirements for sidewalks, paved parking and brick on all buildings.

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

ii. Dennis Refund Request – refund for Minor Lot application fees of \$40.00. The minor lot subdivision was previously subdivided by another minor lot application. Applicant: James Dennis

Mr. Hopkins presented the refund request by James Dennis for Minor Lot Subdivision application fees in the amount of \$40. He stated it was determined the lot was already divided as part of another minor lot subdivision.

Supervisor Caldwell made the motion and Supervisor Medlin seconded the motion to approve the refund request by James Dennis for Minor Lot Subdivision application fees in the amount of \$40.

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

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 Lee Caldwell seconded the motion to adjourn the Board meeting until January 4, 2016, at 9:00 a.m.

The motion passed by a vote as follows:

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

THIS the 21st day of December, 2015, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Bill Russell, President
DeSoto County Board of Supervisors