

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

DISTRICT ONE MARK GARDNER, PRESIDING

February 19, 2013

A. CALL TO ORDER

The February 19, 2013 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Mark Gardner, Board President.

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

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

B. INVOCATION

Mr. Rex Haynes of Southgroup Insurance Company in Southaven presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. CITIZENS REMARKS & PRESENTATIONS

1. **Kimberly Remak** – Ms. Remak was not present at the meeting.

E. APPROVAL OF AGENDA: ADDITIONS AND DELETIONS

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

1.) **Inventory Control Clerk Char McCool requested adding a preliminary disposition for the Chancery Land Records**

2.) **Road Manager Andy Swims requested adding:**

a. **Personnel item for consideration for a possible executive session discussion**

b. **Road Manager – Flood Plain Manager**

c. **Item for new business – Subdivisions in County - Status Report**

3.) **Environmental Services Manager Ray Laughter requested adding Parks and Greenways for new business: Parks and Greenways – bids under advisement**

4.) **Chief Financial Officer Tom Arnold presented items as follows:**

a. **Procurement card charge of \$12.42**

b. Replace a check made to Stan Rochelle of the Road Department for meals at the MDOT Work Zone Safety Workshop and write a check for \$583.97 to Deryal Owings who is replacing Mr. Rochelle who is unable to attend the Workshop

5.) Supervisor Bill Russell requested adding work to be done on the garden behind the Walls Library

6.) County Administrator Vanessa Lynchard requested adding the following:

a. Allow Facilities Management to accept a donation of one portable air conditioner

b. Proposed Procurement Policy

c. Personnel item for Justice Court for consideration for a possible executive session discussion

d. Insurance for County Facilities: Appraisals for county buildings

e. Jail Blue Line Reports

f. North Delta Planning Development Lease Request

g. Tax Collector Refund

h. Ms. Lynchard requesting removing Director of Administrative Services from the appointment for Procurement Clerk in the Consent Agenda, item F.1.d.

7.) Supervisor Bill Russell requested adding an appointment for North Central Mississippi Resource Conversation Development Council

8.) Board Attorney Tony Nowak requested adding an Industrial Prospect for consideration for a possible executive session discussion

9.) County Administrator Vanessa Lynchard requested adding contract with Tela-Health

10.) Sheriff Bill Rasco requested adding authorization for the Board President to Sign State Inmate Housing Reimbursement

11.) Planning Director Ted Garrod requested adding a development Agreement with Castle Rock Subdivision for Phase 3

12.) Board Attorney Tony Nowak requested adding an agreement with Neel Schaffer for Stormwater for Phase II services

13.) Supervisor Mark Gardner read a letter from the Arkabutla Physically Challenged Hunting Association and asked that it be made part of the minutes

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the Agenda with the additions set forth above.

The motion passed by a vote as follows:

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

1.) Inventory Control Clerk Char McCool requested adding a preliminary disposition for the Chancery Land Records

Ms. McCool presented the preliminary dispositions for Chancery Land Records.

Supervisor Mark Gardner said he would like to offer any items that are useable to the library or other

agencies.

Supervisor Jessie Medlin asked if a six year time frame is common in regards to computers. Jeff Brown, I.T. Representative for Land Records said yes.

Mr. Davis said other counties donated to Webster County Courthouse before we could and they do not need anything on this list.

Supervisor Medlin asked what will be done with the items. County Administrator Vanessa Lynchard said they will go e-waste. Supervisor Medlin said he would like to see if someone else could use the items before disposal.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion declare the following items as surplus and to authorize the County Administrator to research to see if there is need for the items by other agencies before sending to e-waste:

DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY
EPSON LQ-2180 PRINTER	BDWY025777	OBSOLETE--Our office no longer uses dot matrix personal printers.	02	6H	CHANCERY STORAGE
FUJITSU FI-4120C SCANNER	612009	BROKEN-Internal rollers wore out - not replaceable.	03	1K	CHANCERY STORAGE
OKIDATA ML590 PRINTER	S312D4011651H	OBSOLETE--Our office no longer uses dot matrix personal printers.	04	5H	CHANCERY STORAGE
LACIE ETHERNET DISK	162702317	OBSOLETE--No longer used or needed in our office, used old Windows XP OS.	06	8H	CHANCERY STORAGE
HP COMPAQ DEKSTOP PC	SMXL6250YYL	OBSOLETE-6 Years Old, too slow, non-upgradable processors, buy newer PC cheaper	06	4H	CHANCERY STORAGE
HP COMPAQ DEKSTOP PC	SMXL625109V	OBSOLETE-6 Years Old, too slow, non-upgradable processors, buy newer PC cheaper	06	4H	CHANCERY STORAGE
HP COMPAQ DEKSTOP PC	SMXL6250YBX	OBSOLETE-6 Years Old, too slow, non-upgradable processors, buy newer PC cheaper	06	4H	CHANCERY STORAGE
HP COMPAQ DEKSTOP PC	SMXL6250YC2	OBSOLETE-6 Years Old, too slow, non-upgradable processors, buy newer PC cheaper	06	4H	CHANCERY STORAGE
HP COMPAQ DEKSTOP PC	SMXL6251075	OBSOLETE-6 Years Old, too slow, non-upgradable processors, buy newer PC cheaper	06	4H	CHANCERY STORAGE
HP LASERJET PRINTER	SCNJC68K1HQ	BROKEN-Does not feed paper correctly. Internal rollers wore out - not replaceable.	06	6H	CHANCERY STORAGE
DELL DIMENSION 4700	375ZD61	BROKEN-Will not power on.	04	5H	CHANCERY STORAGE
HP DESKJET 6940 COLOR INKJET	SMY73C9R2MY	OBSOLETE--Our office no longer uses inkjet personal printers. Ink runs out too quickly and too costly to replace.	07	1H	CHANCERY STORAGE
OKI MICROLINE 390 TURBO PRINTER	SAE6C010461FO	OBSOLETE--Our office no longer used dot matrix personal printers.	07	4H	CHANCERY STORAGE
HP LASERJET P2015X PRINTER	SCNBJP18297	BROKEN-Will not feed paper.	07	6H	CHANCERY STORAGE
HP DESKJET 6940 COLOR INKJET	SMY77HBS49H	OBSOLETE--Our office no longer uses inkjet personal printers. Ink runs out too quickly and too costly to replace.	07	1H	CHANCERY STORAGE
HP DESKJET 6988DT PRINTER	SMY85Q2R039	OBSOLETE--Our office no longer uses inkjet personal printers. Ink runs out too quickly and too costly to replace.	08	2H	CHANCERY STORAGE
HP WORKSTATION	2UA8320TJV	BROKEN--Motherboard needs to be replaced.	08	1K	CHANCERY STORAGE
DELL OPTIPLEX DESKTOP PC	27ZY81	OBSOLETE- Bought Refurb 3 Years ago, too slow, non-upgradable processors, buy newer PC cheaper	09	2H	CHANCERY STORAGE

ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY
31802		GATEWAY E-4000 PC	28583509	OBSOLETE--10 years old. Non-upgradeable.	02	1K	CHANCERY STORAGE
32648		LEXMARK E321 LASER PRINTER	890932P	BROKEN--Does not feed paper correctly. Put black lines down the paper.	03	3H	CHANCERY STORAGE
32649		FUJITSU FI-4120C SCANNER	608411	BROKEN-Internal rollers wore out. Not replaceable.	03	1K	CHANCERY STORAGE
34799		HP COMPAQ DESKTOP PC	SMXL62510DC	OBSOLETE-6 Years Old, too slow, non-upgradable processors, buy newer PC cheaper	06	4H	CHANCERY STORAGE
34821		HP COMPAQ DESKTOP PC	SMXL6250YZ1	OBSOLETE-6 Years Old, too slow, non-upgradable processors, buy newer PC cheaper	06	4H	CHANCERY STORAGE
34822		HP COMPAQ DESKTOP PC	SMXL6250ZM1	OBSOLETE-6 Years Old, too slow, non-upgradable processors, buy newer PC cheaper	06	4H	CHANCERY STORAGE
34823		HP COMPAQ DESKTOP PC	SMXL6250ZQ2	OBSOLETE-6 Years Old, too slow, non-upgradable processors, buy newer PC cheaper	06	4H	CHANCERY STORAGE
34828		HP COMPAQ DESKTOP PC	SMXL625102C	OBSOLETE-6 Years Old, too slow, non-upgradable processors, buy newer PC cheaper	06	4H	CHANCERY STORAGE
34830		HP COMPAQ DESKTOP PC	SMXL6251073	OBSOLETE-6 Years Old, too slow, non-upgradable processors, buy newer PC cheaper	06	4H	CHANCERY STORAGE
34839		ACER 19 LCD MONITOR	623024E84219	BROKEN--Screen too bright to be able to read anything on. Can not be fixed.	06	2H	CHANCERY STORAGE
35188		LEXMARK E234 PRINTER	380FCZB	OBSOLETE--8 years old. We no longer have use for. Was replaced long ago, don't remember exactly why.	04	2H	CHANCERY STORAGE
35189		LEXMARK E234 PRINTER	720KLFC	OBSOLETE--8 years old. We no longer have use for. Was replaced long ago, don't remember exactly why.	04	2H	CHANCERY STORAGE
38193		RICOH AFICIO PRINTER	Q4178700288S	BROKEN--Will not feed paper at all.	07	3H	CHANCERY STORAGE
39485		HP DESKJET PRINTER	C8970A002	OBSOLETE--Our office no longer uses inkjet personal printers. Ink runs out too quickly and too costly to replace.	08	1H	CHANCERY STORAGE
40391		LEXMARK MONOCHROME LASER	S72LC2TN	BROKEN--Does not feed paper correctly.	09	2H	CHANCERY STORAGE

ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY
31770		EPSON LQ-2180 PRINTER	BDWY025777	OBSOLETE--Our office no longer uses dot matrix personal printers.	02	6H	CHANCERY STORAGE
32639		FUJITSU FI-4120C SCANNER	612009	BROKEN-Internal rollers wore out - not replaceable.	03	1K	CHANCERY STORAGE
33531		OKIDATA ML590 PRINTER	S312D4011651H	OBSOLETE--Our office no longer uses dot matrix personal printers.	04	5H	CHANCERY STORAGE
34796		LACIE ETHERNET DISK	162702317	OBSOLETE--No longer used or needed in our office, used old Windows XP OS.	06	8H	CHANCERY STORAGE
34797		HP COMPAQ DEKSTOP PC	SMXL6250YLL	OBSOLETE-6 Years Old, too slow, non-upgradable processors, buy newer PC cheaper	06	4H	CHANCERY STORAGE
34800		HP COMPAQ DEKSTOP PC	SMXL625109V	OBSOLETE-6 Years Old, too slow, non-upgradable processors, buy newer PC cheaper	06	4H	CHANCERY STORAGE
34819		HP COMPAQ DEKSTOP PC	SMXL6250YBX	OBSOLETE-6 Years Old, too slow, non-upgradable processors, buy newer PC cheaper	06	4H	CHANCERY STORAGE
34820		HP COMPAQ DEKSTOP PC	SMXL6250YC2	OBSOLETE-6 Years Old, too slow, non-upgradable processors, buy newer PC cheaper	06	4H	CHANCERY STORAGE
34824		HP COMPAQ DEKSTOP PC	SMXL6251075	OBSOLETE-6 Years Old, too slow, non-upgradable processors, buy newer PC cheaper	06	4H	CHANCERY STORAGE
34841		HP LASERJET PRINTER	SCNJC68K1HQ	BROKEN-Does not feed paper correctly. Internal rollers wore out - not replaceable.	06	6H	CHANCERY STORAGE
35661		DELL DIMENSION 4700	37SZD61	BROKEN-Will not power on.	04	5H	CHANCERY STORAGE
38162		HP DESKJET 6940 COLOR INKJET	SMY73C9R2MY	OBSOLETE--Our office no longer uses inkjet personal printers. Ink runs out too quickly and too costly to replace.	07	1H	CHANCERY STORAGE
38165		OKI MICROLINE 390 TURBO PRINTER	SAE6C010461FO	OBSOLETE--Our office no longer used dot matrix personal printers.	07	4H	CHANCERY STORAGE
39127		HP LASERJET P2015X PRINTER	SCNBJP18297	BROKEN-Will not feed paper.	07	6H	CHANCERY STORAGE
39250		HP DESKJET 6940 COLOR INKJET	SMY77HBS49H	OBSOLETE--Our office no longer uses inkjet personal printers. Ink runs out too quickly and too costly to replace.	07	1H	CHANCERY STORAGE
39512		HP DESKJET 6988DT PRINTER	SMY85Q2R039	OBSOLETE--Our office no longer uses inkjet personal printers. Ink runs out too quickly and too costly to replace.	08	2H	CHANCERY STORAGE
39707		HP WORKSTATION	2UA8320TJV	BROKEN--Motherboard needs to be replaced.	08	1K	CHANCERY STORAGE
39981		DELL OPTIPLEX DESKTOP PC	27ZYSB1	OBSOLETE- Bought Refurb 3 Years ago, too slow, non-upgradable processors, buy newer PC cheaper	09	2H	CHANCERY STORAGE

The motion passed by a vote as follows:

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

See Exhibit E.1

2.) Road Manager Andy Swims requested adding:

a. Personnel item for consideration for a possible executive session discussion

This item was later determined to qualify for executive session.

b. Road Manager – Flood Plain Manager

This item was already on the Agenda under item number H.12 and was heard in that section.

c. Item for new business – Subdivisions in County - Status Report

Road Manager Andy Swims and Mike Kennedy of the Road Department presented a status report on subdivisions for which work had been stopped on because of the economy. Mr. Swims said some of the subdivisions are building homes and others are not.

Mr. Kennedy presented the status report and the Board discussed various subdivisions regarding developers and bonds.

Supervisor Jessie Medlin said Mr. Robbins Earnhardt asked for an extension on his bond. Mr. Kennedy said he has not talked to Mr. Robbins Earnhardt yet.

Mr. Swims said he does not have a problem extending the deadline because it keeps the responsibility for the road maintenance on the builder.

Mr. Kennedy said letters have been sent to this group and some will get another extension and others will be asked to finish their roads. Mr. Swims said as long as they keep up the subdivision there is no need to move on these yet.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to send a letter requesting that Hunter Hollow, Emery Hills and Forest Hill Phase 7 & 8 be completed and to extend the bond for the remaining subdivisions for one year.

The motion passed by a vote as follows:

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

See Exhibit E.2.c

3.) Environmental Services Manager Ray Laughter requested adding Parks and Greenways for new business: Parks and Greenways – bids under advisement

Environmental Services Manager Ray Laughter presented bids for park improvements for Cockrum and Lark Cormorant Parks. He said that Wilco Services, LLC is the lowest with a quote of \$27,004.40. Mr. Laughter said the quote includes material and installation for playground equipment per specifications at Cockrum Community Park and Lake Cormorant Park.

Procurement Clerk Karen McNeil said the reason this bid is before the Board is because it exceeds \$25,000.

Supervisor Jessie Medlin said he would like for them to talk to the Fire Department Fire Chief to help watch the parks and if they see anything to report it to the Sheriff.

Sheriff Bill Rasco said his deputies also watch the parks.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve the lowest quote for \$27,004.40 from Wilco Services, LLC for material and installation for playground

equipment per specifications at Cockrum Community Park and Lake Cormorant Park.

The motion passed by a vote as follows:

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

See Exhibit E.3

4.) Chief Financial Officer Tom Arnold presented items as follows:

a. Procurement card charge of \$12.42

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the procurement charge in the amount of \$12.42 as detailed in Exhibit E.4.a.

The motion passed by a vote as follows:

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

See Exhibit E.4.a

b. Replace a check made to Stan Rochelle of the Road Department for meals at the MDOT Work Zone Safety Workshop and write a check for \$583.97 to Deryal Owings who is replacing Mr. Rochelle who is unable to attend the Workshop

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve issuing a check to Deryal Owings in the amount of \$583.97 for meals at the MDOT Zone Safety Workshop, who is replacing Stan Rochelle who is unable to attend.

The motion passed by a vote as follows:

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

See Exhibit E.4.b

5.) Supervisor Bill Russell requested adding work to be done on the garden behind the Walls Library

The Walls Library for Community Garden was already listed on the agenda under old business to be presented by the Board Attorney.

6.) County Administrator Vanessa Lynchard requested adding the following:

a. Allow Facilities Management to accept a donation of one portable air conditioner

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve accepting a donation of one portable air conditioner from the Town of Walls.

The motion passed by a vote as follows:

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

b. Proposed Procurement Policy

Director of Administrative Services presented a proposed Procurement Policy with redline changes as suggested by the Board Attorney.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the proposed Procurement Policy with changes recommended by the Board Attorney.

The motion passed by a vote as follows:

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

See Exhibit E.6.b

c. Personnel item for Justice Court for consideration for a possible executive session discussion

This item was later determined to qualify for executive session.

d. Insurance for County Facilities: Appraisals for county buildings

Rex Haynes of SouthGroup and County Administrator Vanessa Lynchard said the county gets quotes for insurance on 57 buildings. Mr. Haynes said they try to do this at least once a year and it requires having insurance coverage appraisal performed. He discussed the options of replacing county buildings that may require historical replacement and how the rates will be higher. Ms. Lynchard said there is a potential increase in the premium.

The Board of Supervisors discussed historical preservation, particularly for the courthouse. Supervisor Jessie Medlin asked for more information regarding that matter and to table the discussion until more research can be done by the Board Attorney.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to table the discussion of insurance appraisals for county buildings and to approve hiring the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to research the matter.

The motion passed by a vote as follows:

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

e. Jail Blue Line Reports

Ms. Lynchard said blue line permit reporting is issued with the Corp of Engineers through Waggoner Engineering. She said a part of the permit is to send updates twice a year.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve hiring Waggoner Engineering to prepare the necessary report as part of the monitoring requirement of the Compensatory Stream-Monitoring Plan as follows:

2475 Memphis Street
Hernando, MS 38632
662-429-2100 Voice

WAGGONER
662-429-2600 Fax
Engineering, Inc.
February 8, 2013
DeSoto County Board of Supervisors 365 Loshier Street, Suite 300 Hernando, MS 38632

ATTN: Mrs. Vanessa Lynchard County Administrator

RE: Task Order: Compensatory Stream -Monitoring Plan
DeSoto County Jail
Hernando, Mississippi
Dear Vanessa:

Waggoner Engineering, Inc. is prepared to provide the necessary report as part of the monitoring requirement of the Compensatory Stream Mitigation Plan for the referenced project pending approval of this task order proposal. The services will be provided under the terms of the support services section of the professional services agreement dated July 3, 2011.

The specific services to be provided include the following:

- I. Collect necessary field data and organize into a report.
- 2. The report will contain:
 - a. Photographs that visually document the progress of the stream mitigation effort.
 - b. Details of the survival of the planted trees, including percent survival and health.
 - c. Assessment of the establishment of the planted herbaceous vegetation.
 - d. A floristic list of all invading plant species.
 - e. Changes in vegetation composition and plant vigor (compared to previous sampling data if applicable).
 - f. Channel stability and any erosional problems.
 - g. Observed wildlife usage of the site, including, sightings, calls, tracks, scat, etc.

Services this sampling period will be billed hourly not to exceed\$1,250.00

The report will be completed and submitted to the appropriate agencies within 4 weeks of the date of the notice to proceed as indicated below.

The motion passed by a vote as follows:

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

See Exhibit E.6.e

f. North Delta Planning Development Lease Request

Ms. Lynchard said North Delta is now located in the Gale Center and needs additional space. She recommended using the building where the USDA moved from at the same rental cost. The area could be renovated and the kitchen needs a water line and a portable air condition unit could be provided. The rent will pay for the repairs.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve the recommendation of the County Administrator to negotiate a lease with North Delta Planning and Development for rental of the space formerly rented by the USDA with recommended repairs to the area,

at the same rental cost as USDA.

The motion passed by a vote as follows:

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

g. Tax Collector Refund

Tax Collector Joey Treadway appeared before the Board to explain a mistake that was made on property that was in bankruptcy in 2011. Mr. Treadway said the mistake was made in his office and the refund can be made under the statute of limitations. Mr. Treadway considering the amount is high, \$102,959.00, he wanted to inform the Board of the issue.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the Tax Collector to correct an error made and approve issuance of a refund check to tax payer in the amount of \$102,959.00 for the 2011 tax sale of the property that was in bankruptcy and subject to sale.

The motion passed by a vote as follows:

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

h. Ms. Lynchard requesting removing Director of Administrative Services from the appointment for Procurement Clerk in the Consent Agenda, item F.1.d.

7.) Supervisor Bill Russell requested adding an appointment for North Central Mississippi Resource Conversation Development Council

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve the appointment of Todd Williams to the North Central Mississippi Resource Conversation Development Council.

The motion passed by a vote as follows:

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

8.) Board Attorney Tony Nowak requested adding an Industrial Prospect for consideration for a possible executive session discussion

This item was later determined to qualify for executive session.

9.) County Administrator Vanessa Lynchard requested adding contract with Tela-Health

Mr. Rex Haynes with SouthGroup Insurance said that he sent an agreement to the Board Attorney late yesterday afternoon to review for the Tela-Health service for the county. This agreement allows for payroll deduction for the optional benefit. He said that Human Resources will meet with employees and spouses to educate on Tela-Health.

Supervisor Lee Caldwell said she used the service and received a call back immediately.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve

the agreement with Tela-Health which allows payroll deduction.

The motion passed by a vote as follows:

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

10.) Sheriff Bill Rasco requested adding authorization for the Board President to Sign State Inmate Housing Reimbursement

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve accepting the Inmate Housing Reimbursement and authorization for the Board President to sign.

The motion passed by a vote as follows:

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

See Exhibit E.10

11.) Planning Director Ted Garrod requested adding a development agreement with Castle Rock Subdivision for Phase 3

This matter was heard in the Planning Commission Minutes.

12.) Board Attorney Tony Nowak requested adding an agreement with Stormwater for Phase II

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the Agreement with Neel-Schaffer for Stormwater Phase II for year five of the MS4 General Permit requirements, through December, 2013.

The motion passed by a vote as follows:

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

13.) Supervisor Mark Gardner read a letter from the Arkabutla Physically Challenged Hunting Association and asked that it be made part of the minutes

Supervisor Mark Gardner said, in the past the county has donated to the Arkabutla Physically Challenged Association for a hunt that is held each year. It is a great event for anyone who is physically challenged and a lot of people participate. Supervisor Gardner read the letter as follows:

To: DeSoto County Board of Supervisors

Thanks so much for last year’s donation to the A.P.C.H.A. The disabled hunt was a great success because of your participation in funding. We were able to provide all of the needs (food, lodging, gloves, and warmers, etc.) for each participate. We are so proud to tell all of our friends that come here from different counties and states that DeSoto County had a part in making this event happen. We also want to thank Lee Caldwell and Harvey Lee for coming out and joining us for breakfast one morning and want to invite all of you to try and come next year. It is a great

experience. We are asking again for your donation for next year's hunt. It is people like you that help us fund this event each year.
Thanks for all you do.

Mr. Mike Riley, President

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to donate \$1,000 from Advertising County Resources to the Arkabutla Physically Challenged Association for the hunt based upon a finding the activity brings into favorable notice the opportunities, possibilities, and resources of the county, and further, that such advertisement will be helpful toward advancing the "moral, financial and other interests" of the count.

The motion passed by a vote as follows:

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

See Exhibit E.13

G. CONSENT AGENDA

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

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

1. Office of Finance & Accounting

a. Budget Amendments: Detailed in Exhibit F

b. Request for Transfer of Sheriff Seized Funds

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

Case #	Defendant	Date Seized	Receipt #	Amount	Date of Forfeiture
2012-61061	Darrel King	12/28/12	27210	\$1,715.00	2/413
			TOTAL	\$1,715.00	

Transfer from Sheriff-Seized Fund (123-000-139) \$1,715.00
Transfer to Sheriff-Forfeiture Fund (120-000-238) \$1,715.00

c. Inventory Control – Final Dispositions

1) Facilities Management

ASSET #	DESCRIPTION	SERIAL #	REASON FOR DISPOSAL	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	LOCATION OF FINAL DISPOSAL	DATE OF FINAL APPROVAL
10074	HOBART DEEP FRYER	07024412EL	NOT WORKING PROPERLY	SHERIFF DEPT - JAIL	12/17/12	TONY MARTIN	DC LANDFILL	01/22/13

2) Sheriff's Department

ASSET#	GRAN T	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION
40801		FORD CROWN VIC 2007	2FAHP71W27X128087	AUTO ACCIDENT/VEHICLE TOTALED	10	13K	SO - CNTRL MTNC	12/17/12	EDDIE VANSTORY	INSURANCE PICKUP.
41705		FORD CROWN VIC 2007	2FAHP71W57X157762	AUTO ACCIDENT/VEHICLE TOTALED	11	12K	SO - CNTRL MTNC	"	"	"
42085		FORD CROWN VIC 2008	2FAHP71V98X144666	AUTO ACCIDENT/VEHICLE TOTALED	12	13K	SO - CNTRL MTNC	"	"	"

d. Appointments: Various Appointments and Removals

FEBRUARY 19, 2013

MEMORANDUM

TO: BOARD OF SUPERVISORS

FROM: TOM ARNOLD

SUBJ: INVENTORY AND RECEIVING CLERKS

Please make the following revisions in the various clerks to appoint or remove certain persons to make the current appointments correct:

ASSISTANT INVENTORY CLERK:

Remove- John Busby

**Add- Sherry Herndon
Amy Henley**

ASSISTANT RECEIVING CLERKS:

**Remove: Dona Embrey Add: Chesley Lynch
Allison Pullen
Amy Henley
Diane Bunyard
Mary Vick
Brandi Myers**

2. Department of Road Management: Monthly Safety Report

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

a. Series 2013 General Obligation Bond; not to exceed \$11,500,000.00

b. Interlocal Agreement with Walls for Fire Code Inspection Services

c. Resolution Approving Interlocal Agreement with Tunica County for Orthophotography

d. Interlocal Agreement and Resolution with the Town of Walls to maintain Public Roads and to provide certain Engineering Services

e. MOU with Southaven for Engineering and Design of Improvements to Swinnea Road

4. Office of Procurement: Procurement Card Log

5. Request to Accept and Approve Bid Specifications and to Seek Bids for Food Supplies for Jail

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

The motion passed by a vote as follows:

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

See Exhibit F

G. OLD BUSINESS

1. Board Attorney: Walls Library for Community Garden

Board Attorney Tony Nowak said the Board approved him to research to ensure that it is legal to provide gravel for the Community Garden at the Walls Library. Mr. Nowak noted that the Board initially approve the community garden upon finding it advertised county resources. Mr. Nowak said it is legal to donate the gravel if the Board finds the activity advertises the county resources.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to approve providing one load of gravel for the Community Garden at the Walls Library under the advertising county resources, and further, that such advertisement will be helpful toward advancing the “moral, financial, and other interests” of the county. The Library will provide signage recognizing the County’s contributions.

The motion passed by a vote as follows:

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

H. NEW BUSINESS

1. 10:30 a.m. – Tax Exemptions

a. Exel (Zimmer)

Jim Flanagan, President and CEO of the DeSoto Economic Development Council introduced Kip Greer who was representing Zimmer.

Mr. Greer said Zimmer is their tenant and is located in Southaven. They appeared recently for the freeport warehouse exemption and today they are seeking a personal tax exemption. Mr. Greer said Zimmer distributes medical reconstruction trauma devices and supplies. They utilize 136,000 square feet and are adding 53,000 square feet. He said that Zimmer is starting international business. They currently have 127 employees and that will grow to 150 after two years. They recruit in DeSoto County and a lot of the current employees are from the county. Mr. Greer said they have a facility in Memphis and we hope they will consider moving it to DeSoto County as well.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve a Personal Property Tax Exemption for the Exel Inc. tenant Zimmer US, Inc. located at 8890 Commerce Drive, Ste. 101, Southaven, MS 38671.

The motion passed by a vote as follows:

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

See Exhibit H.1.a

b. West Coast Novelty dba Creedence Holdings LLC

Leeann Gray with West Coast Novelty said they are here today to seek a 10 year personal tax exemption. She said they moved to DeSoto County in December and appeared before the Board and were granted a freeport tax exemption. Ms. Gray said she has worked for them for several years in Memphis and just moved to DeSoto County. She said they are a license brand apparel, head wear and novelty importer.

They have 24 employees and just hired two from DeSoto County today. She said they employ a small core group and will hire temps in the spring and late fall. They are looking at 15 new hires in the next two years and will hire from DeSoto County.

Supervisor Mark Gardner asked if they had used the WinJob Center to hire employees. Ms. Gray said they have not needed to hire full time employees yet but will use the Center when they do.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve the 10 year personal property tax exemption for West Coast Novelty dba Creedence Holdings LLC located at 295 Marathon Way, Southaven, MS 38671

The motion passed by a vote as follows:

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

See Exhibit H.1.b

c. Millstone Medical (Millstone Medical Outsourcing)

Mr. Karl Neuberger of Millstone Medical said they are seeking a personal tax exemption and appeared previously for the freeport tax exemption.

Mr. Flanagan said this industry is medical related and we are starting to see a cluster moving to DeSoto County. He said they offer good wages and benefits for our taxpayers.

Mr. Neuberger said they have 50-60 employees with 15-20% being county residents. They will continue to add employees from DeSoto County.

Supervisor Mark Gardner asked if they use the Win Job Center. Mr. Neuberger said he has met with them but has not yet hired anyone through them yet.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the personal property tax exemption for Millstone Medical Outsourcing located at 8836 Polk Road, Suite 100, Olive Branch, MS 38654.

The motion passed by a vote as follows:

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

2. Proposal for Policy and Procedures for Storage of Public Records

Director of Emergency Services Bobby Storey said they needed to be able to store records and he asked Deputy Fire Marshal D.W. Gilbert to make it happen. Mr. Storey said D.W. worked hard on this project for two years and he thanked him for his hard work.

Mr. Gilbert presented a proposal to establish the policy and procedures for the storage for public records maintained by DeSoto County Emergency Services in accordance with local standards, the Mississippi Department of Archives and History Standards, and the Mississippi Statutes of Limitations.

Mr. Gilbert said he worked with I.T. Director John Mitchell to make sure the procedures were in compliance with HIPPA. In addition, the document has been reviewed by Board Attorney Tony Nowak.

County Administrator Vanessa Lynchard said the county is turning a corner with this project. She said most all of the offices must have storage. In the past, they met with vendors but found it to be very costly to use them for storage.

Ms. Lynchard said this has far reaching implications. EMA can be accessed digitally and we hope to use some of the same systems in the administrative offices for easy access for everyone.

Supervisor Jessie Medlin said recently Pat McLeod mentioned that the county stored some documents with one of the banks. Supervisor Medlin asked if they are talking about storing inside or outside DeSoto County.

Mr. Gilbert said there is backup storage on the network, other internal backup storage and off-site backup storage as well.

Ms. Lynchard said the state requires that most offices have storage in addition to following HIPPA laws. Then it becomes an I.T. issue at that point. They have to secure the data once it is digitized.

Supervisor Medlin asked if it is paper and digital. Ms. Lynchard said the paper is converted to digital.

Supervisor Mark Gardner said every department needs to back up records and store. Supervisor Gardner said Kevin Blackwell is in the audience and he asked Mr. Blackwell to speak since he is in the medical field.

Mr. Blackwell said in the healthcare field they have backup on site as well as backup in Utah. Mr. Blackwell said in case of a catastrophic event, it is wise to move to electronic storage.

Ms. Lynchard said government records require a lot of visual work too. The Human Resources Department is required to keep records on each employee for 60 years. The hard copies are filed in their office which takes an enormous amount of space.

Supervisor Bill Russell asked if this eliminates all paper. Board Attorney Tony Nowak said when archiving documents, there is a provision established by the State department of history and archives for each type of record and how they are to be handled.

Ms. Lynchard said some documents have a short life and may not need to be digitized.

Supervisor Gardner said this is a great start and the studies could go in other areas.

Supervisor Lee Caldwell said she appreciated the work put into this project and it will be great to have access to the documents. It is an insurmountable value to DeSoto County.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to adopt the DeSoto County Emergency Services Policy for the Storage of Public Records dated February 14, 2013.

The motion passed by a vote as follows:

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

See Exhibit H.2

3. State Aid Engineer: State Aid Programs for Approval

a. Meadowbrook Road Bridge Replacement

b. Stateline Road Bridge Project

c. Starlanding Road Bridge Project

State Aid Engineer Tracy Huffman presented three projects for state aid funds as follows:

Please find attached the pertinent excerpts from the forms to be submitted to the Office of State in order to obligate the funds for the implementation of the following projects:

1. Stateline Road Bridge Replacement – Sufficiency Rating = 18.6
2. Starlanding Road Bridge Replacement – Sufficiency Rating = 29.1
3. Meadowbrook Road Bridge Replacement – Sufficiency Rating = 40.8

The approval of these documents will allow design work to begin for these projects and it obligates the State Aid funds in the amounts shown which are based on preliminary estimates. As of the latest approved bridge inspections, these three bridges have the lowest sufficiency ratings of all the bridges in the County and are recommended for replacement. A bridge with a sufficiency rating less than 50 is considered “structurally deficient”.

Supervisor Lee Caldwell said buses cannot travel on two of these routes and must be rerouted. She said when the project is completed, it will save the buses time and money.

Supervisor Jessie Medlin asked if the funds are appropriated; Mr. Huffman said yes.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve the State Aid Road Bridge Projects as presented and authorize the Board of Supervisors to sign the forms for each project.

The motion passed by a vote as follows:

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

See Exhibit H.3

4. DeSoto Economic Development Council: Appoint Ken Kirkpatrick as DeSoto County Recreational District Commissioner to replace Chris Brunetti (resigned, unexpired term)

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve accepting the resignation of Chris Brunetti and to appoint Ken Kirkpatrick for the unexpired term as the District 5 DeSoto County Recreational District Commissioner.

The motion passed by a vote as follows:

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

See Exhibit H.4

5. Office of Procurement: Bids Under Advisement: Annual Bid to Supply Hauling Dirt

Procurement Clerk Karen McNeil said this bid is for supplying and hauling dirt to the rubbish pit for 12 months. She said they received three quotes and McGee Trucking, Inc., is the lowest and best bid by \$1.00. Ms. McNeil said the savings per load is 3%.

Supervisor Bill Russell asked how often the debris has to be covered.

Environmental Services Manager Ray Laughter said it is a constant mix and the acreage has to be covered in a certain amount of time.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the lowest and best bid of McGee Trucking, Inc., as follows:

Vendor	Price per Load (A load is considered 15 yards minimum)	COMPARISON PRIOR TO BIDDING	SAVINGS PER LOAD
V. McGee Trucking, Inc 2735 Stateline Road, West Southaven, MS 38671	\$ 87.00		
Tri-Firma 939 Rasco Road East Southaven, MS 38671	\$ 88.00	\$ 90.00	3%
Prewett Enterprises, Inc POBox 386 Southaven, MS 38671	\$ 145.00		
RECOMMENDATION: V. McGee Trucking for a period of 12 months beginning March 1, 2013.			

The motion passed by a vote as follows:

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

See Exhibit H.5

6. Office of Finance and Accounting: Supplemental Claims Docket

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

Mr. Arnold said that the claim on page 5 was for locating a defendant to return to Lafayette County and the person could not be found.

Supervisor Mark Gardner asked about the claim on page 6 to Travelers for \$5,122. Mr. Arnold said that is a lawsuit and there is a \$25,000 deductible.

Supervisor Gardner about the claim on page 56 for an amount of \$236 for a cartridge for a laser printer. He said that is very high for a cartridge. Supervisor Gardner asked if these are laser jet printers. County Administrator Vanessa Lynchard said it is for two cartridges and she is not sure if it is on the county network. Mr. Arnold said it is for the Extension Service Office.

Supervisor Gardner asked about the claim for the Jail on page 80 for fiber connectivity and if that is almost completed.

Mr. Arnold said that is for fiber optic ran from the SID building to the new Jail which is in the original project for the infrastructure of the building and then runs to AT&T.

Supervisor Lee Caldwell asked about the claim on page 8 paid to the Shelby County Government State Transportation PD. She asked if it is for the MPO. Mr. Arnold said the county pays a pro-rata to share to the MPO. Planning Director Ted Garrod said it is paid quarterly.

Supervisor Caldwell asked about the claim on page 23 for the Summons: Doe paid to the DeSoto Times-Tribune. Mr. Arnold said the court is required to advertise if a baby was abandoned.

Supervisor Caldwell asked about the fee to Zoll Medical on page 45. Mr. Arnold said Zoll maintains and fixes loaner defibrillators for the county.

Supervisor Lee asked about the claim for Constable Holloway on page 49. Sheriff Bill Rasco said it is for training of constables. Supervisor Bill Russell asked the Sheriff if he could train the constables. Sheriff Rasco said yes. Supervisor Caldwell said that is better than paying \$500.

Sheriff Rasco invited the Board of Supervisors to come and view the firearms training facility.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Chief Financial Officer.

The motion passed by a vote as follows:

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

7. Grants Administration

a. Eudora Tennis Court (Greenways Parks/Rec)

Grants Administrator Lexi Taylor said this grant is through Weyerhauser Foundation in the amount of \$25,000 to build a tennis court for families who reside in the western section of the county which is the Eudora area. Ms. Taylor said a cement slab is already there.

Supervisor Mark Gardner said two years ago we got a\$5,000 supplement.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve the grant application proposal for approval to apply for the grant for the Eudora Tennis Court, the funding agency being Weyerhauser Foundation benefitting Greenways Parks/Rec in the amount of \$25,000 with no match required.

The motion passed by a vote as follows:

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

See Exhibit H.7.a

b. Solid Waste Assistant Grant (Environmental Services)

Grants Administrator Lexi Taylor this grant is the same grant that paid \$18,000 toward the Solid Waste Officer’s salary last year. This year it will pay \$21,842.00 toward the salary. Ms. Taylor said this document requires the Board President’s signature.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve the grant application proposal and approval to apply for the Solid Waste Assistant Grant from MDEQ benefitting Environmental Services in the amount of \$21,842.00 for one year with no county match.

The motion passed by a vote as follows:

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

See Exhibit H.7.b

8. Contracts Administration

a. Lease Agreement - USDA Rental Reduction

County Administrator Vanessa Lynchard said the USDA has continued to pay rent to the county in error. She requested reimbursing the USDA for three months of rent paid in error.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to approve reimbursing the USDA for three months' rent.

The motion passed by a vote as follows:

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

See Exhibit H.8.a

b. Sheriff's Department: Elliott Data Systems – Preventive Maintenance on ID Card Printer

County Administrator Vanessa Lynchard presented a contract for a hand card printer that had been reviewed by the Board Attorney.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the contract with Elliott Data Systems – Preventive Maintenance on ID Card Printer in the amount of 351.00 per year beginning March 1st for one year and it does not auto renew.

The motion passed by a vote as follows:

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

See Exhibit H.8.b

9. Crimestoppers

Supervisor Mark Gardner said he and Supervisor Lee Caldwell met with the Crimestoppers Board and the Sheriff's department. He said there was a real spirit of cooperation between the agencies. Supervisor Gardner said William Austin of CBS Outdoors is donating billboards throughout the county to promote Crimestoppers. He said one is a video billboard and they will all be up in the next couple of weeks. Supervisor Gardner said the Crimestoppers information will be on all squad cars.

Board Attorney Tony Nowak said a \$1 fee per filing is received from certain court filings goes to Crimestoppers.

Supervisor Jessie Medlin asked if we know where that money goes. Supervisor Lee Caldwell said they received the account amount and she would forward one to Supervisor Medlin.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to authorize and accept the letter of appreciation and to authorize the Crimestoppers information to be placed on squad cars and for the information to be placed on billboards from the donation of CBS Outdoors.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
--	------------

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

See Exhibit H.9

10. Board Attorney

a. Authorization to Review Law Enforcement Sharing MOU with Southaven

Board Attorney Tony Nowak said he has been working with the attorney for the City of Southaven on a memorandum of understanding to share information among law enforcement entities by way of squad cars with laptops. He said each city will share in the cost of usage based on a percentage.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve hiring the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to review the Law Enforcement MOU with the City of Southaven for shared information among squad cars.

The motion passed by a vote as follows:

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

See Exhibit H.10.a

b. Authorization to Review Grant Documents for Medical Reserve Corps

Board Attorney Tony Nowak said a grant was awarded to EMS by the Medical Reserve Corps. Mr. Nowak said due to the length of the document, he would need the Board’s approval; it is 25 pages.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to review the grant documents for the Medical Reserve Corps.

The motion passed by a vote as follows:

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

See Exhibit H.10.b

c. Approval of Contracts for both Jail facilities for Bio-Waste Disposal

Board Attorney Tony Nowak said the Sheriff’s Department has retained a new vendor for bio-waste pickup and disposal. Mr. Nowak said a termination letter was sent about a month ago to the prior vendor and the vendor confirmed termination of the services.

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve the contracts for both jail facilities for Bio-Waste Disposal at \$70 per 50 pound box per jail every two months or as otherwise required.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
--	------------

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

See Exhibit H.10.c

11. Tax Refund Request: Error in Year 2011 - Assessment for Priority Fulfillment Services Inc.

County Administrator Vanessa Lynchard said the assessment for personal property Priority Fulfillment Services, Inc., was incorrect due to being incorrectly written down. The assessed amount written was \$697,149 and should have been \$22,000. The Tax Assessor has been working with the company and they are requesting a refund. The Board Attorney has looked at it and it is legal to grant the refund because it is in three year statute of limitations.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve refunding \$12,371.90 for 2011 taxes paid in error to Priority Fulfillment Services, Inc. to correct an error made by the Tax Assessor’s Office in accordance with Mississippi code 27-73-7.

The motion passed by a vote as follows:

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

See Exhibit H.10.a

12. Department of Road Management: Floodplain Manager

Road Manager Andy Swims said a few years ago he was appointed as flood plain manager. He said now the Planning Director Ted Garrod, Chief Planning Inspector Randy Williams and Assistant Engineer Scott Young are now flood plain managers so there is no need for him to continue as a manager.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to remove Road Manager Andy Swims as flood plain manager and to appoint Planning Director Ted Garrod as flood plain manager.

The motion passed by a vote as follows:

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

I. PLANNING COMMISSION AGENDA

**DeSoto County Board of Supervisors
Planning Agenda
February 19, 2013
11:00 a.m.**

NEW BUSINESS

Minor Lot

Charles Jones Minor Lot Subdivision (6867) – Application is for final subdivision approval of one (1) lot of 6.39 acres, identified as Parcel #3-09-8-28-00-0-00003-10. Subject property is located on

the south side of Barbee Road and west of Highway 301 S in Section 28, Township 3, Range 9 and is zoned Agricultural (A). (District 4)

Mr. Ted Garrod presented the application for Charles Jones Minor Lot for final subdivision approval of one (1) lot of 6.39 acres, identified as Parcel #3-09-8-28-00-0-00003-10. He noted that the Planning Commission voted unanimously to recommend approval of this application.

Supervisor Gardner asked how the property is accessed. Mr. Garrod stated the lot is a panhandle shaped lot and has direct access to Barbee Road.

Supervisor Caldwell asked if there was any opposition to this application at the Planning Commission meeting. Mr. Garrod stated there was no opposition to this application.

Supervisor Caldwell made a Motion to approve the Charles Jones Minor Lot (6867) subject to required right-of-way dedication, if any, and Health Department approval. Supervisor Medlin seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

Other Items:

- 1. Request for the President to sign the Residential Development Agreement for Castle Rock Creek, Phase 3**

Mr. Garrod presented the request for the President of the Board to sign the Residential Development Agreement for Castle Rock Creek, Phase 3. He then stated that when he was presented with the document he did not feel it was applicable to this subdivision phase as there were no improvements being done or roads being built in this phase of the subdivision. He then stated that the Board may want to revisit at a later date whether a Residential Development Agreement is necessary for subdivisions where no improvements are needed.

There was discussion of where the Castle Rock Creek Subdivision, Phase 3 is located.

There was a discussion of what needs to be provided to make a determination of subdivision approval and Residential Development Agreement approval.

Mr. Tom Haysley stated the Castle Rock Creek, Phase 3 subdivision was approved by the Board of Supervisors on January 22, 2013. Mr. Garrod stated the request today is to sign the Residential Development Agreement.

Supervisor Medlin asked what the change is in the lot presented. Supervisor Russell stated if there is a change in the approved subdivision, the Board would need to see a plat reflecting that change.

Ms. Ashley Hendricks, Planning staff, clarified that Castle Rock Creek, Phase 3 was approved by the Board on January 22, 2013. She went on to state that in order to record the plat of Castle Rock Creek, Phase 3 subdivision in the Chancery Clerk’s office, a Residential Development Agreement will need to be signed to accompany the plat, in 2008 the Board approved the Planning Director to sign the RDA, but staff wanted to confirm with the Board it is still fine for the Planning Director to sign the RDA. She stated at this time staff is only requesting the approval of the President to sign the RDA for Castle Rock Creek, Phase 3 Subdivision.

Supervisor Lee made a Motion to approve the President to sign the Residential Development Agreement for Castle Rock Creek, Phase 3. Supervisor Caldwell seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

Mr. Garrod presented the building permit reports for January 2013 as well as the Code Enforcement report and Stormwater report.

J. EXECUTIVE SESSION

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

Supervisor Jessie Medlin made the motion to adjourn the Board meeting until March 4, 2013 at 9:00 a.m. The motion was seconded by Supervisor Bill Russell.

The motion passed by a vote as follows:

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

THIS the 19th day of February, 2013, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Mark Gardner, President
DeSoto County Board of Supervisors