

DESOTO COUNTY BOARD OF SUPERVISORS
BOARD MEETING MINUTES
DISTRICT ONE MARK GARDNER, PRESIDING

January 14, 2013

A. CALL TO ORDER

The January 14, 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

Supervisor Mark Gardner said he appreciated everything Deputy Carl Hurt does for the County and asked him to present the invocation.

C. PLEDGE OF ALLEGIANCE

D. 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.) Sheriff Bill Rasco requested adding discussion about school security.
- 2.) Supervisor Lee Caldwell requested to add the committee to study school safety.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee 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>ABSENT</u>
Supervisor Lee Caldwell, Fourth District	<u>ABSENT</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

1.) Sheriff Bill Rasco requested adding discussion about school security.

Sheriff Rasco said he wanted to discuss the Sheriff's responsibilities with school security.

Supervisor Jessie Medlin asked the Board Attorney if it is appropriate to discuss school security

when the county has five School Board Members. He said, since we have involvement should this be discussed in Executive Session under Personnel.

Board Attorney Tony Nowak said the Board could discuss the issue but the School Board has the final decision in the matter.

Sheriff Bill Rasco said it is his job to keep DeSoto County citizens safe.

Supervisor Lee Caldwell said she did not want to discuss the issue in Open Session and jeopardize safety.

This item was determined appropriate to be heard in Executive Session

2.) Supervisor Lee Caldwell requested to add the committee to study school safety.

Supervisor Lee Caldwell said she and Supervisor Harvey Lee were appointed to the committee to study school safety. She said previously the County Administrator said there is already a committee in place.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to dissolve the committee to study school safety that was formed on December 17, 2012 and to continue with the existing committee which the Board President is the Chairman.

County Administrator Vanessa Lynchard said the existing committee was formed in 1987 by a federal mandate. It consists of EMA and some of the Fire Departments in addition to the Health Department, Parkwood Hospital, the Baptist Hospital, Salvation Army, Police Departments and other agencies.

Ms. Lynchard read the minutes regarding school security from December 17, 2012.

Supervisor Bill Russell said the new committee would research school safety issues. The original committee is more of an emergency response committee. Supervisor Russell said he thinks the new committee is more appropriate for school safety issues.

Supervisor Lee Caldwell rescinded her motion and Supervisor Harvey Lee rescinded the second to the motion.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve forming a committee to discuss school security with the DeSoto County School Board and the Chiefs of Police and to appoint Supervisor Bill Russell and Board President Mark Gardner to serve on the Board.

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>

The Board of Supervisors discussed that the School Board has the final say in any decisions regarding School safety.

Supervisor Lee Caldwell suggested discussing the school safety issues in Executive Session because she did not want to jeopardize school safety by discussing it in open session.

Supervisor Gardner asked Sheriff Rasco if his presentation involves personnel and security. Sheriff Rasco said yes.

Sheriff Rasco said he has enough funding for school security through May and then it will become a budgetary issue. He said the general security of schools is under 25-41-7.

Supervisor Gardner said he would like to discuss this in Executive for security reasons. He said the Attorney General's opinion states the final decision is not left to the Board of Supervisors. He said Ms. Jolly is here from the schools and he would like for her to appear in Executive Session.

This discussion was continued in Executive Session under item I.

Supervisor Mark Gardner introduced Mr. Earl Ward who was appointed to a County committee. Mr. Ward was interested in how the Board meeting was conducted.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to recess the meeting until the Public Hearing for 11:00 a.m. could be heard.

The motion passed by a vote as follows:

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

Supervisor Jessie Medlin said there is a grant to get rid of tires. He said the City of Olive Branch wants the Environmental Services Manager to pick up curbside instead of going to the rubbish pit.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to allow Environmental Services Manager Ray Laughter to talk to Mayor Rikard of Olive Branch to determine the needs for disposal of old tires.

The motion passed by a vote as follows:

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

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve travel for County Administrator Vanessa Lynchard and any Board members who wish to attend the Planning and Development Legislative Day on January 29, 2013 in Jackson, MS.

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. CITIZENS REMARKS & PRESENTATION

Supervisor Mark Gardner welcomed Public Service Commissioner Brandon Presley. He said Mr. Presley is here for an 11:00 a.m. Public Hearing regarding broadband in DeSoto County.

Mr. Presley thanked the Board of Supervisors, Vanessa Lynchard and her office staff for the work on the survey.

F. CONSENT AGENDA

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

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to

approve the Consent Agenda as follows:

- 1. Office of Finance & Accounting: Budget Amendment-Detailed in Exhibit F.**
- 2. Establish as Part of the Formal Record and Enter into the Minutes: Agreement for Legal Services with Smith, Phillips, Mitchell, Scott and Nowak Law Firm**
- 3. Office of Procurement: Approval to accept bid specifications and solicit bids for the supply and hauling of dirt to the County Rubbish Pit**

The motion passed by a vote as follows:

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

See Exhibit F

G. OLD BUSINESS

H. New Business

1. Environmental Services: Acceptance of Donation of Dirt

Environmental Services Manager Ray Laughter said the County has an opportunity to accept a donation of dirt from the contractor at the new Jail. They will donate the dirt but will not haul it. County Administrator Vanessa Lynchard said the dirt could be hauled internally by the Road Department. Mr. Laughter said the bid is for dirt and hauling. He asked if the specifications could be modified just for hauling only. Sheriff Bill Rasco said the dirt would be hauled across asphalt in smaller loads to protect the road. It is approximately 5000 yards of dirt.

Mr. Laughter said there would need to be an agreement and asked for authorization for the Board Attorney to draft the agreement.

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to formally accept the donation of dirt at the new Jail and to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to work with the Environmental Services Manager to draft an agreement.

The motion passed by a vote as follows:

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

Supervisor Jessie Medlin noted the budget amendment in the Consent Agenda regarding \$5,000 for the Youth Court. County Administrator Vanessa Lynchard said there has been a tremendous increase in guardian ad litem. She said there are more children requiring representation before the court.

Ms. Lynchard addressed the other budget amendment for the same amount of \$5,000. She said it is to move funds from aviation fuel sales held in a liability account to an expenditure line item to purchase equipment for the Sheriff’s Aviation Unit.

2. Road Department: 4 – Year Road Plan

Road Manager Andy Swims presented the 4 - Year Road Projects List to be adopted by the Board of Supervisors. Mr. Swims said the list has been modified and projects that were no longer

applicable were removed.

Supervisor Jessie Medlin said this is really a 25 year plan, not a 4 – Year Road Plan. Supervisor Mark Gardner said they can take the list and prioritize as needs arise. Mr. Swims agreed and said they are trying to revise it to be more up to date.

Mr. Swims explained the contents of each page for the plan and said it must be approved by the Board of Supervisors by February 1st.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the 4 – Year Road Plan as presented.

The motion passed by a vote as follows:

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

See Exhibit H.f.2

Supervisor Bill Russell asked the status of Holly Springs Road which was closed due to flooding. Mr. Swims said it was closed yesterday at 8:00 a.m. and just opened within the last hour.

Supervisor Russell clarified that he was talking about the other project on Holly Springs Road. He said it was his understanding that it had been approved and was working its way through MDOT.

Mr. Swims said the money has been set aside statewide by MDOT but not dispersed. He said he would be contacting to let them know the money is intended for this road.

Supervisor Russell asked Mr. Swims to get with the State Aid Engineer to determine the next steps if any need to be taken and to speak to MDOT.

Supervisor Harvey Lee said he would like to meet with them as well.

Supervisor Mark Gardner asked if there was any other flooding that caused roads to close.

Mr. Swims said there were some trouble areas but everything has been taken care of at this point. He said that water had receded at Cockrum. Supervisor Medlin asked him to check the pipes in case leaves are blocking them at Short Fork Creek.

Mr. Swims said he would like to recognize his crew for such a quick response and for solving the issues in such a timely manner.

3. Facilities Plan

The Board discussed the facilities plan for possible capital improvements and expansion of County Buildings. Supervisor Mark Gardner recused himself from the discussion of the County considering the purchase of 3 buildings in the Hernando Industrial Park as part of the facilities plan.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve getting appraisals on three buildings, two on Motor Scooter Drive and one on Industrial Drive in Hernando.

The motion passed by a vote as follows:

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

Supervisor Harvey Lee, Fifth District YES

See Exhibit I.2.b

a. Jail & Various Buildings

Supervisor Harvey Lee made the motion and Supervisor Bill Russell seconded the motion to authorize proceeding with the necessary steps to issue an \$11.5 million bond for capital improvements.

The motion passed by a vote as follows:

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

b. Emergency Services

This item was heard in Executive Session

I. 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 recess the Board meeting until January 22, 2013 at 9:00 a.m. The motion was seconded by Supervisor Lee Caldwell.

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 14th day of January, 2013, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Mark Gardner, President
DeSoto County Board of Supervisors