

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

DISTRICT FOUR LEE CALDWELL, PRESIDING

July 21, 2014

A. CALL TO ORDER

The July 21, 2014 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Lee Caldwell, Board President.

Deputy Carl Hurt 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 Absent
W. E. Sluggo Davis	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

B. INVOCATION

Craig Howell of Environmental Services presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. CITIZENS REMARKS & PRESENTATIONS

Supervisor Lee Caldwell asked if there was anyone who wished to come forward who is not on the Agenda. No one came forward.

E. APPROVAL OF AGENDA: ADDITIONS AND DELETIONS

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

1. Inventory Clerk Char McCool requested replacing a vehicle from the inventory disposition for the Sheriff’s Department as detailed in the exhibit.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve replacing a vehicle for the Sheriff’s Department as follows:

ASSET#	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL			LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION	DATE OF FINAL APPROVAL
42397	2001 GMC Yukon (silver)	1GKEC13TX1J191354	Auction-Surplus	12	31H	SID LOT	07/07/14			
43377	2007 Mazda B2300 (gray)	4F4YR12D37PM01551	Auction-Surplus	13	8K	"	"			
43804	1990 Isuzu Amigo (black)	JAABL01E8L9804631	Auction-Surplus	14	17H	"	"			
43793	2004 Saturn Ion (black)	1G8A252F14Z192288	Auction-Surplus	14	15H	"	"			
43794	2004 BMW 525 (gray)	WBANA53514B845874	Auction-Surplus	14	6K	"	"			
43803	1997 Chevrolet Ext Cab Z71 (gold)	2GCEK19R7V1167975	Auction-Surplus	14	5K	"	"			
43805	2005 Nissan Altima (tan)	1N4AL11D75C285780	Auction-Surplus	14	2K	"	"			
**REMOVED FROM LISTING BY REQUEST										
38494	2008 Ford F-150 (black)	1FTPW12V58F877535	Auction-Surplus	08	25K	SID LOT	07/07/14		REMOVED FROM LIST	
***ADDED TO LISTING BY REQUEST										
36859	2006 Chevy Impala (maroon)	2G1WD58C769272806	Auction-Surplus	06	22K	SID LOT	07/21/14			

The motion passed by a vote as follows:

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

2. County Administrator Vanessa Lynchard requested adding the following:

a. New Business: Authorize the Board Attorney to represent the Board of Supervisors and work with E911 on the upcoming expansion and bond.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to approve hiring the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to work with E911 and the County Financial Advisor Demery Grubbs on contracts and all documents and bond issues relating to the expansion.

Supervisor Mark Gardner said he met with the E911 Board Members and wanted to publically express appreciation for the time and work they put into this project. Supervisor Gardner said they have money for new radios that are needed. He said their radios are not digital and not compatible with the Sheriff's Department.

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

b. Planning Commission Appointment

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve appointing Floyd Fiveash as the District 1 Commissioner and to accept the resignation of Pat Hefley.

The motion passed by a vote as follows:

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

c. Ms. Lynchard requested deleting item H.2 for the Recreation District.

d. Ms. Lynchard said the Planning Department is requesting to add a Public Hearing for 10:00 a.m. to hear issues on parking in subdivisions. This item should be under old business for Planning.

3. Supervisor Mark Gardner said recently the Board voted to approve signage protecting officers and road crew while on the roadways. He said they arrive and he brought to the meeting. Everyone agreed the sign looked very good.

Supervisor Gardner said the Board also voted on changing the language on the state seal and asked the status. County Administrator Vanessa Lynchard said they are moving forward and no further action is required.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to approve the Agenda with the additions, deletions and changes 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>

F. CONSENT AGENDA

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

Supervisor Jessie Medlin asked about the I-69 bonds and if they are covered by previous money or is money coming in on both. He asked if there is a certain amount coming out of County money. Board Attorney Tony Nowak said it is his understanding that there is funding coming from the Federal Highway Administration appropriations and those funds will cover the debt service. Per the agreement with MDOT there are no County monies to be used for debt service.

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

1. Road Department Resignation: Charles Sanders

2. Publication of Board Proceedings

3. Office of Finance & Accounting

a. Budget Amendments

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
2014-20506	Glynes Lannom	5/23/14	29221	\$ 394.00	7/1/14
2014-21464	Ricky Thi	5/30/14	29240	\$ 916.00	7/8/14
2014-22133	Lamarkus Pilate	6/4/14	29240	\$2,350.00	7/8/14
2014-21464	Ricky Thi	6/4/14	29251	\$2,369.84	7/8/14
			TOTAL	\$6,029.84	

Transfer from Sheriff-Seized Fund	(123-000-139)	\$6,029.84
Transfer to Sheriff-Forfeiture Fund	(120-000-238)	\$6,029.84

c. Inventory Dispositions - Final:

1) IT Dept. (2)

ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION
32618		SAMSUNG 17" MONITOR	GH17H9NW700744	bad back light	03	5H	IT Disposal	06/16/14	Felicia Hopper	E-Waste
33411		DELL 18" FP MONITOR	MX07R477483233AF90UJ	lines on screen	03	5H	IT Disposal	"	"	"
33554		LEXMARK LASER PRINTER	991RNW9	bad fuser	04	16H	IT Disposal	"	"	"
34102		HP ALL IN ONE INKJET PRINTER	CN4B2C10FH	bad printhead	05	1H	IT Disposal	"	"	"
34642		HP LASERJET PRINTER/TRAFFIC	CN81902644	Fuser Burned	06	1H	IT Disposal	"	"	"
34754		Cannon Scanner	DF305795	will not feed	05	3K	IT Disposal	"	"	"
35020		ACER 19" MONITOR	ETL800C0507080087C4030	power supply bad	07	2H	IT Disposal	"	"	"
35151		PRINCETON 19" MNTR - STORAGE	WCCE1801823	will not power on	04	6H	IT Disposal	"	"	"
36170		HP ALL IN ONE INKJET PRINTER	CN489B40FP	Inkjet printer	05	1H	IT Disposal	"	"	"
36520		LEXMARK PRINTER	992K9ZT	jams on checks	05	2K	IT Disposal	"	"	"
36540		PRINCETON 19" MONITOR	WCCE3901445	line across screen	05	3H	IT Disposal	"	"	"
36552		HP PRINTER COMBO /STANFORD	CN46UB21C9	Inkjet printer	05	1H	IT Disposal	"	"	"
36613		VIEWSONIC 17" FLAT PANEL	A2X0520A4070	bad back light	05	3H	IT Disposal	"	"	"
37043		ACER POWER PC	PSP3006008619024192701	bad motherboard	06	6H	IT Disposal	"	"	"
37113		FUJITSU SCANNER	000908	broken	06	6H	IT Disposal	"	"	"
37126		ACERPOWER ACER COMPUTER /ALLEN	PSP37060046420A1DC2702	power supply bad	07	5H	IT Disposal	"	"	"
38029		TRIPP LITE UPS BACKUP - DISPOSAL	9529BY0BC48690011	inverter bad not repairable	07	21H	IT Disposal	"	"	"
38092		SAMSUNG 22 IN MONITOR	DP22HCP400264	line across screen	07	3H	IT Disposal	"	"	"
38100		SAMSUNG 19 LCD/MALLORY	WJ19H9FP900756E	will power on	07	3H	IT Disposal	"	"	"
38406		ACER PC	PSV5406004749B582701	bad powersupply	08	3H	IT Disposal	"	"	"
38441		ACER MINITOWER PC	PSV54060048030705F2701	motherboard bad	08	3H	IT Disposal	"	"	"

ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION
6088		IBM PRINTER	01E5085	not compatible with network	95	5H	IT Disposal	06/16/14	FELICIA HOPPER	EWASTE
31008		INACOM SERVER RACK	N/A	not compatible with equipment	01	13H	IT Disposal	"	"	"
32629		HP COMPAQ D330 COMPUTER	USU3320LNM	does not power up	03	9H	IT Disposal	"	"	"
34103		HP ALL IN ONE DESKJET PRINTER	CN4B2C10FB	bad print head	05	1H	IT Disposal	"	"	"
35697		DELL 4700 PC	FBWRQ61	will not boot	05	3H	IT Disposal	"	"	"
36172		HP ALL IN ONE INKJET PRINTER	CN4APC1153	will not feed paper	05	1H	IT Disposal	"	"	"
36526		LEXMARK E234 PRINTER DISPOSAL	720ZTZX	will not power on	05	2H	IT Disposal	"	"	"
36540		PRINCETON 19" MONITOR	WCCE3901445	will not turn on	05	3H	IT Disposal	"	"	"
38124		ACER TOWER PC	PSP3706003725164EA2703	processor bad	07	5H	IT Disposal	"	"	"
38481		ACER PC	PSV5406004812093442701	bad hard drive	08	3H	IT Disposal	"	"	"
38887		ULTRA PC	N/A	bad power supply	09	6H	IT Disposal	"	"	"
38889		TFT 25" Monitor	912MY1NA01277	image burned into screen	09	2H	IT Disposal	"	"	"
39142		APC UPS RACKMOUNT	PS0737232461	will not power on	08	17H	IT Disposal	"	"	"
39955		DELL OPTIPLEX	4CW3CK1	will not boot	09	7H	IT Disposal	"	"	"
40999		DELL OPTIPLEX	BDRMBP1	bad hard drive	11	3H	IT Disposal	"	"	"
41109		SAMSUNG LASER PRNTR	4F61BKDZ500118H	broken feed tray	10	2H	IT Disposal	"	"	"
41139		DELL 20"FP MONITOR	MX-OG324H-74262-OAB-1PHL	lines in screen	10	4H	IT Disposal	"	"	"
41868		DeLL 18" Monitor	CN0X6M0J7287216I24LS	will not power on	11	1H	IT Disposal	"	"	"
42438		DELL E6400 LAPTOP	5R29HM1	got wet will not power on	12	4H	IT Disposal	"	"	"
42716		DELL 745 OPTIPLEX	8N75ZC1	processor bad	12	2H	IT Disposal	"	"	"
730042		IBM 6400 PRINTER	01E5067	not compatible with network	98	66H	IT Disposal	"	"	"

2) Sheriff's Dept. SID Forfeitures

AGENCY	CASE #		DATE DECLARED	MFG	YEAR	DESCRIPTION	SERIAL #	VALUE
SID	2014-17980	EDWARD SIMON	06/05/14	FORD	2000	RANGER (WHITE)	1FTYR10V6YTA47411	1185.00
COUNTY ASSET #44005						T230-L227-F120-D200		
SID	2014-17980	EDWARD SIMON	06/05/14	BUICK	1995	LESABRE (WHITE)	1G4HP52L6SH546126	872.00
COUNTY ASSET #44006						T210-L227-F120-D200		
SID	2014-17521	MARY ELIZABETH ISHAM	06/05/14	BUICK	2004	RENDEZOUS (WHITE)	3G5DB03E84S557814	2100.00
COUNTY ASSET #44007						T210-L227-F120-D200		

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

a. CVB Board Appointment: Warren Richardson – Term expires July 19, 2018; approved May 5, 2014

b. Interlocal Agreement with MDOT & AG Opinion Letter for I-69 Bonds

5. Road Department: Safety Report

6. EMS Billing Report

EMS BILLING REPORT

June 2014

Number of ambulance runs billed: 106
Amount billed: \$39,129.00.00
Amount collected: \$27,235.95
Un-collectable amount: \$1,591.44

	Eudora	Lewisburg	Walls
Dispatched Calls:	65	69	69
Refusals:	22	15	30
Standby Only:	1	0	2
Billed:	35	46	34
Other:	7	8	3

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

May 2014

Number of ambulance runs billed: 139
Amount billed: \$48,828.00
Amount collected: \$26,101.95
Un-collectable amount: \$640.63

Fiscal Year To Date Collections:
Number of ambulance runs billed: 1241
Amount billed: \$430,813.55
Amount collected: \$276,036.25

7. Appoint Angie Irving to the Air Quality Committee to Replace Gia Matheny

8. Chancery Clerk (2) - \$1,350.00 \$2,166.66

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

1. State Aid Engineer: Project SAP 17(13) M – Getwell/Center Hill Overlay Final Acceptance

State Aid Engineer Tracy Huffman presented the Board Order and Acceptance for State Aid Project number SAP 17(13)M-Getwell and Center Hill Overlay Project.

Supervisor Jessie Medlin asked if the turn lane for the schools was redone. Mr. Huffman said they raised the inlet and paved the turn lane.

Supervisor Mark Gardner asked why it came in over budget. Mr. Huffman said there was additional undercutting and they had to raise an inlet. Supervisor Gardner asked how many miles did this cover. Mr. Huffman said roughly 3 miles.

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve final acceptance of State Aid Project number SAP 17(13)M-Getwell and Center Hill Overlay Project and approve the Board President to sign relating documents and sign acceptance letter executed by the Board President.

The motion passed by a vote as follows:

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

See Exhibit G.1

2. Hernando TIF Project (Hampton Inn) - Interlocal Cooperation Agreement

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to approve the Interlocal Cooperation Agreement with the City of Hernando for the Hampton Inn TIF 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 G.2

3. Road Department: Dean Heights Subdivision

Road Manager Andy Swims said at the last meeting the Board voted to add Dean Heights Subdivision to the asphalt overlay contract. Mr. Swims and Assistant County Engineer Scott Young presented pictures of areas that needed to be patched or overlaid.

Supervisor Lee Caldwell said she and Supervisor Jessie Medlin went and looked at the site and the road has really deteriorated.

Supervisor Medlin asked the average cost per ton for asphalt. Mr. Young said it is \$80 per ton. He said it would cost \$520 for one patch.

Supervisor Mark Gardner asked when the road was built. Mr. Young said 2013 and they did a final on it. Supervisor Gardner said there are several spots that need to be patched.

Supervisor Bill Russell asked where the money would come from and why is this separate. Supervisor Caldwell said Dean Heights was not originally on the list.

Mr. Swims said the money will come from his contingency fund.

Mr. Young said some of the area is in a floodplain.

Mr. Swims said it had a lot of problems when it was first built. He said patching would cost \$6,500.00 and overlay would be \$49,200.00 for a total of \$55,700.00.

Supervisor Gardner asked how many homes are in the subdivision. Supervisor Caldwell said there are 25 home and 2 vacant lots.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve the recommendation of the Road Manager to patch and overlay roads in Dean Heights Subdivision in the amount of \$55,700.00

The motion passed by a vote as follows:

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

Supervisor Harvey Lee, Fifth District YES

See Exhibit G.3

4. Environmental Services: - Enforcement: PUBLIC HEARING

Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to open the Public Hearing.

The motion passed by a vote as follows:

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

**a. 4612 Pleasant Hill Rd Nesbit, MS 38651 Parcel # 2 07 6 23 01 0 Lot 00130 00
Mississippi Code Section 19-5-105 Litter Ordinance Violation Hearing**

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to hold this item over.

The motion passed by a vote as follows:

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

See Exhibit G.4.a

**b. Carried over from April 21, 2014 Board of Supervisors Meeting
2819 Woodland Lake Rd Hernando, MS 38632 Parcel# 3 09 4 18 03 0 Lot #00056 00
Mississippi Code Section 19-5-105 Litter Ordinance Violation Hearing**

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve holding this item over until September 15th.

The motion passed by a vote as follows:

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

See Exhibit G.4.b

H. NEW BUSINESS

1. State Aid Engineer: FY2015 Bridge Inspection Program Board Order

Supervisor Harvey Lee made the motion and Supervisor Bill Russell seconded the motion to accept the FY2015 Bridge Inspection Program Board Order as detailed in Exhibit H.1 and to make it part of the Board minutes.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District YES
Supervisor Mark Gardner, Second District YES

Supervisor Bill Russell, Third District YES
Supervisor Lee Caldwell, Fourth District YES
Supervisor Harvey Lee, Fifth District YES

See Exhibit H.1

2. Recreational District: Eudora Park Improvements

This item was removed from the Agenda.

3. Office of Finance and Accounting

a. Audit Exit Report

Jeff Adcock with Fortenberry and Ballard presented the audit for fiscal year 2013. Mr. Adcock thanked everyone from the County who assisted him and provided information. He said he was very pleased to say that it was very clean; he said there were no findings.

Supervisor Lee Caldwell thanked Mr. Adcock and the employees who assisted him in the audit. They did an excellent job and need a pat on the back.

Supervisor Jessie Medlin asked if the county needed to do anything different. Mr. Adcock said no.

County Administrator Vanessa Lynchard said it was such a pleasure doing business with Mr. Adcock. Ms. Lynchard said Chief Financial Officer Tom Arnold could not have done a better job. He worked so many hours to assist with the audit. She said that Mr. Arnold's audit background is very beneficial in this process. Ms. Lynchard thanked everyone who worked on the audit.

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to accept the audit report as presented by Jeff Adcock with Fortenberry and Ballard for fiscal year 2013 and to be made part of the minutes.

The motion passed by a vote as follows:

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

See Exhibit H.3.a

b. 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 supplemental claims docket individually and the Board discussed these items.

The Board of Supervisors discussed the following requests for payment:

Supervisor Harvey Lee asked the claim on page 75 for the Sheriff's administration building. He asked if this is for the parking lot parking.

Mr. Arnold said this is for expanding the parking lot and comes from the Facilities Management budget.

Supervisor Mark Gardner asked the following:

Page 11 – Siemens: Facilities Management Director Tony Martin said this is for a service contract for extra work. Supervisor Gardner asked if Mr. Martin signs off on the work. Mr. Martin said yes.

Page 12 – Cummins: Mr. Martin said that is for maintenance of generators

Page 14 – Upchurch Services: Mr. Martin said this for replacing HVAC at the Olive Branch Library.

Supervisor Harvey Lee commended Mr. Martin and his staff. He said they save the county a lot of money and do an excellent job.

Mr. Martin said the old HVAC was 20 years old.

Page 17 – Next Step Innovations. Mr. Arnold said this for additional hard drive storage and it is in the budget.

Page 26 – Election Workers. This is to pay two persons to assist the Election Commissioner to haul election equipment. The payment goes to the sons of two of the Election Commissioners who are under contract.

Board Attorney said they got an AG opinion approving this arrangement before the agreements were signed.

Page 26 – RPM Consulting. Mr. Arnold said this is for the maintenance agreement for voting machines.

Page 29 – Morpho USA, Inc. Sheriff Bill Rasco said this is for the maintenance agreement for the fingerprinting system that downloads to the FBI.

Page 36 – Bass Annie. Sheriff Bill Rasco said this is for repair of a boat for Search and Rescue.

Page 62 – GovConnection. Mr. Arnold said this is for three form printers for the Tax Collector’s Office and is paid by fees on tags to maintain the office.

Page 70. Nesbit Water Assoc. Mr. Arnold said this is for Holly Springs Road emergency repairs. We put in a new culvert and this is for transfer of funds.

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

The motion passed by a vote as follows:

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

4. Contracts Administration

Administrative Assistant Melissa Grant presented the following contracts for the Board’s consideration.

a. Sheriff’s Dept.: RJ Young, Annual Approval of Copier Contract

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve the annual contract with RJ Young for copiers at 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 Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.4.a

b. Justice Court: Approval of Pioneer Collection Services Agreement

Ms. Grant said Pioneer is the company who currently handles delinquent accounts for the Circuit Clerks office.

County Administrator Vanessa Lynchard said Pioneer is doing a great job and they are very consistent.

Supervisor Jessie Medlin asked if the Circuit Clerk was satisfied with their performance. Ms. Lynchard said yes. She said they can collect a fee of 25% for in the state collections and 50% for out of the state collections. She said Pioneer has reduced their fees for collecting delinquencies for counties like no other company.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to approve a new collection services agreement with Pioneer for Justice Court as detailed in Exhibit H.4.b.

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.b

5. Road Department: Finding of Fact - 1190 Odom Road is in Mound SD, Section C

Road Manager Andy Swims presented an issue with flooding located at 1190 Odom Road in Mound Subdivision, Section C in Hernando, MS. Ms. Swims said north of the line there are drainage issues because the culvert is too small to carry the water. Mr. Swims said he has seen water over the road several times. He said it is a very long driveway and the road is getting water from both sides.

Supervisor Lee Caldwell said a gentleman is saying it is flooding the road.

Supervisor Mark Gardner said it is affecting 5-6 driveways.

Supervisor Caldwell said she knows of two driveways it is affecting.

Board Attorney Tony Nowak said this is his bike route and he has also seen signs of flooding.

Supervisor Jessie Medlin said he looked at the site with Supervisor Caldwell and you could tell that water had crossed the road.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to accept the finding of fact and that the conditions 1190 Odom Road in Mound Subdivision would adversely affect the health, safety and welfare of the citizens of DeSoto County in accordance with Mississippi code section 19-5-92, that replacing the culvert will help prevent future flooding and protect the road and right of way, and to authorize the Road Manager to do the work at an estimated cost of \$1,397.00.

The motion passed by a vote as follows:

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

See Exhibit H.5

I. PLANNING COMMISSION AGENDA



**DESOTO COUNTY BOARD OF SUPERVISORS
ORDER OF ITEMS
July 21, 2014
11:00 a.m.**

Supervisor Lee made a Motion to open the Public Hearing to discuss DeSoto County Zoning Regulation Article XV, Paragraph 2(a, b). Supervisor Gardner 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>

Mr. Ted Garrod stated that the DeSoto County Zoning Regulation Article XV, Paragraph 2(a, b) states that motor vehicles must be parked on a paved surface of the front yard. There was discussion of what is considered the front yard versus the side yard. Mr. Garrod presented pictures of RV's parked in different areas of yards. Mr. Garrod stated that one possible change to the ordinance could be that if a motor vehicle is parked in the side or rear yard it must be parked behind a fence.

Supervisor Gardner asked if there is language in the ordinance that addresses the size of trucks that can be parked on a residential lot. Mr. Garrod stated that there was, but he was just trying to discuss the parking concerns at this time.

Supervisor Russell stated that he and Supervisor Lee asked for this hearing after attending a committee meeting, and receiving calls from HOAs, and would like to get guidance from the Board of Supervisors regarding their thoughts or suggestions about changing the parking regulation. He stated the changes would be to the sections pertaining to the PUD and residential zones and would not include the A or AR zones.

Supervisor Medlin asked if requiring they be behind a fence would address the problem. Considering the height of RVs and that fences are only 6 feet tall you would still be able to see the RV. Mr. Garrod stated he has looked at rules from around the country and this type of rule is standard. He then stated it would not totally obscure the view of the RV. Supervisor Medlin stated he is concerned on corner lots will need variance and don't want people to come in and build an 8-10 foot fence that would cause visibility on corner lots.

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

Bob Metcalf with Lake Forrest Homeowners Association came forward and stated that their HOA has tried in the last couple of years to clean up the neighborhood. Supervisor Gardner asked if the subdivision has covenants to address the parking issues. Mr. Metcalf confirmed that Lake Forest does have covenants, but that it is hard to enforce them. Supervisor Lee agreed that it is hard for the HOAs to enforce them. Supervisor Medlin stated he doesn't know if changing the ordinances to address this, or to rely on the HOA to enforce covenants, is a good idea.

Billy Bolling with Lake Forest HOA came forward and presented pictures of various parking issues in Lake Forest Subdivision. He then asked for a definition of a paved surface. He stated he considered a pave surface to be asphalt or concrete; not compacted dirt or gravel. Mr. Bolling stated the covenants of Lake Forest are in line with the DeSoto County ordinance concerning parking regulations, with a few extra things added to it.

Mr. Bolling stated Lake Forest Subdivision has lots with 40 ft. front yard setbacks and double driveways and with campers and such parked in the front yard it is very distracting to the neighbors. He stated neighborhoods with larger lots like 1 acre lots have places to hide RV's and such. He stated he is concerned with RV's on corner lots obstructing the view of traffic.

Susan Johnston with Forrest Hill Community came forward and stated her subdivision does have covenants and the HOA tries to enforce them their selves. She stated they send out notifications and letters as a method of enforcement. She then stated that their covenants only allow parking RV's and such items behind a fence. Ms. Johnston then asked if there is a County ordinance against parking on the street. Supervisor Medlin stated the Board could have "No Parking" signs posted on the street if that is in fact in the ordinance. Supervisor Russell stated an HOA can make changes to their covenants to address these issues but they have to have a certain percentage of the homeowners to agree which is difficult to do. Sherriff Rasco stated these are older neighborhoods and once families start having teenagers in the home they may not have enough driveway space as needed to park vehicles and sometimes need to park on the street. Supervisor Russell stated the City of Horn Lake has addressed the parking issues by issuing citations for parking a vehicle on the grass. He stated now there are no cars parked on the grass in the City of Horn Lake.

Supervisor Russell stated we need to redefine the front yard to extend to the rear of the house not the front of the house. He then stated it would be nice to have the ordinance state a vehicle cannot be parked in the front yard on the grass, and cannot park in the rear that is visible from the street. Supervisor Russell stated that some homeowners may need a Variance for fence height to meet this ordinance. He then stated changing the side yard to front yard would eliminate 60% of the current problems. Supervisor Medlin stated they need to think about would they rather see the RV in the side yard than see a fence that is in disrepair or a 12 foot fence to hide the RV.

Supervisor Gardner stated there is not a one size fits all answer to these types of issues. Supervisor Russell stated it is a one size fits all that you can't park on grass that is visible from the street.

Supervisor Gardner made a Motion to close the Public Hearing to discuss DeSoto County Zoning Regulation Article XV, Paragraph 2(a, b). Supervisor Lee 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>

1. NEW BUSINESS

i. PUBLIC HEARING (11:00 AM)

Supervisor Medlin made a Motion to open the Public Hearing for an Appeal of Board of Adjustment Decision (Bill Lauderdale) and Crosswinds Rezoning (729). Supervisor Gardner 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>

Appeal of Board of Adjustment Decision – Bill Lauderdale (1464) - The DeSoto County Board of Supervisors will consider an appeal by Bill Lauderdale to overturn the action of the Board of Adjustment and deny the application by Bill Lauderdale for a Conditional Use to allow a motor cross track under Article V, Paragraph 1, Section C (20), Page 23 of the DeSoto County Zoning Ordinance. Subject property is at 4020 Red Banks Road, on the west side of Red Banks Road and north of

Abernathy Road, Parcel #3-05-9-30-00-0-00001-01 in Section 30, Township 3, Range 5 and is zoned Agricultural (A). (District 1)

Mr. Haysley stated the applicant for the appeal has asked that the appeal be continued until the August 4, 2014 Board of Adjustment meeting. He also stated that out of consideration for space in the Boardroom and the number of citizens present for the public hearings the Board may wish to continue the Crosswinds application until 1:30 p.m. today.

Supervisor Gardner made a Motion to continue the Appeal of Board of Adjustment Decision (Bill Lauderdale) until the August 4, 2014 at 11:00 a.m. and to continue the Crosswinds Rezoning (729) until July 21, 2014 at 1:30 p.m. Supervisor Lee 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>

- a. **Crosswinds Rezoning (729) – Application is for approval of Rezoning of property from Agricultural-Residential (A-R) to Planned Unit Development (PUD), identified as Parcel #3-06-3-05-00-0-00015-01. Subject property is located on the east side of Craft Road and south of Byhalia Road in Section 5, Township 3, Range 6 and is zoned Agricultural-Residential (A-R). (District 5)**

Supervisor Caldwell recused herself from this item and left the meeting.

Supervisor Russell made a Motion to open the Public Hearing for Crosswinds Rezoning (729). Supervisor Medlin seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

Mr. Haysley presented the application. He stated the application was for 24 lots with a minimum lot size of 20,000 sqf and a minimum house size of 1,800 sqf. He stated the lots would be served by individual on-site sanitary systems. Supervisor Russell asked for the onsite sanitary systems to be explained better. Mr. Haysley stated that when Green Oaks Subdivision was given preliminary approval part of the approval was that a wastewater lagoon would be temporarily utilized. Supervisor Medlin stated the Board of Supervisors could limit the number of lots developed on that sewer system and that he feels like not many of the lots in Green Oaks Subdivision can be developed without a central sewer system.

Mr. Haysley stated that the increase in vehicle trips from this development would be 136 trips per day and this information is based on National Household Travel Survey estimates. He went on to say that the number of increase of new students in Lewisburg Schools would be 15 new students and this number is based on historical data from DeSoto County Schools and DeSoto County Building Permit records. He stated the plans have been approved by the Fire Marshall’s Office to be in compliance with the Fire Code. Supervisor Lee asked if 62 students per every 100 households is county wide. Mr. Haysley explained the data calculation of new students added.

Mr. Mike bailey stated there are some people present at today’s hearing in support of the application. He then stated he hopes to make this a quality development. Supervisor Gardner stated the developer originally wanted to build something comparable to Windstone, how does the new proposal compare to

the original proposal. Mr. Bailey stated the lots on the original proposal were 10,000 sqf and on the new proposal the lots are 20,000 sqf, so the lots are two times the size of the lots in Windstone.

Supervisor Gardner asked Mr. Bailey to address the treatment plant proposed for this development. Mr. Bailey stated each lot will have an individual treatment plant that will pump into a temporary lagoon. Supervisor Gardner asked if MDEQ has approved this type of system for the development. Mr. Bailey stated MDEQ has verbally said they would approve what is planned in the proposal for the development. Supervisor Russell asked if it will have a spray field or lagoon. Mr. Bailey stated it will have both; the lagoon would be a holding place but would be treated at the home, then held in pond and finally sprayed from the pond. Supervisor Gardner asked how temporary the lagoon is. Mr. Bailey stated he was not sure, maybe two years. Supervisor Gardner asked how close the closest DCRUA lines are to the proposed development. Mr. Bailey stated from the pump station at Camp Creek to the development is approximately 8,350 feet.

Supervisor Medlin asked if the minimum square footage is 1,800 sqf of heated space. Mr. Bailey stated that would be the minimum but that he feels realistically the homes would be more like 2,000 sqf or more when built. He stated the builder who built in Windstone is interested in building homes similar to the homes in Windstone in this development if it is approved. Supervisor Gardner asked how the architectural design requirements will be enforced. Mr. Garrod stated the HOA or Architectural Committee would need to review the design; the Building Department would only be able to enforce the minimum square footage of the home.

Supervisor Lee asked if there was anyone present to speak for or against this application.

Billy McCully came forward and his concerns are:

- The lagoon site and the location to the creek
- The smell from the lagoon
- Sewage going into Camp Creek when there is flooding

Supervisor Russell stated he would like to speak with Mr. Bill Austin about treatment systems and the lagoon. He then stated he is familiar with onsite treatment plants and that there would be no smell.

Terry Abney came forward and stated when he built his house he was told he could not place the house where he wanted because the onsite treatment plant could not be in the floodplain. He had to move the location of the house on his property, and wants to know how the applicant can have a wastewater lagoon in a flood plain. He then stated he spoke with Gary Looney at City of Olive Branch about the lack of natural gas pressure the community had for 4 days last winter. He said Mr. Looney told him there is not enough pressure in this area and it will only be worse with further development in the area. He stated he is concerned with traffic and speeding in the area.

Tim Curtis came forward and asked who will make sure individual homes will maintain their treatment plants. He stated some lots in this development are in the floodplain, will they be elevated, if so the fill will affect the flood plain. He stated that with only 254 lots it will probably not affect the fire rating but when Mr. Bailey comes back to develop more lots the fire rating will be affected. Mr. Curtis stated the community would agree to ¾ acre lots. He stated Bridgforth Builders are building on larger lots in the area and not having any problems selling them. He then asked why approve another subdivision when there are unfinished subdivisions all over the County.

Betty Dickson came forward and stated her concerns the effect it will have on the schools and the community.

Jody McRae – 7059 Vaiden – stated he moved to this are for the country atmosphere and if he had known all these developments were so close he would not have built here. He stated the residents don't want this growth. Mr. McRae stated he hopes the Board will vote to keep the country atmosphere.

Jean Harrison – 6620 Vaiden – stated she lives at the dead-end of Vaiden Road and has seen many people home shopping and they have asked her about the neighborhood She tells them she can honestly say they have a wonderful neighborhood. She read a letter from her husband that stated he does not feel this development is characteristic to the community. He stated he is concerned with the following:

- Flooding
- Traffic
- The development becoming a rental property development
- Fire rating
- Speeding in the area

Sherriff Rasco stated the Sherriff's Department is not allowed to use radar and encouraged the members of the community to write their State Representatives and request the Sherriff's Department be allowed to use radar.

Alice Sturghill – 1591 Craft Road East- came forward and stated she is concerned with flooding in the area. She stated this is a peaceful area and hopes it stays that way. There was discussion of where the flooding occurs.

Glenda Barber came forward and stated she is concerned with speeding, traffic and flooding in the area.

Becky Remington – 6600 Vaiden – came forward and presented pictures of flooding and traffic. She also presented documents showing school enrollment increase at Lewisburg schools. She then stated this project is not recommended by the Planning Commission. She stated she does not feel the neighborhood has changed or that the community needs this type of development. Ms. Remington stated on average the members of this community are large multi-acre lot owners. She stated the floodplain has changed in this area since 2007, the floodplain was only 7 feet on to her property but now it covers her entire home.

Ms. Remington discussed what would need to be done to Arkabutla Lake, Camp Creek and Short Fork Creek to address flooding in this area. She asked why the Corp of Engineers is not being contacted about this development.

Ms. Remington stated she is concerned with these homes qualifying for USDA financing, as this will bring in home buyers who are not invested in the homes or the community as they will not have to pay down payments or interest on the loans for these homes. She feels they will treat them as if they are renting apartments and can just walk away at any time. Her other concerns are the effect on the fire rating and services such as DSL and natural gas.

Supervisor Gardner clarified that USDA loans are not 0% interest, they are no different than loans such as VA loans. He also clarified that the lots in the original application were 6,000 sqf and the lots in this application are 20,000 minimum square feet with a minimum house size of 1,800 sqf. He asked what the neighbors would deem an acceptable minimum house size on a 32,000 sqf lot. Mr. Curtis stated he would be fine with a 1,800 minimum sqf on a 32,000 sqf lot. Ms. Tracy McRae stated if Mr. Bailey says more than likely the homes would be larger than 2,000 sqf in this development why doesn't he just make the minimum house size 2,000 sqf. Supervisor Gardner asked what would be the price range on a 1,800 sqf home on a 20,000 sqf lot. Mr. Bailey stated a home like that would be no less than \$180,000. There was discussion of what price range homes would be in this development.

Supervisor Gardner stated he feels Mr. Bailey has compromised but the neighbors haven't. Mr. Curtis stated he does not feel Mr. Bailey has compromised.

Supervisor Russell stated he is concerned with the natural gas issue in the area and also the treatment systems. Ms. Vanessa Lynchard stated Mr. Bill Austin with DCRUA said there is a pump station on the south side of Byhalia Road, but that Mr. Bailey will need to get to the north side of Byhalia Road to tie into the pump station. There was discussion of treatment plants and how they are maintained.

Ms. Remington asked if the engineering department will do hydrology study for this development. Mr. Swims stated his department will look at the plans for this development just as they do every development. He then stated the Health Department gives approval of sanitary sewer systems not his department.

Mr. Garrod asked if the applicant will file for a Letter of Map Revision for this development. Mr. Brett Morgan confirmed that they will request a LOMR-F for the development.

Supervisor Medlin stated that 30,000 sqf lots were previously approved in the Green Oaks development with access by an easement only to the north. Mr. Bailey bought the 15 acre parcel to access onto Craft Road. He stated it seems to him that helped the community as far as traffic goes.

Mr. Abney stated the gas situation in their community is critical and the City of Olive Branch has no plans to address the problem. Supervisor Gardner stated a natural gas provider is regulated by the Service Commission and they are obligated to provide the service. Supervisor Medlin stated if approved there will be more of a demand to enlarge the size of the gas lines.

Supervisor Gardner asked Mr. Curtis in his opinion when would the fire rating be affected. Mr. Curtis stated he feels 100-150 new homes will impact the fire rating. He went on to state the spacing between the houses will also impact the rating, as well as fire hydrants and the size of the water main. Supervisor Gardner asked how far away the proposed development is from the Lewisburg Fire Department. Mr. Curtis said it is approximately 2.5 miles from the Lewisburg Fire Department. Supervisor Gardner asked did the new schools affect the fire rating when they were built. Mr. Curtis stated the schools paid for the improvements and they are considered commercial so they do not affect the fire rating. He went on to state Villages of Hawks Crossing is not in the Lewisburg fire district so it did not affect the fire rating.

Supervisor Gardner asked the County Engineer to look into what the proposed 24 houses and any other new houses in the area would do to run-off.

Supervisor Gardner asked staff to address the Motion from the Planning Commission meeting concerning this item. Mr. Garrod stated the first Motion was to deny the application and was a tie vote. He then stated the second Motion as to approve the application and it was also a tie vote. The effect is that no action was approved by the Commission.

Supervisor Russell stated he is still concerned with the natural gas situation and treatment plants.

Supervisor Lee made a Motion to deny Crosswinds Rezoning (728). The Motion failed due to no second.

Supervisor Gardner made a Motion to table Crosswinds Rezoning (728) until the August 18, 2014 meeting at 11:00 a.m. to get answers to the questions concerning the natural gas issues and more information on the proposed waste treatment systems to be used in the development. Supervisor Medlin seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

- b. **Legacy Park Rezoning (728) – Application is for approval of Rezoning of property from Agricultural-Residential (A-R) to Planned Business (P-B), identified as Parcel #1-06-7-36-00-0-00002-01. Subject property is located on the south side of Goodman Road and east of Hacks Cross Road in Section 36, Township 1, Range 6 and is zoned Agricultural-Residential (A-R). (District 1)**

Mr. Garrod presented the application for Legacy Park Rezoning (729). He stated the applicant, Hillwood Properties, began discussing this site with Planning Staff. It was decided the applicant would submit an application to rezone the property to Planned Business. He then said after a proposal was submitted to the Planning Department it was presented to the Site Review Committee and their comments on the application were given to Hillwood Properties. He said Hillwood Properties resubmitted the proposal that addressed the comments of the Site Review Committee. He stated the application was presented to the Planning Commission on July 7, 2014 and was recommended for approval by a 6-4 vote.

Mr. Tony Nowak gave an overview of what the Board of Supervisors are charged with today when considering the application.

Mr. Todd Finley came forward to represent the application. He stated this project does not and will not extend Polk Lane south of the proposed property line of the project. He then stated he is not asking for any Variances other than administrative variances.

Mr. Finley gave highlights of the project. He stated the proposal is for six buildings that will include 4.3 million sqf. and has a project cost of greater than \$165 million dollars. He then stated this project could create anywhere from 850 to 3,000 new jobs in DeSoto County and increase tax revenues. He stated the project would also include road improvements at Hwy 302 and Polk Lane.

Mr. Finley addressed the change in neighborhood and public need. He stated there has been an increase in business development along Polk Lane over the past 10 years. He stated the land surrounding the site is zoned M1, C2, C4 and residential. Mr. Finley stated the property is currently not being used to its highest potential. He stated the site is located in the Planned Corridor of Hwy 302 according to the County's Comprehensive Plan and the uses included industrial development. He stated the County has 1,300 acres of Industrial land use according to the County Comprehensive Plan and that the Plan predicts 4,300 acres and 28,000 additional jobs will be required for Industrial growth by 2030. He stated their site only contributes 266 acres towards these projections. He stated the site has access to the I-69/I-269 International Trade Corridor. The International Trade Corridor will be located directly through the county providing a major transportation link from Mexico and Canada, according to the "New Era of Discovery" study.

Mr. James Collins with Kimerly Horn and Associated came forward to address traffic. He gave the following comparison of total number of trips generated by use:

- Residential – 6,300/day
- Proposed high-cube warehouse – 7,600/day (Legacy Park)
- Office – 16,700/day
- Hospital/Medical Office Building – 44,400/day
- Retail – 63,000/day

He explained how the trip data is figured and what is considered a trip. He then stated most trips will be coming to and from the north and the west. He stated they don't anticipate much increase in traffic on Hacks Cross going to the north.

Mr. Collins then discussed the site drainage. He stated the County requires the standard design be based on 25-year storm but Legacy Park will be designed based on a 100-year storm. He stated Phase 1 will include detention ponds located along Hwy 302 and Phase 2 will include detention ponds located in the south open space.

Mr. Jordan Draper with Kimerly Horn came forward and discussed the buffer yard and line of sight study. He stated there would be a 40 ft. landscape buffer between the site and Whispering Pines Subdivision with an additional 600 ft. of natural vegetation between the buffer/southern property line and the subdivision. He stated it is approximately 1200 feet from the southern property line to the closest building. Mr. Draper stated the buffer will consist of evergreen materials and will create a solid wall.

Mr. Draper explained the line of sight study they performed and stated it gave an idea of what the neighbors would be able to see. He stated they used a weather balloon and raised it to 50 feet and it could not be seen from anywhere in Whispering Pines Subdivision. He stated they had to raise the balloon to 200 ft. before it could be seen anywhere in the subdivision. 200 ft. is 150 ft. taller than any building can be built on the site according to the DeSoto County Zoning Ordinance.

Mr. Toby Rodgers came forward and gave the closing comments. He stated this project would create 850 to 3,000 new jobs in DeSoto County and has the potential to create \$1.8 million to \$2.4 million in Real Property Taxes a year. He stated this project would have minimal impacts

on overloading schools. He stated it would also have less impact on roads than other community uses.

Mr. Rodgers gave an overview of past projects and the types of communities that have developed around their developments. He stated that industrial done right can work with any other surrounding use. He stated that the proposed development will not stifle any other development nor decrease property values in the surrounding community.

Supervisor Caldwell asked what the proposed northern route of traffic would be for this project. Mr. Collins stated the northern route of traffic would mostly be on Hacks Cross Road. Supervisor Gardner asked how much increase of traffic will there be on Hacks Cross Road. Mr. Collins stated the traffic would increase by less than 10% on Hacks Cross Road. Supervisor Caldwell asked how far this site is from I-69/I-269. Mr. Haysley stated it is approximately 6 miles from I-69/I-269.

Supervisor Medlin stated referring to utilities, it has been mentioned that the back-up plan was to send the sewage from this site to Braybourne's waste treatment system. He went on to say that even with improvements that have been made on Braybourne's system he does not feel there needs to be industrial waste going to a residential treatment system. Mr. Finley stated his company is working with the City of Olive Branch for sewer service and that Braybourne's treatment system would only be a back-up plan. He went on to state that the treatment system serves more than just Braybourne Subdivision.

Supervisor Medlin stated in the information provided for the variance that some modifications of the project could be approved by Planning Staff. Mr. Garrod explained that the applicant is asking for approval of anything less than 10% of the variance be an administrative variance. Mr. Garrod stated that a condition of approval could be that any administrative variances must be reviewed by the Site Review Committee. Supervisor Russell asked what the Planning Commission reaction was to the Variance. Mr. Garrod stated the Planning Commission recommend approval in a 6-4 vote.

Supervisor Russell asked if the applicant would be agreeable to a condition of approval be that to protect the southern border, the existing tree line will never be cut. Mr. Finley explained that his company will not own that portion of the property so they would have no control over what is done on that property.

Supervisor Caldwell asked how many lanes Polk Lane will have after the proposed improvements are made. Mr. Finley stated that there will be three lanes and a bike lane. Supervisor Caldwell asked how long the deceleration lane will be. Mr. Finley stated he is not sure at this time. Mr. Collins stated the deceleration lane will be 450 feet per MDOT's standards. There was discussion about speed limits; Mr. Collins stated they have had discussions with MDOT about speed limits. Supervisor Gardner asked where access onto Polk Lane will be from the development. Mr. Finley pointed out the two access points on to Polk Lane from the development that was included in the packets provided.

Supervisor Lee asked where Phase 1 was located. Mr. Finley stated that Phase 1 would be the three buildings in the northern portion of the site and that if approved they hope to start construction on the first two buildings of Phase 1 in 2014. Construction the third building would begin in 2015-2016. He then stated they plan to start Phase 2 in 2017.

Supervisor Lee asked why they did not propose using Polk Lane for the northern route instead of Hacks Cross Road. Mr. Collins stated the users could possibly decide to use Polk Lane as the northern route. He then stated the users will use the best route available. Supervisor Medlin stated there needs to be a stipulation that the turn lanes at Polk Lane be modified.

Supervisor Caldwell asked if there was anyone to speak in opposition of this item.

Mr. Tom Hughes came forward and stated the Board's task is to determine if this development is what the County wants. He then discussed the Stewardship Plan.

Mr. Hughes presented photos of other Hillwood projects and their proximity to interstates. He then stated that with the Hacks Cross Logistics Center in Olive Branch, Hillwood has got away from being in close proximity to the interstate. He then stated the ad for that project says easy access to the airport area, but that is not true due to Hacks Cross Road becoming bottle necked at the state line.

Mr. Hughes stated there are already areas zoned for this type use that still need to be developed. He went on to say that there are warehouses in the Hacks Cross project that do not appear to be in use currently. He stated their buildings are beautiful, but his concern is the truck traffic these types of buildings attract. He stated he does not feel this is right for industrial zoning as all the other industrial zoning is located north of Goodman Road.

There was discussion of travel routes for the proposed site. He stated he feels that the trucks will go east to I-269 to go north, because they will not want to go west on Highway 302 because they would have to go through the City of Olive Branch and the City of Southaven . He then stated he feels that the County is modeling the development in this area on the south Memphis Industrial Zone. He then stated that Hillwood Properties stated they want the development to be an easy access to FedEx, the distance maybe short but the actual time and access to FedEx are not good from this site. He stated the site has poor access to highways.

Mr. Hughes stated he is concerned that allowing warehouses will beget more warehouses. He then gave examples of areas already rezoned M-1 and C-4 that could be alternative sites for this type of development. He also stated there are alternative sites in Marshall County for this project. He then questioned if warehouses are the best use for this land and what is the character of Olive Branch. He then gave examples of alternative developments that the neighbors would like such as office parks, recreational developments, etc. He then stated the neighbors do not want to become a warehouse district.

Mr. Hughes closed his discussion by making the following statements:

- The location of the Hacks Cross Logistics Center is far less than optimal for mega-warehouses because of the poor access to highways and large areas of residential property nearby.
- There are large amounts of open land and empty warehouses in the Center itself and when they are filled, the truck traffic will worsen even before Legacy Park opens.
- DeSoto County should focus on developments that will highlight and enhance the character of Olive Branch as well as all of the communities in DeSoto County. These new types of businesses are more likely to lead to better paying jobs.
- Warehouses are a vital part of the business in DeSoto County but they should be placed in locations that are most beneficial to them as well as to the residents of DeSoto County along the I-55/I-69/I-269 corridors.
- Highway 302 is said to be prime real-estate so we should not sell ourselves short. New businesses and the hospital need upscale and moderately-priced housing for their employees, which this area is uniquely qualified to provide. If we provide it, these people will not have to commute to Germantown and Collierville to enjoy a great life-style.

Kevin Cross came forward and stated he lives in Braybourne and that he moved his business here from Earle, AR. He stated that the jobs they are saying will be brought in by this project will mostly be temp jobs especially with the way the economy is right now. He stated the highest turnover rates are temporary employees coming from Memphis.

Mr. Cross stated he is concerned with crime in the area. He stated he sees no Sherriff Department presence in the north east section of the County and the crime in this area has increased to the point of needing to hire security for his business.

Mike O’Brown came forward and stated in the Comprehensive Plan there is a planning principle called the Commercial Creed. He stated he is also concerned with public safety and the increase of truck traffic in the area. He stated he feels the speed limit should be decreased to 50 mph with the addition of trucks.

Mr. Brown could be required to not develop or sell the property between the southern property line of the proposed development and Whispering Pines Subdivision.

Supervisor Caldwell asked if there was anyone else to speak in opposition of this item.

Neil Labovitz – came forward and stated he owns approximately 200 acres near this site and his concerns are:

- The type of people this types of businesses will employee will not be able to purchase homes here
- If warehouses are approved then the development on the east side of Polk Lane that has been approved will never develop
- Polk Lane will be developed all the way through if development of the PUD does happen

Gary Bishop – said he is glad to see that their community is coming together over concern for their neighborhood. His concerns are:

- There is already a large number of trucks in the area that cause traffic slow downs
- The traffic light at Polk Lane will be another traffic congestion site with increased cars from employees of the development
- There are flooding issues due to non-sufficient drainage in the area

Vicki Neyman- 9948 Alexander Ridge – came forward and stated her concerns are:

- Feels this is spot zoning
- With livability
- With being able to make small trips like to the grocery store
- With children being able to ride their bikes in the area
- Feels it will inhibit the residential growth in the area
- Maintaining the feel of Olive Branch
- Increased traffic issues in the area

Kim Sellers – 7739 Fox Creek – came forward and stated her responsibility is to her children and don't want to see warehouses creeping up all over her community and around the schools. She said the kids and future generations need to be looked out for. Her other concerns include:

- Would rather have doctor office and such instead of warehouses in the area
- Decreased home values

Patricia Williams – 2720 Red Banks Road – is concerned with all the warehouses in the area sitting empty in the County and the applicant wanting to develop more warehouses. She stated she would like to see more, higher income houses in the area.

Greg Cooper – 5950 Polk Lane – stated small businesses are the backbone of the community and nation. He then stated this area is tailor made for small business and feels like the landowner of the site has held out for more money, which is good for the landowner but bad for the community. His concerns are:

- The noise generated by the warehouses.
- The need for retail, education and quality homes in the area not warehouses.
- This type of development is out of place.

Jackie Butler came forward and stated his concerns are:

- Increase in traffic
- Safety concerns from the increase in truck traffic
- The need for more retail in the area

Planning Staff received phone calls in opposition from the following:

- Betty Stump – 10341 Goodman Road
- Sasha Lewis – 7089 Pandora Pass
- Risa Sims – rbdsims@hotmail.com
- Richard Armstrong – tubbydtuba@eol.com

Planning staff received emails in opposition from the following:

- Tim & Lisa Nichols
- Lauren Siebrase
- Ashley Brummer
- Rehan and Brigette Mahmood
- Kim Sellers
- Tim Gaines

Supervisor Caldwell asked if there was anyone to speak in favor of the project.

Tony Jones came forward and stated he was speaking on behalf of the property owners. He stated the White Family has lived on this site for over 100 years and that it is not feasible cattle farming anymore. He stated the White's will still be the largest landowner around the property. The White's feel Hillwood Property will maintain the integrity of the property and be good stewards of the land. He then stated the owners to the east of the property who own Sanders Farm PUD also endorse this project.

John Perry came forward and stated he works at Kimerly Horn and Associates and lives off of Forrest Hill Irene. He stated that over the last 21 years he has seen the area north of Hwy 302 develop and there have been lots of changes in the area. He stated he uses the Crossroads industrial area to run and bike during the early morning hours and have only seen approximately 5-6 cars in the area. He stated he doesn't hear any noise from the Crossroads Development and only lives 1/10 of a mile from the development. He stated his property value has increased not decreased since this development was built.

Travis Savage came forward and stated he is a contractor for Hillwood Properties and that have always been a great company to work with.

Wayne Scott – 1560 Wilborn Drive – came forward and stated he lives approximately 1 mile from the DeSoto Center and his property value has not dropped. He stated the truck traffic can be a pain but that the only development going on in DeSoto County recently is warehouses. He stated Hillwood Properties has brought in a lot of jobs including construction jobs. He went on to state that are no doctors or retailers wanting to buy the proposed site. Mr. Scott stated there are citizens of DeSoto County who depend on developments like this for jobs, not just after it is built but during the construction process as well.

Jim Flanagan, Director of the DeSoto County Economic Development Council, spoke regarding economic development in the County. The speech text is attached as an exhibit.

Belva Bishop stated this is a serious situation and that the community has a petition with over 1800 signatures of people opposed to this project. She stated she is asking the Board to delay making a decision on this item and give the neighbors more time to look at the information presented at this meeting. She stated she is concerned with the traffic and the impact it will have on the area. She stated we are fighting for the future of the children.

Tom Hughes stated he totally endorses what Mr. Flanagan presented but the area needs houses also. He then asked where are the businesses Mr. Flanagan mentioned that have looked at the site.

Marvin Tharsh with Brookside Baptist Church stated the church is 94 years old and was once in Capleville but left that area in 2007 due to the warehouses in the area. He stated this area needs more residential growth.

W.T. Woods -6693 Hacks Cross Road – stated he was born and raised on property near this site and his family has owned their property for 100 years. He stated he is concerned that Polk Lane does not line up north and south of Hwy 302 and it will create an off-set intersection. He stated he is also concerned with the flooding and drainage issues in the Cow Lick Creek area.

Mr. Toby Rodgers stated that before his company commits to buying land they spend years looking at the market and narrowing down a location. He then stated they deal in Master Plan Parks and the tenants are just as concerned about crime as the neighbors. He then stated usually the crime comes

from without not within. Mr. Rodgers stated crime is a big determining factor for companies when looking at locating at a site.

Mr. Rodgers discussed the drainage and storm water runoff laws. He stated the site cannot have more run-off post development than it had predevelopment. He went on to say that the detention ponds that are planned could help with not only the run-off but also the flooding problems in the area.

Mr. Rodgers stated this project is located on a state highway and there are only two access points allowed by MDOT which limits the types of uses for this property.

Mr. Rodgers addressed the road alignment of Polk Lane and stated they plan to go further south on Polk Lane from the intersection to realign the road and square up the intersection. Supervisor Caldwell stated she is concerned with the fire coverage for this project. She stated currently this area has a fire rating of "10" which means hire coverage rates. She stated the area is served by a volunteer fire department that needs to raise money for the department to improve and purchase more equipment to help lower the rating. She asked if Hillwood Properties would be willing to help financially with the volunteer fire department. Mr. Rodgers stated his company would love to sit down with the County, the citizens and the fire department to discuss what their company can do to help the volunteer fire department.

Supervisor Caldwell stated DeSoto County has an air quality issue and if approved would the applicant be willing work with the county on planting vegetation that would help with air quality. She stated it helps the County when industry comes in and plant plants that are good for air quality. Mr. Rodgers stated his company has enjoyed the green aspects of their buildings and the sustainability efforts and are absolutely open to suggestions on the vegetation. Mr. Todd Finley stated they have looked at the best trees to plant in Mississippi to improve air quality and they have talked to their landscape designers. He then stated they are committed to have a minimum of 75% of the vegetation of the buffers and 25% of the landscaping with in the park to be air quality improving vegetation.

Supervisor Gardner asked if the County Engineering Department has reviewed the stormwater run-off plan. Mr. Andy Swims stated the engineering department is in the preliminary stages of reviewing the plans and discussed where the 100 year detention area would be on the property. He then stated the engineering department is going to be very aware of what they are putting in and make sure the project does not exceed run-off.

Supervisor Gardner asked Mr. Swims to look into current issues concerning Cow Lick Creek.

Carol Hunting – Polk Lane – stated she lives across the street from Helen of Troy and that the detention pond is in front of her property. She stated no one has ever helped with the issues form the detention pond; she has had to take care of it on her own.

Mr. Garrod read into the record a letter from Planning Commissioner Greg Ryan.

Supervisor Medlin stated Ms. Bishop has asked if the neighbors could have more time, will anybody feel better about the project if more time is given. Ms. Bishop stated she doesn't know if anybody will feel better, but the applicants have had months to hear from experts and the neighbors have not had the opportunity to get information concerning the project. Supervisors Gardner and Caldwell stated they would like to give the neighbors more time. Supervisor Caldwell suggested a workshop with others within the County and City of Olive Branch and some of the neighbors to possibly get answers to some of the concerns. She suggested continuing this item for one week to allow for a workshop. There was discussion of when another meeting could be held to discuss this item. MR. Rodgers stated that one of the three potential projects is coming back to look at this site again and a delay could also affect their contract with the landowner for the property. Supervisor Medlin stated the applicants are being honest about these companies who are looking and these same companies are looking at 4-5 other sites. He then stated there has been a lot of interest in this site.

Supervisor Gardner made a Motion to table Legacy Park Rezoning (728) until August 4, 2014 at 3:00 p.m. so the Board may take the matter under advisement and conduct further due diligence., 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>NO</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

Supervisor Gardner made a Motion to include all slides and documents presented by all the speakers as part of the minutes of the application during the public hearing for Legacy Park Rezoning (728). Supervisor Medlin seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

Supervisor Medlin made a Motion to open the Public Hearing for White Farms Rezoning (730). 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>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

- c. **White Farms Rezoning (730) – Application is for approval of Rezoning of property from Agricultural-Residential (A-R) to Highway Commercial (C-2), identified as Parcel #1-06-7-36-00-0-00002-01. Subject property is located on the south side of Goodman Road and east of Hacks Cross Road in Section 36, Township 1, Range 6 and is zoned Agricultural-Residential (A-R). (District 1)**

Mr. Haysley presented the application for White Farms Rezoning (730). There was discussion of the surrounding zoning being C-2 and C-4 and would also be surrounded by Legacy Park if approved.

Mr. Tony Jones came forward to represent the application and stated the application is just to continue the C-2 zoning to the west of where it currently is.

Supervisor Caldwell asked if there was anyone to speak for or against this application.

Mr. Todd Finley came forward and stated the property would be accessed through curb cuts located on the adjacent 255 acre parcel, so this rezoning would not result in any additional access points onto Hwy 302.

No one else came forward to speak for or against the application.

There was discussion of what uses were permitted and which uses would require a Conditional Use under C-2 zoning.

Supervisor Medlin made a Motion to approve White Farms Rezoning (730) based upon finding there has been a substantial change in the character of the neighborhood and there is a public need based upon demand for commercial property. Supervisor Caldwell seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
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SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>NO</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>

Supervisor Gardner stated he is concerned with hearing and approving this item as far as the perception it will give to those in opposition of Legacy Park Rezoning. Supervisor Caldwell stated this item was noticed separately and was listed on the agenda separately. All members of the public were welcome to stay but elected to leave.

Supervisor Medlin made a Motion to close the Public Hearing for White Farms Rezoning (730). Supervisor Lee 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>

ii. CONSENT

- a. **Bill White Minor Lot (6941) – Application is for final subdivision approval of one (1) lot of 3.35 acres and one (1) lot of 6.87 acres, identified as Parcel #2-09-8-27-00-0-00041-00. Subject property is located on the east side of Baker Road and north of Scenic Ridge Cove in Section 27, Township 2, Range 9 and is zoned Agricultural-Residential (A-R). (District 3)**
- b. **Nail Rd. Subdivision, Revision to Lots 6 & 7 (6942) – Application is for final subdivision approval of one (1) lot of 1.0 acre and one (1) lot of 3.43 acres identified as Parcel #2-09-1-02-00-0-00001-05. Subject property is located on the south side of Nail Rd. and west of Poplar Corner Rd. in Section 2, Township 2, Range 9 and is zoned Agricultural-Residential. (District 3)**

Mr. Haysley presented the Consent Agenda.

Supervisor Russell made a Motion to approve the Consent Agenda as presented. 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>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

J. EXECUTIVE SESSION

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

K. OTHER

1. Parks Commission Budget

Supervisor Bill Russell said when the Board had a park budget for each of their Districts they rolled the balance over to the next budget year. He suggested using that procedure for the Recreation District budget because they have a lot of projects.

County Administrator Vanessa Lynchard said to use that procedure would increase the Recreation District budget and the Board just gave them a \$13,000 increase for next year.

Supervisor Russell asked why their budget couldn't be rolled over and then tell them to use it next year.

Supervisor Lee Caldwell said if the allotted amount gets too high, The Board could cut their budget.

Ms. Lynchard said this would set precedence for other departments. It is not a great way to work a budget.

Supervisor Caldwell said they had money left over from Earth Day and the committee wanted to buy more prizes. She said that is not how she would like to handle it. The Board discussed how it is handled when they use their entire budget. They discussed not approving a purchase order unless there is money for the purchase.

No action was taken on this item.

Supervisor Jessie Medlin made the motion to adjourn the Board meeting until August 4, 2014 at 9:00 a.m. The motion was seconded by Supervisor Harvey Lee.

The motion passed by a vote as follows:

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

THIS the 21st day of July, 2014, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Lee Caldwell, President
DeSoto County Board of Supervisors