

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

MARK GARDNER, PRESIDENT 2013 PRESIDING

July 15, 2013

A. CALL TO ORDER

The July 15, 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

Reverend Chris Shelton of New Day Fellowship Church presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. CITIZENS REMARKS AND PRESENTATIONS

E. APPROVAL OF AGENDA: ADDITIONS AND DELETIONS

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

The following requests were made to add to the Agenda:

1. Mr. Jerry Edwards - Leadership DeSoto
2. Contracts Administration: Traffic Engineering Services with Florence & Hutcheson
3. Road Manager Andy Swims
 - a. Executive Session: one item of personnel for consideration for a possible executive session discussion
 - b. Revise working hours due to heat
4. Inventory Dispositions – Preliminary: Land Records
5. Office of Finance and Accounting - Late Bill: Postage for Family and Children Services
6. Environmental Services: Introduction of new Environmental Specialist, Mr. Craig Howell

7. Supervisor Jessie Medlin asked County Administrator Vanessa Lynchard about the letter referring to the MAS Property Casual Insurance pool. Supervisor Medlin said we sent them a lot of information and he would like to find out more about it. Ms. Lynchard said she would check into it.

8. Supervisor Jessie Medlin requested adding one item of an Industrial Prospect called Project Blackhawk for consideration for a possible executive session discussion.

9. Supervisor Bill Russell asked Ms. Lynchard if the Board needed to discuss Homestead Exemptions and options for the Board. Ms. Lynchard said she wants to meet with each Department Head this week and will come back to the Board.

10. Board Attorney Tony Nowak requested discussing Homeowners Association legislation in open session.

11. County Administrator Vanessa Lynchard requested adding the following:

a. JABG Grant for Electronic Monitoring

b. Hutchison Dam

c. Delete item number H.8 and H.9

12. Supervisor Harvey Lee requested adding a property issue with FEMA for consideration for a possible executive session discussion.

13. Board of Supervisors President Mark Gardner acknowledged a newspaper article in the Sunday paper regarding Chancery Clerk Sluggo Davis now being the President of the Chancery Clerk's Association.

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

The motion passed by a vote as follows:

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

1. Mr. Jerry Edwards - Leadership DeSoto 2013

Mr. Edwards said he is representing Leadership DeSoto 2013. Mr. Edwards said Leadership DeSoto is a program sponsored by the DeSoto Economic Council and directed toward individuals in the County who demonstrate potential and want to learn more about their community in which they live and work and to better understand the opportunities and challenges facing DeSoto County. Mr. Edwards said businesses nominate and sponsor individuals to be in the Leadership Class which begins in November of each year with a two-day orientation. The class meets once monthly until graduation in May after opening orientation. There is no budget for the class. Mr. Edwards said he worked with Leadership DeSoto on the projects with the Economic Council, Zack Davis, Yvonne Herring and Lisa Biglane who is the Leadership DeSoto Coordinator.

Mr. Edwards said he is here today to present the project that was chosen for Leadership DeSoto 2013. He showed the web site created by the group and handed out posters. Mr. Edwards said they took a hard look at what they could do to integrate this program into the community so people moving to the County, who speak another language, could have a tool to understand the laws, school services, residency and how to give back to the county. It can help someone to really become part of the community. Mr. Edwards said

if you live in DeSoto County and do not speak English, they developed a web site that could be integrated with the County web site which would allow a person to simply pick a language and everything pertaining to DeSoto County would appear in that language. Mr. Edwards displayed the web site on the projected view and demonstrated how to access the language to choose. The new resident resources could be documentation, residency, schools, and various other needs that would help someone who did not speak English. Mr. Edwards said the hosting fee is \$360.00 per year.

Supervisor Harvey Lee said he was very impressed with the program.

Supervisor Mark Gardner asked if Mr. Edwards' company, E.K. Automations, is one of the sponsors for the program. Mr. Edwards said it is Jerry's company and they are a sponsor.

Supervisor Bill Russell asked if this program could be integrated with the new DeSoto County web site. Mr. Edwards said yes.

Supervisor Lee Caldwell said this is really important for the county as schools begin enrolling. It will help to keep up with kids in the DeSoto County Schools which has students speaking 30 different languages.

Supervisor Caldwell asked the County IT Director John Mitchell if this would cost the county money. Mr. Mitchell said there is a cost and part of it is free.

Supervisor Gardner asked Mr. Mitchell if he would like to discuss this program further with Lee Harris at Novagiant Media. Mr. Mitchell said yes and added, if someone is managing it, it helps to have a measure of control of what is posted.

Ms. Biglane said a lot of good came from this class which is the 22nd Leadership DeSoto Class.

Supervisor Gardner thanked the group and said a lot of good things came from the class. He asked Mr. Mitchell to work with Jerry and Ms. Biglane on integrating the program to the County's web site and come back to the Board later.

See Exhibit E.1

2. Contracts Administration: Traffic Engineering Services with Florence & Hutcheson

Board Attorney Tony Nowak said the County has had an agreement with Florence & Hutcheson for several years for, what he calls "on-call" traffic engineering services. Mr. Nowak said it is time for renewal.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the agreement as presented for Traffic Engineering Services with Florence and Hutcheson for the DeSoto County Road Department.

The motion passed by a vote as follows:

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

See Exhibit E.2

3. Road Manager Andy Swims

a. Executive Session: one item of personnel for consideration for a possible executive session discussion. This item was later determined to qualify for executive session.

b. Revise working hours due to heat

Road Manager Andy Swims requested changing the work schedule for employees working outside due to the heat. Mr. Swims said he would like to change the hours from 7:00 a.m. until 3:30 p.m.

to 6:00 a.m. until 2:30 p.m.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve changing the work schedule for outside employees from 7:00 a.m. until 3:30 p.m. to 6:00 a.m. until 2:30 p.m.

The motion passed by a vote as follows:

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

4. Inventory Dispositions – Preliminary: Land Records

Inventory Control Clerk presented a preliminary disposition for Land Records and said the cost to repair exceeds the value.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the preliminary disposition for Land Records as follows:

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	YR ACQ	COST	LOCATION AT PRELIMINARY
41278	EPSON TM-U295P POS PRINTER	SJ9NF003934	BROKEN-WARRANTY EXPIRED-COST TOO MUCH TO REPAIR	10	3H	CHANCERY LAND REC ROOM

The motion passed by a vote as follows:

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

See Exhibit E.4

5. Office of Finance and Accounting - Late Bill: Postage for Family and Children Services

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve a late bill for postage from Family and Children’s Services in the amount of \$2,960.00.

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 E.5

6. Environmental Services: Introduction of new Environmental Specialist, Mr. Craig Howell

Environmental Services Manager Ray Laughter introduced Mr. Craig Howell as the new Environmental Specialist in their department. Mr. Laughter said Mr. Howell will be assisting in all areas of the department.

7. Supervisor Jessie Medlin asked County Administrator Vanessa Lynchard about the letter referring to the MAS Property Casual Insurance pool.

Supervisor Medlin said we sent them a lot of information and he would like to find out more about it. Ms. Lynchard said she would check into it.

8. Supervisor Jessie Medlin requested adding one item of an Industrial Prospect called Project Blackhawk for consideration for a possible executive session discussion.

This item was later determined to qualify for executive session.

9. Supervisor Bill Russell asked Ms. Lynchard if the Board needed to discuss Homestead Exemptions and options for the Board.

Ms. Lynchard said she wants to meet with each Department Head this week and will come back to the Board.

10. Board Attorney Tony Nowak requested discussing Homeowners Association legislation in open session.

Mr. Nowak suggested putting together model legislation in regards to Homeowners Associations for the MAS to take under consideration. Mr. Nowak said the Board of Supervisors would have to send a letter asking them to do so. He said it will be a work in progress and it is a matter that was on the Legislative Wish List. The Legislators wanted to have something in front of them once the Association is behind them. Mr. Nowak said he could draft a letter.

Supervisor Bill Russell said he would like approval to travel to Jackson about the matter as well.

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve travel to Jackson for Supervisor Bill Russell to discuss Homeowners Associations and the authorize Board Attorney Tony Nowak to draft a letter to MAS on behalf of the Board of Supervisors requesting their assistance with pursuing legislation of Homeowners Associations.

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>

11. County Administrator Vanessa Lynchard requested adding the following:

a. JABG Grant for Electronic Monitoring

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve applying for the JABG grant for Electronic Monitoring Program for Juvenile Detention in DeSoto County.

The motion passed by a vote as follows:

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

See Exhibit E.11.a

b. Hutchison Dam

Supervisor Lee Caldwell said due to the recent flooding with Hutchison Dam, we have been asked to explain the conditions of the dam and what can be done to cure the flooding. There is a beaver dam that is causing flooding on Horn Lake Road and also causing flooding in homes. Supervisor Caldwell said Hutchison Dam needs to be cleaned out.

At the recommendation of Supervisor Lee Caldwell and based on the finding of fact and in accordance with Mississippi Code Section 19-5-92-1 as the issue affects the health, safety and welfare of the public, and due to the potential damage flooding may cause to Horn Lake Road, Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve cleaning out Hutchison Dam on Horn Lake Road.

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>

c. Delete item number H.8 and H.9

12. Supervisor Harvey Lee requested adding a property issue with FEMA for consideration for a possible executive session discussion.

This item was later determined to qualify for executive session.

13. Board of Supervisors President Mark Gardner acknowledged a newspaper article in the Sunday paper regarding Chancery Clerk Sluggo Davis now being the President of the Chancery Clerk's Association.

F. CONSENT AGENDA

The Board of Supervisors considered the following items on the meeting's Consent Agenda as follows:

1. Office of Finance & Accounting

a. Budget Amendments

b. Request for Transfer of Sheriff Seized Funds

c. Sheriff's Office – Approval of Insurance Settlement

d. Inventory Control

1) Sheriff's Department - Declaration of Forfeitures

AGENCY	CASE #		DATE DECLARED	MFGR	YEAR	DESCRIPTION	SERIAL #	VALUE
SID	2013-16358	TREVOR BOLDEN	06/26/13	ACURA	1992	LEGEND (GREEN)	JH4KA8270NC004911	2500.00
COUNTY ASSET #43448						T210-L227-F120-D200		

2) Inventory Disposition – Final: Animal Shelter

ASSET #	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
39332	LANDA PRESSURE WASHER	100042	NON WORKING / PARTS USED TO REPAIR ASSET 34567	08	9H	ANIMAL SHELTER	UNIT WAS PREVIOUSLY DISPOSED		
39724	MOTOROLA HH RADIO	921TJQ0479	NON WORKING OR REPAIRABLE / COST EXCEEDED VALUE	08	9H	ANIMAL SHELTER	07/01/13	C MCCOOL	E-WASTE
39727	MOTOROLA HH RADIO	921TJQ0495	NON WORKING OR REPAIRABLE / COST	08	9H	ANIMAL SHELTER	07/01/13	C MCCOOL	E-WASTE

2. Office of Procurement: Request to Accept and Approve Official Bid Specifications and to Seek Bids

- (a.) Cement Treated Base
- (b.) Traffic Striping
- (c.) Crushed Limestone
- (d.) Flex-a-mats
- (e.) Gas & Diesel Fuel
- (f.) Guardrails
- (g.) Hot Mix Asphalt Paving
- (h.) Metal Culverts
- (i.) Mosquito Control
- Chemicals
- (j.) Polyethylene Culverts
- (k.) Ready Mix Concrete
- (l.) Roadside Herbicides
- (m.) Sand & Gravel
- (n.) Slurry Seal
- (o.) Traffic Signs & Accessories
- (p.) Inmate Food Services for the Jail

3. Procurement Card Log

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

a. Regional Education Center Agreement for Operation and Maintenance of the DeSoto County School District Career Technical Center

b. USDA FSA Lease Agreement

5. Road Department

a. Monthly Safety Report

b. Request for School Bus Turnaround

Location	Bus #	Owner	Phone
2388 Starlanding Nesbit	432	Bobbie Harrison	901-268-6335

6. Chancery Clerk's Office: Chancery Allowances (2) - \$1,950.00 \$1,616.66

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the actions set forth in Consent Agenda.

The motion passed by a vote as follows:

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

Supervisor Lee Caldwell, Fourth District YES
Supervisor Harvey Lee, Fifth District YES

See Exhibit F

G. OLD BUSINESS

1. Extension Agreement – 260 Motor Scooter Drive

Board Attorney Tony Nowak presented an extension agreement with Mark and Heidi Duke to extend the agreement for the sale of property to DeSoto County located at 260 Motor Scooter Drive to August 6, 2013.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve extending the purchase agreement with Mark and Heidi Duke regarding the sale of property to DeSoto County located at 260 Motor Scooter Drive to August 6, 2013.

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

H. NEW BUSINESS

1. DeSoto County Emergency Communications District – E911 Rate Increase

Director of E911 Debby Dunaway and Deputy Director James Powell of E911 appeared before the Board of Supervisors to request an increase in the E911 fees to the state legislated tariff rate approved in 1993. Mr. Powell said the fees will increase from \$.80 to \$1.00 on residential wired lines and commercial wired line rate from \$1.60 to \$2.00. He said DeSoto County is one of three counties in the state that has not had an increase.

Mr. Powell said the reason for the rate increase is due to the cost of replacing and maintaining dispatch equipment as well as to help cover the expense of replacing the radio system. He said the current radio system will reach the end of life in 2015 and is outdated. Mr. Powell said it will be replaced with a federally and state mandated P-25 compliant radio system. The current system is analog and was installed in 1992. The old radio system will no longer be used since parts will not be available should repairs be needed. Mr. Powell said they are upgrading to a digital system which will allow seamless communication across the state between State Troopers, MDOT and any other agency.

Sheriff Bill Rasco said when they transport inmates south of DeSoto County, they have no connection whatsoever when they reach Sardis. The new system will enable them to communicate across the state which they currently cannot do.

Supervisor Bill Russell asked if it would improve communication within DeSoto County. Mr. Powell said yes, it would improve connectivity in the county. He said they would gain the benefit of two state system towers located near the county for coverage as well as the general connectivity being better on a digital system.

Supervisor Russell asked if there is no money in the budget to cover the cost. The E911 Commission began saving when the analog system was installed in 1992 because they knew it would eventually need to be replaced when it reached the end of life. The Commission has saved a contingency fund in the amount of \$3 million to use toward this expense. He said they are also seeking grants and bonds as well as other options of

funding.

Mr. Powell said Motorola quoted an initial cost from \$8 to \$12 million for installation on state contract with a yearly maintenance expense of approximately \$800,000.00. He said they are still negotiating with Motorola on the price.

Supervisor Russell said he appreciated all that E911 does for the residents of DeSoto County.

E911 Commissioner Chris Shelton said as the Sheriff mentioned, they have communication issues with the schools. Mr. Shelton said the Sheriff has done testing in the county and the new technology will provide better communication.

Supervisor Mark Gardner said he would like to echo Supervisor Russell's comments regarding James and Debby's hard work and professionalism. He said he appreciates all they do.

Supervisor Harvey Lee suggested selling the old system since it is being replaced. Supervisor Gardner said it may be obsolete. Mr. Powell said they would make an attempt to recoup some of the money, but that the system would most likely be obsolete and not usable.

Supervisor Lee Caldwell said we have really stretched the end of life of the system.

Supervisor Jessie Medlin asked if the Board is the only one who has to approve this rate change. Mr. Nowak said yes.

Supervisor Medlin asked if \$800,000 is the total for maintenance each year. Mr. Powell said yes, but they are still looking at other options.

Supervisor Medlin asked how much is coming in each month. Mr. Powell said \$135-\$140,000 monthly.

Supervisor Gardner asked if the lines are copper. Mr. Powell said yes.

Supervisor Gardner asked if this will affect VOIP landlines and Mr. Powell said it will not affect VOIP landlines or cell phones, only traditional landlines.

Mr. Shelton said it is a federal mandate for states to receive money for this project and the State of Mississippi has already sent out the request for proposal and received a bid from Motorola. Mr. Powell confirmed that he has been dealing with Motorola and they are on state contract.

Supervisor Gardner said the price could be drastically less by buying off of the state contract.

Mr. Powell said their present revenue is \$1,400,000.00 per year and this rate increase could bring in an additional \$100,000.00 per year.

Supervisor Medlin confirmed the fee increase on a landline is \$.20 and the fee increase on commercial lines is \$.40. Mr. Powell said that is correct.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to approve a request to increase the E911 fees to the state legislated tariff rate approved in 1993 from \$.80 to \$1.00 on residential wired lines and commercial wired line rate from \$1.60 to \$2.00 to help with upgrading an outdated radio with a new federally mandated P-25 compliant radio system.

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.a

2. Environmental Services

a. Proposed Pricing for Class I MSW Disposal (Residential Garbage) – Republic Services/BFI/Allied Waste

Environmental Services Manager Ray Laughter said Gerry Burke who has been our representative with Allied Waste for many years is here today to discuss an increase in pricing.

Mr. Burke said it is an honor to appear before the Board of Supervisors and he thanked them for their time. He said they have experienced a few issues this year, one of which was a strike. Mr. Burke apologized for being one month late with the price increase request and said he would appreciate the Board's consideration for the price increase.

Mr. Laughter said the request is for a price increase as follows:

*Current rate plus \$1.25 State surcharge: \$19.87, effective October 1, 2013

(\$18.45 x .9% = \$18.62

*\$18.62 + \$1.25 = \$19.87

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the proposed pricing for Class I MSW Disposal (Residential Garbage) – Republic Services/BFI/Allied Waste to \$19.87 effective October 1, 2013 as the same is consistent with the contract for service.

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.2.a

b. DeSoto County Ink and Toner Cartridge Recycle Program

Environmental Services Manager Ray Laughter said he has been working with the IT Department and Procurement to develop a program to recycle ink and toner cartridges for the county. Mr. Laughter said the demand has been overwhelming both internally and with the general public. He said the Board's goal has always been to partner with a company whose program will help our county continue to move forward with services that help protect our environment and to generate a revenue source for recycle efforts whenever possible.

Supervisor Jessie Medlin asked which cartridge the county uses the most. Mr. Laughter said ink cartridges. IT Director John Mitchell said the IT Department does receive points to use toward the purchase of computers when they recycle with Hewlett Packard. He said IT would not be adversely affected if they did not recycle with Hewlett Packard. Mr. Mitchell said the proposed program would be better because it would be actual money coming into the county.

Supervisor Bill Russell asked where the money taken in would go. Mr. Laughter said to solid waste or the general fund.

In addition, they requested quotes that include a monthly pick up from a designated location within DeSoto County. Mr. Laughter said recycle bins would be placed at all three of the county's e-waste locations and in all of the county offices. He said the vendor would pay the county \$1.00 for ink cartridges and \$3.00 for toner. Mr. Laughter said county departments and the general public would be able to drop off cartridges and toner for proper recycling.

Supervisor Medlin asked why they chose North American Recycling instead of Quill since Quill would pay \$1.00 more for ink cartridges.

Mr. Laughter said Procurement sent out requests to several vendors for quotes to match our program design. Mr. Laughter said they received two quotes and recommended the best quote is from North American Recycling. He said North American will actually cut a check to the county and Quill will only give credit to our account.

Supervisor Russell said the Sheriff uses a lot of printers and he suggested letting them keep their money for the toner and ink cartridges. County Administrator Vanessa Lynchard said the money could be generalized but not cartridge for cartridge. Chancery Clerk Sluggo Davis said he may turn his toner and ink cartridges over to the IT Department too. Mr. Mitchell said he would be glad to manage the ink and toner cartridge for any department because it would certainly benefit the county.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to accept the bid with North American Recycling as the lowest and best bid due to the flexibility and increased benefit of the County receiving cash payment to the County for cartridges rather than credits as proposed by Quill, as follows:

1st quote

North American Recycling: Ink Cartridges \$1.00 per unit Toner Cartridge \$3.00
per unit
Cash Payment to the county

2nd quote

Quill: Ink Cartridges \$2.00 per unit Toner Cartridge \$2.00
per unit

Payment of points on account for future purchases

The motion passed by a vote as follows:

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

See Exhibit H.2.b

3. Grants Administration: Juvenile Drug Court – Apply for JAG

Grants Administrator Melissa Zizmann said the Edward Bryne Memorial JAG grant for Juvenile Drug Court Solicitation is available not to exceed \$160,000. Ms. Zizmann said there is a 25% match required. However, a request for match waiver with sufficient justification will be considered. If the match is not waived, the match amount is \$25,000 from Juvenile Court fee account. Ms. Zizmann said this grant will help fund Juvenile Drug Court personnel support, training, drug testing kits and treatment.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to approve applying for the Edward Bryne Memorial JAG grant for Juvenile Drug Court Solicitation grant not to exceed \$160,000.00 and to pay a 25% match if the match is not waived.

The motion passed by a vote as follows:

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

See Exhibit H.3

4. Greenways & Parks: Approve Applying for Transportation Alternative Program (TAP), Memphis MPO – Metropolitan Planning Organization

Greenways & Parks Coordinator Larry Jarrett and Grants Administrator Melissa Zizmann requested applying for the Transportation Alternative Program (TAP), Memphis MPO – Metropolitan Planning Organization. Mr. Jarrett said this grant will be used to enhance walkable communities in our community. He said there is a 20% match required which is in the Greenways & Parks budget for 2014. The match could also be in kind services through value of preliminary engineering services, donated land or materials and equipment are acceptable.

Mr. Jarrett said under the Memphis MPO, \$346,000.00 is designated to DeSoto County for funding initiatives supporting active transportation included but not limited to sidewalks, bicycle lanes, shared lanes, transit stop amenities, bicyclists and pedestrian amenities including crossings, intersection upgrades and greenways. He said these initiatives can also improve air quality.

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve applying for the Transportation Alternative Program (TAP), Memphis MPO – Metropolitan Planning Organization in the amount of \$346,000.00 with a 20% match which can include in kind services.

The motion passed by a vote as follows:

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

See Exhibit H.4

5. Office of Procurement – Central Maintenance: Purchase Exceeding \$25,000

Procurement Clerk Karen McNeil presented a purchase exceeding \$25,000 for trench boxes and ancillary supplies on behalf of the Road Department.

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve the purchase of trench boxes and ancillary supplies exceeding \$25,000 for the Road Department.

The motion passed by a vote as follows:

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

See Exhibit H.5

6. Contracts Administration: Cintas Contract Amendment

Procurement Clerk Pat McLeod said DHS Economic Assistance has a need for larger bins to hold confidential documents that the shredding service will then pick up. Ms. McLeod said the larger bins cost \$20 more. She said there are other departments using this service: Tax Collector, Sheriff's Department, District Attorney's office and Human Resources to name a few.

Environmental Services Manager Ray Laughter said they have been searching for a grant opportunity to shred for the public as well.

Grants Administrator, Melissa Zizmann said she has not been able to find a grant or business that would shred for the public.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve amending the Cintas Contract from four 32 gallon bins to four 95 gallon containers for documents that need to be shredded for DHS, Economic Assistance as detailed in Exhibit H.6.

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.6

7. Office of Finance and Accounting: Claims Docket

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

Supervisor Lee Caldwell asked the following questions:

Page 68 – Supervisor Caldwell asked Road Manager Andy Swims if that line item was for Braybourne Subdivision. Mr. Swims said it is DeSoto Sod Farms and it is for Braybourne.

Page 70 – Supervisor Caldwell asked if page 70 is the total of pages 67 – 69. Mr. Arnold said yes.

Supervisor Mark Gardner asked the following questions:

Page 7 – Supervisor Gardner asked why the insurance payments were so high. Mr. Arnold said it included the new jail, chiller plant, vehicles, in addition to the increase in property insurance rates. Mr. Arnold said this is a normal payment for this time of year.

Page 30 – The claim for printer cartridges. Mr. Arnold said the IT Department is putting more printers on the network so print cartridge replacement should decrease.

Page 31 – AVIALL Services for helicopters. Mr. Arnold said it is repair parts for the new helicopter.

Page 33 – Harley Davidson of Columbia. Mr. Arnold said this is the replacement for one of the three motorcycles that was totaled in an accident. He said money was saved on this one.

Page 43 – Constable Uniform. Mr. Arnold said this claim is for uniforms supplied to the

constables by the county.

Page 60 – Volunteer Fire Department Funds. Mr. Arnold said this is the volunteer fire departments’ 2 mill tax levy and insurance premium tax distribution.

Pages 73 & 74 – Evans Taylor Foster and Childress Architects. Mr. Arnold said it is portioned by hours and work completed.

Page 76 – Accurate Roofing. Mr. Arnold said this is new roofing for the Horn Lake Library.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Lee Caldwell 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>

8. Advertising County Resources: Weather Simulation Trailer

This item was deleted from the Agenda.

9. Hydrology Study Partnership

This item was deleted from the Agenda.

10. Department of Road Management

a. Additions to Official Road Map and Register

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve the additions to the Official Road Map and Register.

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 asked if the ditch at Lester and Getwell had ever been looked at and if the study had been done to determine if guardrails needed to be installed. Mr. Swims said they have looked at the ditch on the west side and will look at the one Supervisor Russell is referring to.

Supervisor Jessie Medlin asked about the guardrails on Woolsey and Bethel Road by the church. Mr. Swims said they did look at it and determined guardrails were necessary.

See Exhibit H.10.a

b. Hallum Estates Drainage Study

DeSoto County Assistant Engineer Scott Young and Dewey Jones with Jones Davis presented the Hallum Estates Drainage Study which was recently completed.

Mr. Young said Hallum Estates has experienced flooding of streets and residences during recent times from rainfall events. He said the most notable occurred in May 2010 and January 2013. Mr. Young said they have combined their efforts with the Horn Lake Drainage District and have possible alternatives of improvements to present to the Board for consideration.

Road Manager Andy Swims said they feel like everyone has worked well together and that Dewey Jones has done a good job as well. Mr. Swims said the alternatives are a) cleaning out the channel which that work has already been completed; b) add a berm; c) clean upstream channel but ruled out due to cost; d) take care of additional water in subdivision but this would be costly as well. Mr. Swims said they are leaning toward cleaning alternative b), adding a berm.

Mr. Jones pointed out the alternatives on the map and discussed the issues relating to the alternatives. Supervisor Harvey Lee asked what measures would be taken to prevent trees from growing back maybe in five years. Supervisor Lee asked if the county could spray the trees.

Mr. Swims said if we fix the problem it will not affect the roadway and we will have no legal reason to work on the area again. Supervisor Russell said it will not completely solve the problem because the guarantee is limited to a 10 year storm event.

Supervisor Jessie Medlin said a detention pond needs to be installed because water is coming from the subdivision.

Supervisor Bill Russell confirmed that once the ditch is cleaned out, the only thing left to do is the berm. He asked if MDOT was helping with the work. Supervisor Russell asked if the Drainage District would pay half of the \$200,000 now and designate the remainder to be used later.

Supervisor Medlin asked if the remainder of the money could be used on the road. Mr. Young said he talked to Horn Lake Drainage District and they will pay up to half toward the project, not to exceed \$100,000, and MDOT will assist with some of the ditch improvements on Hwy 301.

County Administrator Vanessa Lynchard said Horn Lake Drainage District will fund up to 50%, not to exceed \$100,000, and they are very strict on how the money is used.

Supervisor Medlin confirmed that the \$200,000 is for the entire program and not just the berm. Mr. Swims said yes, and the berm will cost approximately \$5,000.00 with the landowner providing the dirt which is on the site. He said the Board Attorney needs authorization to work on the agreements.

Supervisor Harvey Lee asked if there is a homeowners association and Mr. Swims said no.

Supervisor Medlin asked if they have talked to the homeowners about raising the fence. Mr. Swims said not yet. He said that they did not see the impact downstream and they do agree that work needs to be done.

Mr. Jones agreed that most of the ditches need work.

At the recommendation of Road Manager Andy Swims and Jones Davis and Associates, Inc., Engineers-Surveyors, Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to accept the Hallum Estates Subdivision Study presented by Dewey Jones of Jones Davis; accept the recommendation of cleaning the ditch and building the berm, as described in Alternative B and detailed in Exhibit H.10.b in the amount of \$207,180.40 conditioned on the Horn Lake Creek Drainage District contributing 50% of the funds up to \$100,000; to approve hiring the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to draft agreements with the Horn Lake Drainage District, the homeowners and landowners, including the fenced areas and to do all legal work necessary on the Hallum Estates matter.

The motion passed by a vote as follows:

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

See Exhibit H.10.b

I. PLANNING COMMISSION AGENDA

**DeSoto County Board of Supervisors
 Planning Agenda
 July 15, 2013
 11:00 a.m.**

PUBLIC HEARING

Supervisor Russell made a Motion to open a Public Hearing. 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>

Harold Smith Rezoning (723) – Application is for approval of Rezoning of property from Agricultural-Residential (A-R) to Planned Commercial (C-4), identified as Parcel #2-06-9-32-00-0-00015-02. Subject property is located on the north side of Byhalia Road and east side of Craft Road in Section 32, Township 2, Range 6 and is zoned Agricultural (A-R). (District 5)

No one was present for or against the application. At the suggestion of Mr. Haysley, Supervisor Lee made a Motion to continue the Public Hearing until August 5, 2013 at 11:00 a.m. Supervisor Medlin seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

Supervisor Caldwell made a Motion to close the Public Hearing. Supervisor Russell 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>

Minor Lot

McLeroy 1 Lot Minor Lot (6893) – Application is for final subdivision approval of one (1) lot of 2.5 acres, identified as Parcel #2-06-5-21-00-0-00024-01. Subject property is located on the north side of Bethel Road and west of Hwy 305 in Section 21, Township 2, Range 6 and is zoned Agricultural-Residential (A-R). (District 5)

Mr. Haysley presented the McLeroy 1 Lot Minor Lot (6893) and stated approval was recommended by the Planning Commission.

Supervisor Lee made a Motion to approve the McLeroy 1 Lot Minor Lot (6893). Supervisor Russell seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

OTHER ITEMS:

1. Request for Minor Lot Application Fee Refund – Womble Engineering, LLC

Mr. Haysley presented the request for refund of the minor lot application fee by Womble Engineering, LLC. He stated the applicant presented the application for a minor lot and it was determined a Variance for the lot size would need to be granted before the minor lot could be reviewed by the Planning Commission. Mr. Haysley stated the Variance was denied by the Board of Adjustment and now the applicant is requesting a refund for the minor lot application fee in the amount of \$40.00.

Supervisor Lee made a Motion to approve the request for minor lot application fee refund by Womble Engineering, LLC in the amount of \$40.00. Supervisor Medlin seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

Mr. Garrod stated that appeal by Fred Smith of Conditional Use #1454 approval for an application by Cellular South Realty to allow a cell tower at 1495 Horn Lake Road was continued at the June 17, 2013 meeting but not to a specific date and that the Planning department will need to advertise this item if it is to be heard by the Board at the August 5, 2013 Board of Supervisors meeting. Supervisor Gardner asked if there will be adequate time for staff to notice this item for the August 5, 2013 meeting. Mr. Garrod confirmed that staff will be able to meet the deadline to advertise this item.

Supervisor Medlin asked for clarification of what this item is concerning. Mr. Garrod stated this item is an appeal to the Board of Supervisors a decision made by the Board of Adjustment to approve a cell tower at 1495 Horn Lake Road. Supervisor Medlin stated there is not much the Board can do, due to the Telecommunications Act. Supervisor Caldwell made a Motion to allow Planning Staff to advertise for hearing on August 5, 2013 the appeal by Fred Smith of Conditional Use #1454 approval for an application by Cellular South Realty to allow a cell tower at 1495 Horn Lake Road. Supervisor Russell 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>

Supervisor Lee stated that in the future the Board should continue an item to a date specific in order to avoid re-advertising fees.

J. EXECUTIVE SESSION

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

Supervisor Harvey Lee made the motion to adjourn the Board meeting until August 5, 2013 at 9:00 a.m. The motion was seconded by Supervisor Jessie Medlin.

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 15th day of July, 2013, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Mark Gardner, President
DeSoto County Board of Supervisors