

**DESOTO COUNTY BOARD OF SUPERVISORS**  
**BOARD MEETING MINUTES**  
**DISTRICT ONE JESSIE MEDLIN, PRESIDING**

**July 18, 2016**

**A. CALL TO ORDER**

The July 18, 2016 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Jessie Medlin, Board President.

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

Supervisor Jessie Medlin	District 1
Supervisor Mark Gardner	District 2
Supervisor Bill Russell	District 3
Supervisor Lee Caldwell	District 4
Supervisor Michael Lee	District 5
Chief Deputy Macon Moore	Sheriff's Department
Misty Heffner	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

**B. INVOCATION**

Supervisor Mark Gardner gave the invocation.

**C. PLEDGE OF ALLEGIANCE**

**D. CITIZENS REMARKS & PRESENTATIONS**

**1. Homestead Chargeback – John Joyner**

Chancery Clerk Misty Heffner stated that Mr. John Joyner had received a homestead chargeback and her office has appealed to the Department of Revenue on his behalf. Mrs. Heffner presented a timeline to the Board to show the progression of Mr. Joyner's history that led to the chargeback. It came down to Mr. Joyner's ex-wife buying a house and applying for her new homestead, and the Department of Revenue disregarded the old homestead exemption that had both parties on it. Mr. Joyner had not reapplied for his homestead exemption after his divorce because he felt that the ownership of his home had not changed. He had owned the home for 16 years.

Mr. Joyner's position is the Department of Revenue did not notify him of their decision to cancel his homestead exemption on his home, and he did not know about it until he received his disallowance letter that the Chancery clerk's office forwarded to him from the Dept. of Revenue. By that time, it was too late to re-file the homestead application, correcting this error for that year. Mrs. Heffner stated her department attaches a letter to the deed stating that there was a change in ownership and the taxpayer will have to re-file their homestead application reflecting this change. This letter reminded tax payers that the sign up period was the following January to April 1<sup>st</sup>. She said, in this case, the other party bought a house and filed for homestead exemption in the gap time; and due to his ex-wife still being listed on his application, it resulted in Mr. Joyner's older homestead application being denied.

Mr. Joyner asked the Board if they would consider writing a letter to the legislators to address this issue. The Board's consensus was to encourage Mr. Joyner to get in touch with his representative; and Supervisor Gardner gave Mr. Joyner his contact information and stated he would get him in touch with Rep. Steve Hopkins and meet with them to discuss the issue. The Board also said they would address this issue with the legislators at the yearly Legislative Request meeting. All agreed that a homestead application should not be cancelled without notifying all parties on the application.

**E. APPROVAL OF AGENDA: ADDITIONS AND DELETIONS**

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

**a. Chief Deputy Macon Moore requested to add the following:**

Briefing regarding shooting range (Old, G.4.)

**b. Supervisor Bill Russell asked the status of the Library Appointments:**

Board Attorney Tony Nowak stated the Board decided last meeting to wait for all the cities to sign the MOUs before making appointments. Supervisor Caldwell asked if they should bring their names to the next meeting. Mr. Nowak stated he will contact the Board when he has all the MOUs signed.

**c. County Administrator Vanessa Lynchard requested to add the following:**

Request to add Contract with Butler Snow for IRS Compliance (Old, G.2.)

Request to add Credit Card Program (Old, G.3.)

Request to add to Finance and Accounting

Budget Amendment – Facilities (H.6.d.)

Late Bill – Syntax Training (H.6.3.)

Request to add Update Codification (H.16.)

Request to add Marquita Thurman – Youth Court Attorney Discussion (H.17.)

**d. County Administrator Vanessa Lynchard requested to delete the following:**

Coroner – Purchase of a Third Radio (H.10.)

This is a duplicate with Consent (F.2.a. Coroner)

**e. Director of Planning Bennie Hopkins:**

Mr. Hopkins stated he received an email from Mr. Billy Myers, attorney for Standard Construction, that his clients would like to table their application before the Board.

Supervisor Medlin recused himself from this item and left the room.

Mr. Hopkins stated Mr. Myers will be at the public hearing at 11:00 a.m. to formally request this, but Planning would like to let the citizens opposed to this know as soon as possible.

The Board discussed this and decided if the opposition would like to speak, they can and their comments will be entered into the minutes. Supervisor Gardner stated that the Board has always granted requests for continuance during his term of office. Supervisor Lee stated his concern in getting the word out to the people. Supervisor Caldwell stated they have a tight network and they are communicating that they would like to know. She also stated the opposition would like the hearing continued until September if the Board will allow it. The Board all agreed that the Standard Construction appeal may likely be tabled and the Planning Commission can contact the parties involved, as well as get a list from the Administration Office of people that have called this morning to ask about the continuance.

Supervisor Medlin returned to the Board room.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the Agenda with the additions, deletions and corrections as 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 Michael Lee, Fifth District	<u>YES</u>

**See Exhibit E**

**F. CONSENT AGENDA**

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

**1. Publication of Board Proceedings**

**2. Office of Finance & Accounting**

**a. Budget Amendments – Coroner, Radios-Coroner, Adult Drug Court, Chancery Court, Sheriff Forfeitures, Justice Court Judges, Sheriff’s Department, DHS Economic Assistance**

		Fund/Department #	001-167			Updated 7/15
		Date:	7/18/2016			
(1)	<b>Coroner</b>					
<b>ACCT #</b>	<b>LINE ITEM</b>	<b>YEAR TO DATE EXPENSES</b>	<b>ADOPTED BUDGET</b>	<b>INCREASE</b>	<b>DECREASE</b>	<b>REVISED BUDGET</b>
001-167-476	Meals and Lodging	\$ 2,191.32	\$ 2,000.00	\$ 200.00		\$ 2,200.00
001-167-925	Radios	\$ -	\$ -	\$ 3,275.00		\$ 3,275.00
001-167-567	Autopsies	\$ 47,735.00	\$ 97,500.00		\$ 3,475.00	\$ 94,025.00
<b>TOTALS</b>			\$ 99,500.00	\$ 3,475.00	\$ 3,475.00	\$ 99,500.00
Reason for Request:	To account for new radios and increase in travel expenses.					
Requested by:	Jeffery Ponders					
		Fund/Department #	015-167			Updated 7/15
		Date:	7/18/2016			
(2)	<b>Radios - Coroner</b>					
<b>ACCT #</b>	<b>LINE ITEM</b>	<b>YEAR TO DATE EXPENSES</b>	<b>ADOPTED BUDGET</b>	<b>INCREASE</b>	<b>DECREASE</b>	<b>REVISED BUDGET</b>
015-167-925	Radios	\$ -	\$ -	\$ 6,549.00		\$ 6,549.00
015-901-925	Radios	\$ 2,714.00	\$ 21,895.00		\$ 6,549.00	\$ 15,346.00
<b>TOTALS</b>			\$ 21,895.00	\$ 6,549.00	\$ 6,549.00	\$ 21,895.00
Reason for Request:	To account for new radios for Coroner.					
Requested by:	Vanessa Lynchard					
		Fund/Department #	026-244			Updated 7/15
		Date:	7/18/2016			
(3)	<b>Adult Drug Court</b>					
<b>ACCT #</b>	<b>LINE ITEM</b>	<b>YEAR TO DATE EXPENSES</b>	<b>ADOPTED BUDGET</b>	<b>INCREASE</b>	<b>DECREASE</b>	<b>REVISED BUDGET</b>
026-244-594	Other Contractual Services	\$ -	\$ -	\$ 56.00		\$ 56.00
026-244-610	Professional Supplies	\$ 107,421.77	\$ 150,000.00		\$ 56.00	\$ 149,944.00
<b>TOTALS</b>			\$ 150,000.00	\$ 56.00	\$ 56.00	\$ 150,000.00
Reason for Request:	To account for increase in services.					
Requested by:	Craig Sheley					
		Fund/Department #	026-244			Updated 7/15
		Date:	7/18/2016			
(4)	<b>Adult Drug Court</b>					
<b>ACCT #</b>	<b>LINE ITEM</b>	<b>YEAR TO DATE EXPENSES</b>	<b>ADOPTED BUDGET</b>	<b>INCREASE</b>	<b>DECREASE</b>	<b>REVISED BUDGET</b>
026-244-465	State Retirement Matching	\$ -	\$ -	\$ 1,000.00		\$ 1,000.00
026-999-999	Ending Cash	\$ -	\$ 1,011,006.00		\$ 1,000.00	\$ 1,010,006.00
<b>TOTALS</b>			\$ 1,011,006.00	\$ 1,000.00	\$ 1,000.00	\$ 1,011,006.00
Reason for Request:	To account for new employees previously approved by Board. Part-time employee that is enrolled in PERS.					
Requested by:	Craig Sheley					
		Fund/Department #	001-160			Updated 7/15
		Date:	7/18/2016			
(5)	<b>Chancery Court</b>					
<b>ACCT #</b>	<b>LINE ITEM</b>	<b>YEAR TO DATE EXPENSES</b>	<b>ADOPTED BUDGET</b>	<b>INCREASE</b>	<b>DECREASE</b>	<b>REVISED BUDGET</b>
001-160-486	Department Allowance	\$ 5,000.00	\$ 6,000.00	\$ 1,000.00		\$ 7,000.00
001-160-563	Guardian Ad Litem	\$ 25,000.00	\$ 40,000.00		\$ 1,000.00	\$ 39,000.00
<b>TOTALS</b>			\$ 46,000.00	\$ 1,000.00	\$ 1,000.00	\$ 46,000.00
Reason for Request:	Per Judge's order office allowance was added for Debbie Branam effective August 1, 2016.					
Requested by:	Judge Lynchard					

Fund/Department #		120 - Revenue					Updated 7/15
Date:		7/18/2016					
<b>(6a)</b>	<b>Sheriff-Forfeitures - Revenue</b>						
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET	
120-000-238	Sales Confis Prop / Cash Forfeit	\$ 269,428.00	\$ 90,000.00	\$ 150,000.00		\$ 240,000.00	
<b>TOTALS</b>			\$ 90,000.00	\$ 150,000.00	\$ -	\$ 240,000.00	
<b>(6b)</b>	<b>Sheriff-Forfeitures - Expense</b>						
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET	
120-227-956	Seizure Funds Shared / Refund	\$ 141,696.70	\$ 10,000.00	\$ 150,000.00		\$ 160,000.00	
<b>TOTALS</b>			\$ 10,000.00	\$ 150,000.00	\$ -	\$ 160,000.00	
<b>Reason for Request:</b>	To account for increase in collection of confiscated funds and an increase in seizure shared funds to bring budget in line with collections and disbursements.						
<b>Requested by:</b>	Andrea Freeze						
Fund/Department #		001-178					Updated 7/15
Date:		7/18/2016					
<b>(7)</b>	<b>Justice Court Judges</b>						
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET	
001-178-587	Training & Registration	\$ 2,500.00	\$ 1,000.00	\$ 1,500.00		\$ 2,500.00	
001-178-622	Public Outreach	\$ -	\$ 1,000.00		\$ 500.00	\$ 500.00	
001-178-919	Furn / Office Equip-Under \$5000	\$ -	\$ 1,000.00		\$ 1,000.00	\$ -	
<b>TOTALS</b>			\$ 3,000.00	\$ 1,500.00	\$ 1,500.00	\$ 3,000.00	
<b>Reason for Request:</b>	To account for increase in training expenses.						
<b>Requested by:</b>	Karen Carter / Pat Sanford						
Fund/Department #		001-202 & 217					Updated 7/15
Date:		7/18/2016					
<b>(8)</b>	<b>Sheriff's Department</b>						
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET	
001-217-441	Overtime	\$ -	\$ 23,850.00		\$ 23,850.00	\$ -	
001-217-465	State Retirement Matching	\$ -	\$ 3,756.00		\$ 3,756.00	\$ -	
001-217-466	Social Security Matching	\$ -	\$ 1,825.00		\$ 1,825.00	\$ -	
001-217-921	Other Cap Outlay Under \$5000	\$ -	\$ 553.00		\$ 553.00	\$ -	
001-202-441	Overtime	\$ 449,376.56	\$ 557,754.00	\$ 23,850.00		\$ 581,604.00	
001-202-465	State Retirement Matching	\$ 909,338.85	\$ 1,102,031.00	\$ 3,756.00		\$ 1,105,787.00	
001-202-466	Social Security Matching	\$ 423,988.51	\$ 535,272.00	\$ 1,825.00		\$ 537,097.00	
001-202-921	Other Cap Outlay Under \$5000	\$ 115,731.08	\$ 117,234.00	\$ 553.00		\$ 117,787.00	
<b>TOTALS</b>			\$ 2,342,275.00	\$ 29,984.00	\$ 29,984.00	\$ 2,342,275.00	
<b>Reason for Request:</b>	To move budget amounts to actual line items incurring the expense.						
<b>Requested by:</b>	Bill Rasco / Donna Ford / Andrea Freeze						
Fund/Department #		001-200, 202 & 220					Updated 7/15
Date:		7/18/2016					
<b>(9)</b>	<b>Sheriff's Department</b>						
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET	
001-200-475	Mileage & Other Travel Costs	\$ 1,518.75	\$ 1,500.00	\$ 300.00		\$ 1,800.00	
001-200-543	Repairs - Office Furn & Equip	\$ -	\$ 2,000.00		\$ 300.00	\$ 1,700.00	
001-202-542	Vehicle Repair & Maint	\$ 71,868.54	\$ 75,000.00	\$ 5,000.00		\$ 80,000.00	
001-202-613	Law Enforcement Supplies	\$ 134,933.04	\$ 137,500.00	\$ 4,500.00		\$ 142,000.00	
001-202-671	Motor Vehicle Fuel	\$ 295,559.14	\$ 472,558.00		\$ 35,000.00	\$ 437,558.00	
001-202-921	Other Cap Outlay Under \$5000	\$ 117,081.35	\$ 117,234.00	\$ 40,215.00		\$ 157,449.00	
001-220-552	Medical Fees	\$ 700.00	\$ 2,000.00		\$ 500.00	\$ 1,500.00	
001-220-583	Recycle Disposal/Shredding	\$ 3,775.94	\$ 3,800.00	\$ 2,100.00		\$ 5,900.00	
001-220-620	Classification Supplies	\$ 2,196.37	\$ 3,500.00		\$ 1,303.00	\$ 2,197.00	
001-220-645	Custodial Supp / Cleaning Agents	\$ 50,408.89	\$ 85,000.00		\$ 10,000.00	\$ 75,000.00	
001-220-699	Other Consumable Supplies	\$ 773.83	\$ 6,355.00		\$ 297.00	\$ 6,058.00	
001-220-925	Radios	\$ -	\$ 4,715.00		\$ 4,715.00	\$ -	
<b>TOTALS</b>			\$ 911,162.00	\$ 52,115.00	\$ 52,115.00	\$ 911,162.00	
<b>Reason for Request:</b>	Adjust for budget deficits.						
<b>Requested by:</b>	Bill Rasco / Donna Ford						
Fund/Department #		001-450					Updated 7/15
Date:		7/18/2016					
<b>(10)</b>	<b>DHS - Economic Assistance</b>						
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET	
001-450-603	Office Supplies and Materials	\$ 6,441.72	\$ 6,500.00	\$ 1,500.00		\$ 8,000.00	
001-450-919	Furn / Office Equip-Under \$5000	\$ -	\$ 1,500.00		\$ 1,500.00	\$ -	
<b>TOTALS</b>			\$ 8,000.00	\$ 1,500.00	\$ 1,500.00	\$ 8,000.00	
<b>Reason for Request:</b>	To account for increase in office supply expense due to name change and increased staff.						
<b>Requested by:</b>	Kristi Greer						

**b. SID Forfeitures**

Case #	Date Seized	Receipt #	Amount	Date of Forfeiture
2016-23726	05/13/2016	32084	11,192.00	06/22/2016
2016-24873	05/20/2016	32123	500.00	06/27/2016
2016-25062	0520/2016	32123	2,635.00	06/27/2016
		<b>TOTAL</b>	<b>\$14,327.00</b>	

Transfer from Sheriff-Seized Fund (123-000-139) \$ 14,327.00  
 Transfer to Sheriff-Forfeiture Fund (120-000-238) \$ 14,327.00

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

- a. Central Mississippi Planning and Development District (CMPDD)
- b. Agreement with City of Hernando for Purchase of Equipment

**4. Road Department**

**a. Safety Report**

Workman Compensation Claims

There has been no workman compensation claims reported this month. We however are deeply saddened in the passing of our fellow employee, Mr. Alonzo Jeans. Alonzo passed away Friday 07-01-2016 at the Central Maintenance Shop. Our thoughts and prayers are with his wife and family. Alonzo will be greatly missed.

Accidents

There have been two (4) incidents of broken glass from debris being thrown from under the mowers. There have been three (3) reports of damage to vehicles from hitting a drop off where Bramble Lane was being repaired.

Weather

With the exceptional hot temperatures everyone is being advised about staying hydrated and being very careful in the heat.

  
 Mike Kennedy/Assistant Road Manager

**b. Request to Approve Updated Road Register & Map and Make Both a Part of the Permanent Board Minutes**

The attached updated Official Road Register and Map reflect the following changes that were approved at the July 5, 2016 Board of Supervisors meeting. Both should be made a part of the permanent Board minutes as well.

1. Rename Frontage Road (Tunica County line to Hwy. 61) to Dollahite Road
2. Add Existing frontage road off of Blue Lake Drive to road register. Name this road to Featherston Road.
3. Rename Craft Road north of Byhalia Road (that is now a cul-de-sac) to Bowen Road.

Attachments - 2

**5. Office of Procurement –**

- a. Request to add Angie Irving as Assistant Purchasing Clerk and Authorize Her to Sign Purchase Orders; Remove Sheila Morris
- b. June 2016 Procurement Card Purchase for IT Department and Facilities

**c. Request to Approve Bid Specifications and Solicit Annual Bids:**

1. Polyethylene & Polypropylene Pipe: 17-300-007
2. Ready Mix Concrete: 17-300-008
3. Roadside Herbicides: 17-300-009
4. Slurry. Micro & Scrub Seal: 17-300-010
5. Traffic Signs: 17-300-011
6. Traffic Striping: 17-300-012

**6. EMS Monthly Report: June 2016**

June 2016

Number of ambulance runs billed: 131  
 Amount billed: \$48,174.00  
 Amount collected: \$37,517.72  
 Un-collectable amount: \$1,711.27

	Eudora	Lewisburg	Walls
Dispatched Calls:	69	92	58
Refusals:	15	22	18
Standby Only:	1	3	2
Billed:	45	55	32
Other:	8	12	6

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

May 2016

Number of ambulance runs billed: 128  
 Amount billed: \$46,068.00  
 Amount collected: \$28,542.54  
 Un-collectable amount: \$1,815.16

Fiscal Year To Date Collections:  
 Number of ambulance runs billed: 1160  
 Amount billed: \$418,693.35  
 Amount collected: \$300,438.15  
 Un-collectable amount: \$23,427.78

**7. Federal Flood Control Act Revenue – Authorize Board President to Sign**

**8. Justice Court Monthly Report – June 2016**

Criminal Cases Filed	146
Civil Cases Filed	810
Traffic Tickets Filed	1,286
Total Cases Filed	2,242
State Assessments	\$97,825.75
County General Fund	\$161,657.36
DPS	\$4,350.00
Total Collections	\$263,833.11

**9. Chancery Clerk Allowances**

**10. MDOC Reimbursement – May 2016**

Supervisor Russell asked Mr. Swims what the 3 reports of vehicle damage on Bramble were about. Mr. Swims stated he will check on that and let Supervisor Russell know.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve the actions and matters presented in the Consent Agenda and authorize the Clerk to pay Item 5.b. (Procurement card purchase)

The motion passed by a vote as follows:

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

See Exhibit F

**G. OLD BUSINESS**

**1. Software Committee Update**

IT Director John Mitchell recapped the software committee meetings noting he had a vendor come in so each department could see what they could offer. He stated that there was good feedback and opinions from the departments. Mr. Mitchell stated a software upgrade of this size cannot be an IT project; it must be a County project.

Mr. Mitchell stated the committee voted to move ahead and bring their recommendation to the Board to go out for bid and see what feedback comes in from vendors. The Tax Assessor’s office did not vote as they did not want to speak on behalf of Mr. Pickle. Mr. Mitchell stated he felt good about one vendor, but he wants to see how many are out there. Mr. Mitchell further stated this will be a multi-million dollar project, possibly 3-5 million, to cover everything.

Mrs. Lynchard stated there will be some silos (stand-alone programs). Mr. Mitchell said Circuit and Chancery are required to use a state program, and the Tax Collector’s office operates off a state system for most things. He stated there are other pieces to the puzzle that will help them with the new software. Mr. Mitchell also stated the Animal Shelter has their own existing system that is specific to their needs, so they will only use the new software for financials.

Supervisor Caldwell asked Mr. Mitchell to explain some of the issues with the current system. Mr. Mitchell stated the biggest thing is work being done off system because it does not allow reporting, data screens, etc. He said the three departments that have to do with tax flow must use a lot of manual methods. Mrs. Lynchard stated every department was very receptive, and she hopes this will save time and work hours.

Supervisor Gardner asked if anyone from the departments wanted to share their views. Director of Procurement and Administrative Services Pat McLeod stated she is very excited about the possibilities this will afford Procurement. She said they have a clunky system of 3, sometimes 4, programs and this will offer all their needs in one program. It also will allow tracking certificates of insurance. She stated this is taking a step forward.

Britni Macmillan of the Tax Collector’s office said they are very much for going forward. She stated many times they cannot run a report to get information that is needed. She said they have to go through settlement books and many times it is impossible to get a needed report done in a day. She stated this system would allow reports on millage rates, and it could tie in to other counties and cities to get information. Mrs. Macmillan also stated the system has a cashier input program that would help with balancing and upload to the journal automatically. She said it would cut their settlement time in half.

Supervisor Gardner asked how long it would take to get the RFP up. Mr. Mitchell said it will take

some time. He stated that Procurement will help write the RFPs, along with each department.

Planning Director Bennie Hopkins stated it will help in the Planning Department as they will be able to do online permitting, inspectors in the field can look at blueprints, and it will streamline permits from the field to the office.

Supervisor Caldwell stated they did not hear from the Sheriff's Office. Chief Deputy Macon Moore stated he thought the only part they would be using would be purchasing and payroll. Mr. Mitchell stated law enforcement could come in as a back office.

Supervisor Gardner asked if anyone saw a negative impact. Mr. Mitchell stated the biggest negative impact is everyone's workload will change dramatically during the process of changing. Supervisor Gardner asked how long the transition would take and would there be much redundancy. Mr. Mitchell said they would come in, get input to get the system set, load, and run reports. He stated they would do a full parallel depending on the needs of the department. Supervisor Gardner asked how land records would be impacted. Mr. Mitchell said there would be much improvement with GIS and the records will be a lot better in that regard.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to take the Software Committee's recommendation and go forward with the RFP.

The motion passed by a vote as follows:

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

**2. Contract with Butler Snow for IRS Compliance**

County Administrator Vanessa Lynchard stated that she is proposing retaining Butler Snow subject to a not-to-exceed rate of \$15,000.00 and the County has identified what information is needed from Butler Snow. She stated the hourly rate and 45-day payment clause will need to be included in the Letter of Agreement.

Supervisor Medlin asked about the vehicle use. Mrs. Lynchard said she might talk to them about that, but the Board will have the final approval. Supervisor Medlin asked if they would report their time to Mrs. Lynchard. Mrs. Lynchard affirmed.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the Letter of Agreement with Butler Snow as presented but with changes to include a schedule of hourly rate and 45-day payment clause as discussed and authorize the Board President to sign.

The motion passed by a vote as follows:

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

**See Exhibit G.2.**

**3. Credit Card Program**

Chief Financial Officer Andrea Freeze stated she is prepared to answer any questions the Board might have after tabling this matter. Supervisor Gardner asked Mrs. Freeze if she had spoken any more to First Tennessee. Mrs. Freeze said she has not talked with them additionally. Mrs. Freeze stated the Finance Department is recommending Graphite as the credit card program to utilize.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to authorize Mrs. Freeze to go forward with Graphite as the credit card service provider.

The motion passed by a vote as follows:

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

#### **4. Sheriff's Department – Shooting Range Briefing**

Chief Deputy Macon Moore stated their portable classroom at the shooting range was destroyed and they have been looking for a new one. He said the insurance would reimburse up to \$62,000.00 once it is replaced. Chief Deputy Moore stated they have found another classroom for \$58,000.00 delivered and set up. He asked if they had to go out for bids since this was replacing one that was destroyed. Board Attorney Nowak stated they do still go out for bids, and Procurement will need to decide how to handle the purchase.

Supervisor Caldwell asked if the classroom would be in the same place. Chief Deputy Moore stated it will because the plumbing and electricity hookups are in place.

Supervisor Mark Gardner made the motion and Supervisor Michael Lee seconded the motion to approve going out for bids to replace the portable classroom at the Sheriff's Department shooting range.

The motion passed by a vote as follows:

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

## **H. NEW BUSINESS**

### **1. 10:00 a.m. – Business Investment Incentives**

#### **a. Milwaukee Electric Tools Corporation: 5-Yr. Personal Property (Expanded), beginning 01/01/2016: \$2,529,776.20**

Mr. Jim Flanagan introduced Blake Fulton, attorney with Jones Walker representing Milwaukee Electric Tool Corp. Milwaukee Electric Tool Corp. distributes power tools and is continually making reinvestments in MS. They are located in Olive Branch, Greenwood and Jackson. They are anticipating a sizeable expansion this year. Mr. Flanagan stated they are only asking for a 5-Yr. Personal Property (Expanded), since the tax advisory committee did not recommend the in-state inventory exemption. Supervisor Medlin stated they have been in Olive Branch for 35 years. Supervisor Caldwell asked Mr. Fulton to take back to Milwaukee Tool, that the Board appreciates them hiring DeSoto County employees and supporting DeSoto County charities. Mr. Fulton stated their intentions are to do that, and to use the WIN Job Center.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve the 5-Yr. Personal Property (Expanded) exemption with a value of \$2,529,776.20 for Milwaukee Electric Tool Corp. as provided for in Section 27-31-53, MS Code of 1972 and authorize the Board President to sign the order.

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 Michael Lee, Fifth District YES

**See Exhibit H.1.a.**

**b. Syncreon Technology (America) Inc.: 10-Yr. Personal Property (New), beginning 01/01/2016: \$1,618,622.00**

Mr. Flanagan stated that Syncreon Technology (America) Inc. is a new company in Olive Branch and has 2 locations in Shelby County, TN. As of August 2015, they had 150 employees and intend to grow. Supervisor Medlin asked where they are located in Olive Branch. Mr. Flanagan stated Hwy 78 and Hwy 302. Supervisor Bill Russell asked what the company did. Ms. Carrie Deaver stated they are in receipt and inspect all the US and International returns, test & light torch repair for financial and POS equipment, provide shipment of good returns, and provide storage and shipment of defective returns. Supervisor Caldwell encouraged them to hire DeSoto County residents as their company grows and work with the WIN Job Center.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve the 10-Yr. Personal Property (New) Exemption with a value of \$1,618,622.00 for Syncreon Technology (America) Inc. as recommended by the Business Investment Committee and authorize the Board President to sign the order.

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 Michael Lee, Fifth District YES

**See Exhibit H.1.b.**

**c. Performance Food Group, Inc., d/b/a Vistar:**  
10-Yr. Real Property (New), beginning 01/01/2017: \$3,951,090.00  
10-Yr. Personal Property (New), beginning 01/01/2017: \$7,793,190.03  
Free Port Warehouse (New), beginning 01/01/2017

Mr. Flanagan stated that Performance Food Group, Inc., d/b/a Vistar is a new company in the Southaven area located at State Line Rd. and Swinnea. Mr. Matt McEnery stated PFG is the 3<sup>rd</sup> largest food distributor in the US with headquarters in Richmond, VA. Mr. McEnery also stated Vistar will be building in Southaven. PFG is a wholesale distributor of candy, snacks and beverages. Vistar has a truck delivery located by the airport. Supervisor Caldwell encouraged hiring DeSoto County residents and working with the WIN Job Center. Supervisor Caldwell invited them to be part of the community and join in with the Arts Council, Parks and Recreation, etc. She advised Mr. Flanagan had a list of organizations. Mr. Flanagan asked to document Finding of Fact that the former tenant was MotoSport, Inc., a distributor of motorcycle equipment. PFG is a new enterprise for this location.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve the 10-Yr. Real Property (New), in the amount of: \$3,951,090.00. 10-Yr. Personal Property (New), in the amount of: \$7,793,190.03 and Free Port Warehouse (New), and recognize the Finding of Fact for Performance Food Group, Inc., d/b/a Vistar as recommended by the Business Investment Committee and authorize the Board President to sign the order.

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 Michael Lee, Fifth District

YES

See Exhibit H.1.c.

**2. Animal Services – Approval to Accept Donations from Eudora United Methodist Church**

Supervisor Caldwell introduced Ms. Sharon Terry Clark as a huge supporter of the Animal Shelter. She stated the Board appreciates Ms. Clark and the Eudora United Methodist Church for all they do.

Ms. Clark stated she applauds the Board of Supervisors and the Animal Shelter Staff for their support to bring the plight of animals to the forefront and raise public awareness. Ms. Clark thanked Ms. Mock and her staff for their care and concern for the animals of DeSoto County. She stated her church is proud to be a part of working together for a good cause. Ms. Clark invited the Board to come bearing gifts of dog food and cat food, and join with the Eudora UMC for a buffet brunch, meet and greet, and a church service to honor the shelter staff and Board of Supervisors. She stated the service will include a blessing of the pets, and invited everyone to bring a picture of their pet to participate on July 31<sup>st</sup> beginning at 10 a.m. with the meet and greet, and 11 a.m. for the service.

Supervisor Caldwell stated the church gathered up 3 truckloads last year. She said Eudora UMC is a “small church with a big heart”.

Supervisor Medlin stated the Board appreciates all Eudora Methodist does for the Animal Shelter.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the donation of supplies for the Animal Shelter from Eudora United Methodist Church.

The motion passed by a vote as follows:

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

See Exhibit H.2.

**3. DeSoto Greenways – Hernando DeSoto River Park & Pratt Road**

Larry Jarrett of DeSoto Greenways said he had spoken with Bruce Cook on the Levy Board and they are asking the Board to send a letter formally requesting permission to pave the road to the River Park, and he will get it before the Levy Board for approval.

Supervisor Russell asked Road Manager Andy Swims if he was satisfied with the engineering reports and agreed that paving Pratt Road is feasible. Mr. Swims stated he has looked at it and feels it will be okay to pave the road and that it will hold up.

Mr. Jarrett stated the estimate is close to \$200,000.00 and the FLAP grant will cover the cost. He said he spoke with Mike Carter, the Resource Manager at Arkabutla, and they are interested. Mr. Jarrett stated the Corps would also like a letter from the Board stating interest in the project. He stated the grant will cover better access to boat ramps, signage, roads, and anything that improves the property.

Supervisor Medlin asked if they would have to advertise this as a stand-alone project. Mr. Swims stated they typically would do that.

Grant Administrator Tanner Kuntz stated he has looked into the application process and it will be open from August 15<sup>th</sup> to September 15<sup>th</sup>, 2016. Supervisor Caldwell stated it will be a sizable grant. Mr. Kuntz affirmed it will be \$800,000.00 minimum.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to authorize Grant Administrator Tanner Kuntz to draft a letter to the Levy Board and Corps of Engineers expressing the Board’s interest in gaining permission to pave the roads at DeSoto River Park and Pratt

Road, request letters of support back from both entities to go with the grant application, and authorize the Board President to sign the letters.

The motion passed by a vote as follows:

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

See **Exhibit H.3.**

#### **4. FY2017 Bridge Inspection Board Order Approval – State Aid**

Tracy Huffman of Waggoner Engineering presented an order for the Board to sign to arrange for reimbursement of funds and authority to inspect the bridges. Mr. Huffman stated there are a total of 60 bridge inspections scheduled at a total estimated cost of \$21,600.00.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner made the motion to approve the Board Order and authorize the Board to sign the order as discussed.

The motion passed by a vote as follows:

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

See **Exhibit H.4.**

#### **5. Justice Court Collections Update**

Justice Court Clerk Pat Sanford reported to the Board that there is now close to \$14,000.00 in fees reimbursed from the Department of Revenue that came from the \$7.50 assessed to misdemeanors. Mr. Sanford stated that the County only receives back the percentage of these fees if Justice Court contracts out their collections. He stated the money's use is limited to Justice Court operations, technology, and a few other things.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to earmark the Department of Revenue reimbursement to salaries for Justice Court.

Board Attorney Tony Nowak stated that money from the fund has to be used to improve collections, and can only go to salaries if the employee helps with collections. Mr. Sanford stated that all his employees work with collections in some way.

The motion passed by a vote as follows:

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

Supervisor Gardner felt the money might be better used for some type of technology upgrades to improve collection efforts.

See **Exhibit H.5.**

#### **6. Office of Finance and Accounting**



for Survey and design.

Page 67 – Bigbee Steel – Facilities Director Robert Jarman said this building is COD on this type of building.

**Supervisor Mark Gardner asked about the following claims:**

Page 30 – Decal Jones LLC – Decal Package – Thought they were using Signs and Stuff. Chief Deputy Macon Moore stated they had changed vendors.

Page 30 – Transunion Risk and Alt – Invoice showed for service maintenance on system used for background checks.

Page 43 – Hunter Paper – New management at DHS and seeing a lot of office supplies now at the end of the year. Asked Ms. Lynchard to address this with them.

Page 52 – Northside Sales Co. – Invoice showed calibration, repairs, sensor replacement for self-contained breathing apparatus. Oxygen tanks.

Page 68 - Urbanarch Associates – Architect Fees DC Juvenile Court – Are you pleased? Facilities Director Robert Jarman said yes, and they are not to exceed the limit.

**Supervisor Bill Russell asked about the following claims:**

Page 5 – West Group – Dues and Subscription - Invoice showed Law Library.

**Supervisor Lee Caldwell asked about the following claims:**

Page 32 – Country Ford Inc – 2017 Ford Fusion –Chief Deputy Macon Moore stated that was to replace a vehicle that was hit.

**Supervisor Michael Lee did not have any questions.**

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 Lee Caldwell seconded the motion to approve the claims docket and 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 Michael Lee, Fifth District	<u>YES</u>

**d. Budget Amendment – Facilities**

Mrs. Lynchard stated the Ability Works building in Olive Branch needed heat & air work. The unit has gone out and Facilities is requesting a budget amendment of \$15,000.00 to cover the work.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve the budget amendment for Facilities.

The motion passed by a vote as follows:

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

**See Exhibit H.6.d.**

Fund/Department #		001-151				Updated 7/15
Date:		7/18/2016				
Facilities Management						
ACCT #	LINE ITEM	YEAR TO DATE EXPENSES	ADOPTED BUDGET	INCREASE	DECREASE	REVISED BUDGET
001-151-510	Utilities	\$ 612,814.03	\$ 854,538.00		\$ 15,000.00	\$ 839,538.00
001-151-938	Heating & Air Units	\$ 47,432.43	\$ 50,000.00	\$ 15,000.00		\$ 65,000.00
<b>TOTALS</b>			\$ 904,538.00	\$ 15,000.00	\$ 15,000.00	\$ 904,538.00
Reason for Request: (Show detailed justification)	To repair a/c units at ability works building in Olive Branch.					
Requested by:	Bob Jarman					

**e. Late Bill – Syntax Training**

Director of Procurement and Administrative Services Pat McLeod stated this is for an on-line training class on note taking for 2 administrative employees. Mrs. McLeod said she thinks this class will be very helpful.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to paying the bill to Syntax Training for an on-line class.

The motion passed by a vote as follows:

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

**7. Board Attorney – Horn Lake Creek Drainage District Tax Millage**

Board Attorney Tony Nowak stated the millage is set yearly, and deadlines are set by statute. He stated the Horn Lake Creek Drainage District Board adopted the same millage as last year, 2.6 mills.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to set the Horn Lake Creek Drainage District millage at 2.6 mills.

The motion passed by a vote as follows:

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

See Exhibit H.7.

**8. MOU between DeSoto County Sheriff’s Office and Shelby County Sheriff’s Office**

Chief Deputy Macon Moore stated that after the incident in Walls, all officers on the scene had to turn their weapons over to the MBI. He informed the Board that Shelby County has loaned weapons to DeSoto County until their weapons are returned. Board Attorney Tony Nowak stated he looked at the MOU and it looks fine.

Supervisor Mark Gardner made the motion and Supervisor Michael Lee seconded the motion to approve the MOU between the DeSoto County Sheriff’s Office and Shelby County Sheriff’s Office.

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

Supervisor Russell asked how long MBI will keep the weapons. Chief Deputy Moore said it could be up to a month, but it looks like it will not be that long this time.

**See Exhibit H.8.**

## **9. Road Department**

### **a. Finding of Fact – Conger Rd. West of Fogg Rd.**

Road Manager Andy Swims stated there are 2 culverts about ¼ mile past Fogg Road that are in standing water because of overgrowth in the creek and have rusted out. He stated that the creek south of Conger needs to be cleaned out beyond the right of way a little to prevent further erosion and drainage problems that impacts the integrity of the road and affect the health, safety and welfare of the public in accordance with MS Code 19-5-92.1. He stated the estimated cost for this job is \$965.00.

Supervisor Caldwell stated the creek has really gotten overgrown and the farmers cannot get in to their fields. She recognized Mr. Jewel Wallis and his son, Matthew Wallis as the ones who farm the land at this location. Mr. Jewel Wallis informed the Board, if they ever decide to build up Conger Road so it doesn't flood, he will donate the dirt for the project. Mr. Matthew Wallis thanked the Board for all they do.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to authorize the work off Conger Road to correct the erosion and drainage problems that impacts the integrity of the road and affect the health, safety and welfare of the public in accordance with MS Code 19-5-92.1 as presented by Mr. Swims.

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 Michael Lee, Fifth District YES

**See Exhibit H.9.a.**

### **b. Finding of Fact – 2521 Star Landing Road**

Mr. Swims said this is a tributary to Hurricane Creek, and they have had problems with it in the past. He stated that have tried stabilizing around the culvert on the west side, but the bank is continuing to erode. Mr. Swims stated that the erosion presents a public safety issue and threatens the integrity of the public road, as well as the culvert and structure holding the culvert. Mr. Swims also pointed out that a very large sinkhole has formed on the right of way and has encroached onto private property. Mr. Swims stated the estimated cost of this project is \$10,180 to stabilize around the culvert, fill in the sinkhole, and stabilize the bank with fill material and rip rap.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to authorize the work at 2521 Star Landing Road to correct the erosion problems that affect the health, safety and welfare of the public in accordance with MS Code 19-5-92.1 and the integrity of the County Road and culvert structure as presented by Mr. Swims.

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 Michael Lee, Fifth District YES

See Exhibit H.9.b.

**c. Finding of Fact - 2086 Grays Creek Road**

Mr. Swims stated this is a driveway culvert issue. He informed the Board that the Road Department has a lot of requests for driveway culverts, and they cannot do anything with most of them. He stated this culvert is completely blocked on the upstream end; causing water to come over the public road and creating erosion which is cutting up toward the road; thereby affecting the health, safety and welfare of the public in accordance with MS Code 19-5-92.1. The estimated cost for this job is \$2,689.00.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to authorize the work at 2086 Grays Creek Road finding that the erosion which is cutting up toward the road is affecting the health, safety and welfare of the public in accordance with MS Code 19-5-92.1, and the integrity of the public 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 Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.9.c.

**d. Finding of Fact – 8474 Whites Crossing – Belmor Lakes SD**

Mr. Swims stated an inlet crosses through this address that has caused sinkholes over the County’s underground pipe system which affect the health, safety and welfare of the public in accordance with MS Code 19-5-92.1. He stated they will have to dig and identify the root of the problem with the underground system at an estimated cost of \$2,685.48.

Supervisor Michael Lee made the motion and Supervisor Lee Caldwell seconded the motion to authorize the work at 8474 Whites Crossing affecting the health, safety and welfare of the public in accordance with MS Code 19-5-92.1.

The motion passed by a vote as follows:

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

See Exhibit H.9.d.

**e. Finding of Fact – Delta Bluffs SD – Common Area Behind 7305 Lucia Lane**

Mr. Swims stated he looked at this area and there is an underground pipe system between empty lots and goes into a creek. He stated the pipe is suspended in the air above the creek with about 20 feet of pipe exposed, and it is about to collapse. He also stated that the pipe goes beyond the fence and the ground is collapsing in the common area presenting a danger affecting the health, safety and welfare of the public in accordance with MS Code 19-5-92.1. Mr. Swims estimates the cost of the job at \$5,796.00.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to authorize the work in the common area behind 7305 Lucia Lane that affects the health, safety and welfare of the public in accordance with MS Code 19-5-92.1 and threatens the integrity of the underground pipe system at that location which will eventually impact the integrity of the County’s

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 Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.9.e.

#### **f. Proposed Dump Site For Excavated Materials**

Mr. Swims stated they have located a dump site in the northwest part of the County owned by Robert Sayle, a local farmer. He stated there is a low area that the County can use to dump waste materials and would save the County money on hauling to the Star Landing Road Rubbish site. He stated the materials would be excavated materials that are of no value to the County.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to authorize the site just south of 14665 Norfolk Road as an alternate dump site for excavated materials to keep down the cost of hauling such materials to the rubbish pit.

The motion passed by a vote as follows:

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

See Exhibit H.9.f.

#### **10. Coroner – Purchase of a Third Radio**

Mrs. Lynchard deleted this from the agenda as a duplicate from Consent, F.2.a. - Coroner.

#### **11. Request Approval for Travel Reimbursement – MAS Biloxi**

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to authorize travel reimbursement to Chancery Clerk Misty Heffner for the MAS Convention and authorize the clerk to write the check.

The motion passed by a vote as follows:

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

See Exhibit H.11.

#### **12. Request to Authorize Supervisor Caldwell to Cast Votes at NACo Convention and Board President to Sign**

Mrs. Lynchard stated there are opportunities to vote on initiatives on behalf of the County.

Supervisor Mark Gardner made the motion and Supervisor Michael Lee seconded the motion to authorize Supervisor Lee Caldwell to cast votes at NACo Convention and authorize the Board President to sign the document.

The motion passed by a vote as follows:

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

See Exhibit H.12.

### 13. Discussion of Railroad Crossings at Nesbit Rd., Slocum Rd., and Center Hill Rd.

Road Manager Andy Swims brought 2 quotes to the Board regarding the railroad crossings at Nesbit & Slocum; L & T Services at a cost of \$9,118.00 per crossing and B & P Enterprises at a cost of \$13,315.00 per crossing. Mr. Swims stated the overall objective is to make the crossings smoother; however, the railroad's main objective is keeping the lines open. He stated the east and west rail lines are high-speed lines, and the one that runs through Nesbit is owned by Grenada Railroad. Mr. Swims stated L&T did the work at Nesbit and sub-contracted North Mississippi Driveways to do the asphalt. He stated the work was very well done.

Supervisor Caldwell said there have been lots of issues and multiple people with flat tires and damage to cars. She said it has taken 5 years of meeting with MDOT and the railroad company to get the crossing at Dean Road fixed, and the citizens are thrilled with the results.

Supervisor Russell is in favor of taking legal action to get the crossings repaired. Supervisor Caldwell stated the County will spend as much doing that as it would cost to go on and fix the crossings.

Mr. Swims stated that a railroad inspector has to be on site while repairs are being made. He also said he got contractors that have experience with working on the road at the railroad track because replacing the railroad ties is part of the work, and experienced contractors make the work smoother and safer.

Mr. Swims said he met with David Bumpous at the Center Hill Road crossing, and this crossing is not in the budget. He has spoken with Tupelo about assisting with the repairs. Supervisor Medlin said the railroad wants 5 feet of asphalt on either side of the track and wants the County to do the work. Mr. Swims said the County will saw cut the asphalt and provide the trucks, while the railroad will remove the asphalt with their equipment and load it. He said with the County doing the work and not contracting, it will help with the cost.

Supervisor Caldwell stated this is a public safety issue and the County should fix the crossings if the railroad will not.

Mr. Swims said the railroad said if the Board votes today, they will have an answer on the timeline by Thursday and will have Center Hill fixed sooner rather than later.

Supervisor Caldwell stated Nesbit & Slocum can only be done on Wednesdays.

Supervisor Caldwell made the motion and Supervisor Michael Lee seconded the motion to move forward on the repair of the railroad crossings at Nesbit Rd., Slocum Rd., and Center Hill Rd., award the work to L & T Services, and authorize the firm of Smith, Phillips, Mitchell, Scott & Nowak to prepare an agreement with the Railroad companies authorizing the work to be done.

The motion passed by a vote as follows:

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

Supervisor Medlin stated he is not happy about doing this, but the work has to be done for the safety of

the public. Supervisor Russell said he is worried this will set a precedent.

See Exhibit H.13.

**14. Lost, Misplaced and Abandoned Property**

Chief Deputy Macon Moore stated they found \$235.00 in their safe that has been there for many years and not claimed. Board Attorney Tony Nowak stated the notice of found property has to be posted in 3 public places, and then there is a 120-day waiting period before the money can be forfeited to the County.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to authorize the posting of Lost, Misplaced and Abandoned Property in 3 public places being the Courthouse, Administration Building, and Justice Court.

The motion passed by a vote as follows:

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

See Exhibit H.14.

**15. EMS Report**

EMS Director Mark Davis brought a report that he has checked the AEDs in the buildings; some needed batteries and they are all working. He stated he is trying to put in place one person in each building to check the AEDs monthly and report to him. Mr. Davis also stated he checked the AEDs in the patrol cars and they are in working order. He reported the Road Department has one unit and they have had training. Mr. Davis also stated he will have AED classes on the 1<sup>st</sup> and 4<sup>th</sup> of August.

Mrs. Heffner stated she would like to know who the building contacts are.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to include EMS Director Mark Davis’s report in the Board minutes.

The motion passed by a vote as follows:

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

See Exhibit H.15.

**16. Request to Update Codification**

Mrs. Lynchard stated she would like to put Codification Update in the budget for next year. She stated at the end of 2003, the County combined permanent records and orders of the Board; and it would be good to have these things organized again. Mrs. Lynchard wants to identify what needs to be codified, send the information to Municipal Code, and get a price. She stated she wanted to be sure the Board wanted to do this before the time was spent, and it will take some personnel time to get everything together.

Mr. Nowak stated the Board could take all the ordinances they have passed and it would get them in a good order for anyone who had questions.

The Board agree that would be a good idea and to include all departments to identify items that are

permanent and could be compiled. Mrs. Lynchard stated she will move forward with the codification process, but there is not a commitment to do it yet.

**17. Marquita Thurmon – Youth Court Attorney**

Ms. Marquita Thurmon, 5679 Dean Road, Lake Cormorant, stated she was formerly with DHS, and now has her own business where she provides therapy and works as a social worker. She expressed to the Board, she would like to see a committee in place to hire the lawyer for Youth Court. The Board stated that the judges are elected officials, and they suggested Ms. Thurman speak with them and share her concerns.

**18. Emergency Spending – Juvenile Detention Facility**

Facilities Director Robert Jarman stated about 4:30 Friday afternoon the motor blew up in the air conditioning unit in the juvenile unit. Mr. Jarman stated he bought the parts, but he had to call Upchurch out to help with the repairs. He stated the parts were approximately \$1,500 and the bill from Upchurch will probably be about the same amount.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve the emergency repairs and to pay the bills relating to them.

The motion passed by a vote as follows:

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

Supervisor Michael Lee expressed his appreciation, stating Mr. Jarman was up most of the night Friday and on the roof all day Saturday making repairs to get the unit going. Mr. Jarman stated they had fans blowing cool air into the juvenile unit Friday night and it was comfortable.

See Exhibit H.18.

**I. PLANNING COMMISSION**

**1. Public Hearing**

**a. Appeal – 11:00 a.m.**

Supervisor Caldwell made the motion and Supervisor Gardner seconded the motion to open the Mary Biffle Campbell Appeal Public Hearing advertised for this day.

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

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

**i. Mary Biffle Campbell - Board of Adjustment Decision**

Mr. Hopkins stated this item was heard by the Board of Adjustment on June 12, 2016 and was approved with a 3-0 vote. He then stated the Planning office received a request to appeal the approval from neighbors. He stated the applicants requested a Conditional Use and a Variance for a mobile home to temporarily replace a home that was burned 2 years ago and still in a pending lawsuit. Mr. Hopkins stated the neighbors do not feel a hardship was proven for this item.

Supervisor Medlin asked if the applicant applied for a hardship at the time the home burned. Mr. Cardosi stated they did not. Supervisor Medlin then asked if the Board of Adjustment approved a Variance to the side setback without knowing exactly where the mobile home will be placed on the property. Mr. Hopkins stated that is correct. Supervisor Medlin asked how much of a variance is needed. Mr. Hopkins stated the variance would be for approximately 20-30 feet.

Supervisor Caldwell stated she does not feel enough information was given such as how far from the side property line the mobile home will be located, or the size, make and model of the mobile home proposed. She then stated she feels it needs to go back before the Board of Adjustment and this information be provided to the Board of Adjustment.

Supervisor Caldwell made the motion and Supervisor Lee seconded the motion to remand the Mary Biffle Campbell Conditional Use and Variance requests back to the Board of Adjustment for further consideration so that more information can be provided by the applicant such as the size, year make and model of the proposed mobile home for clarification, to continue this matter until such time as the Board of Adjustment has reviewed the necessary additional information and made further recommendations.

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

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

Supervisor Caldwell made the motion and Supervisor Gardner seconded the motion to close the Mary Biffle Campbell Appeal Public Hearing.

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

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

Supervisor Caldwell made the motion and Supervisor Gardner seconded the motion to open the Standard Construction, LLC Appeal Public Hearing advertised for this day.

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

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

Supervisor Medlin stated his son-in-law works for Standard Construction and he feels it is appropriate to recuse himself from this item. He then stated this is the first time in 24 plus years of serving that he has needed to recuse himself from a matter such as this.

**ii. Standard Construction- Board of Adjustment Decision**

Mr. Hopkins stated Standard Construction, LLC filed an appeal of the Board of Adjustments denial of a Conditional Use to allow a gravel mining operation due to the use substantially increasing traffic, adversely affecting the character of the neighborhood and being in conflict with the Comprehensive Plan. He stated the applicant's attorney sent an email on Friday July 15, 2016 requesting to table the appeal. Mr. Billy Myers came forward and stated he is the attorney for the applicant. He then stated the applicant is requesting additional time to be able to address the reasons for the denial.

There was discussion of which meeting to table this item to. As a courtesy to the neighbors it was decided to table to the September 19, 2016 meeting.

Supervisor Lee asked if there was anyone present who wished to speak on this matter today. He then reminded them that if they speak today they will not be able to make the same comment at the next meeting.

Larry Taylor came forward and presented the following comment:

*We as a community are prepared and ready to defend our neighborhood today. Standard Construction requested to table this hearing because they need more time to prepare. OK, so they are not ready and need more time. I find it incredulous that they would not know they were poorly prepared until Friday afternoon. Our working neighbors had no way to find out about this delay until they left work on Friday. They have to provide notice far in advance to schedule or change a vacation schedule. That is why we published the date of the Board of Adjustment hearing and this appeal hearing to our community on the third of May.*

*At best Standard Construction demonstrates a lack of common courtesy or concern for the people of this neighborhood when they decided to wait so late to let us know. If they have so little an appreciation or consideration for us now I hate to imagine how they will treat us if they are ever allowed to place an industrial gravel mine in the heart of our neighborhood. So far they have shown no evidence that they will be a considerate neighbor.*

*I find it odd that a multimillion dollar company that has been represented by the same local law firm in DeSoto County for over 20 years would have difficulty in preparing an appeal to a simple Conditional Use Request.*

*This hearing was requested by Standard Construction. This is their appeal. And they are not ready?*

*We are ordinary citizens with no financial resources, no lawyer and no experience in arguing Conditional Use applications or appeals before this Board. Yet we are prepared to proceed today.*

*Standard Construction drilled core samples on this property almost a year ago. They submitted their application in February and were prepared for a March 14<sup>th</sup> Board of Adjustment hearing. Because of the technical delays they had an additional three months to prepare. The date of this appeal hearing has been available since April. The date of this hearing was announced at the BOA meeting on June 13<sup>th</sup>. The very nature of their business requires that they meet deadlines. It is odd that they couldn't meet this one.*

*I want to thank the Board of Supervisors. When this bad news was presented to us Friday afternoon you worked with us to accommodate our future schedules. At least our elected officials realize that our neighbors have real lives with real work commitments and that they can't change schedules on a days' notice. I wish Standard Construction had that same respect for people.*

Ronnie Hall – 9446 Bethel Road – came forward and stated he is concerned that the neighbors adjusted their schedules to attend this meeting based on the Public Hearing notice cards that were sent out. He then stated he feels Standard Construction is using this request to be able to gather more experts to bring to the Board of Supervisors meeting that were not heard at the Board of Adjustment meeting.

Barbara Hoddick - 9409 E. Broadway – came forward and stated that even after the Board of Adjustment denied the request for gravel mining, Standard Construction still brought heavy equipment to the property and wants to know why.

Supervisor Gardner stated that Standard Construction said they are still taking core samples on the site. Mr. Nowak stated that as long as the applicant is not doing anything in violation of the County Ordinance they can use equipment on the property.

Supervisor Caldwell made the motion and Supervisor Russell seconded the motion to table the Standard Construction, LLC Appeal Public Hearing until September 19, 2016 at 11:00 a.m.

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	ABSENT
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

Supervisor Gardner made the motion and Supervisor Caldwell seconded the motion to close the Standard Construction, LLC Appeal Public Hearing.

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	ABSENT
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

**2. CONSENT**

**a. Minor Lot**

- i. Wiltshire Minor 2<sup>nd</sup> Revision- Application is for approval of Final Subdivision of one (1) lot of 2.00 acre(s) and one (1) lot of 7.68 acres, property identified as Parcel #3-07-9-32-00-0-00042-01. Subject property is located on the south side of Deerwood Place and north of Stable Road in Section 32, Township 3, Range 7 and is zoned Agricultural-Residential (A) (District 5)  
Applicant: Gerald Young**

Mr. Hopkins presented the Wiltshire Minor Lot, 2<sup>nd</sup> Revision. He then stated the application meets all Subdivision Ordinance requirements.

Supervisor Lee made the motion and Supervisor Caldwell seconded the motion to approve the Wiltshire Minor Lot, 2<sup>nd</sup> Revision.

**THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:**

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	YES
SECOND DISTRICT SUPERVISOR, MARK GARDNER	YES
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	YES
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	YES
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	YES

**Addendum:**

**Legislative Request Day:**

Mrs. Pat McLeod stated that September 19<sup>th</sup> is the day set up for the Legislators to come and the Board to put forth their requests. Supervisor Caldwell stated it would be better to focus on fewer items that are more important according to the legislators. She also pointed out that Steve Gray from MAS likes to come to the meeting. Mrs. McLeod suggested moving the time to 8 a.m. because of the public hearing scheduled for 11 a.m. The Board agreed to the 8 a.m. time.

**Region IV Update:**

Supervisor Russell stated he and Supervisor Caldwell met with Mr. Spearman and others; and Region

IV says they need to grow. They found a church property on Church Road, and if they can get that campus, they will give the County back the buildings they currently occupy. Region IV representatives have said if the County can provide another \$100,000.00 per year, they will be able to buy that land. Supervisor Russell stated that Supervisor Caldwell suggested getting the cities involved in helping make that request happen. He said the County has not increased the cities' millage since Region IV came about and the group wants to plan a meeting with the mayors and the aldermen to get them familiar with what Region IV is doing and get the cities' help.

Supervisor Caldwell stated the cities are just not aware of all the programs Region IV has. She said the cities understand the issues facing DeSoto County and they are interested in the Crisis Team. Supervisor Caldwell also said she is looking at the County entities that are paying rent for offices, and moving them to County buildings would be a large amount toward the money needed.

Supervisor Gardner stated the need to get CIT going even if the grant previously applied for does not happen. Chief Deputy Macon Moore said they are looking at a CIT class with Region IV, probably in December or January.

Mrs. Lynchard stated the County is paying Region IV what they paid Region II and that was 7-9 years ago. Chief Deputy Moore stated DeSoto County is leading the state in overdose deaths. He said he is working on a report regarding Narccan, an inhaler that reverses the effects of an opioid overdose.

## **J. EXECUTIVE SESSION**

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

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to adjourn the Board meeting until Monday, August 1, 2016, at 9:00 a.m.

The motion passed by a vote as follows:

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

THIS the 18th day of July, 2016, these minutes have been read and approved by the DeSoto County Board of Supervisors.

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Jessie Medlin, President  
DeSoto County Board of Supervisors