

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

DISTRICT FOUR LEE CALDWELL, PRESIDING

June 2, 2014

A. CALL TO ORDER

The June 2, 2014 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Lee Caldwell, 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
Jody Neyman	Board Attorney

B. INVOCATION

Craig Howell of Environmental Services presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF MAY MINUTES

The Board of Supervisors considered the minutes for May as presented.

The official minutes of the Board of Supervisors were read for the month of May 2014.

Supervisor Jessie Medlin said the vote on 2 items in the May 5th minutes were incorrect and he gave the corrections to the Director of Administrative Services and requested the minutes be changed.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to accept the minutes of the Board of Supervisors for May, 2014, as presented this date with changes to the draft minutes previously submitted. The motion included approving all minutes as presented with those changes pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated.

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 D

E. CITIZENS REMARKS & PRESENTATIONS

Supervisor Lee Caldwell asked if there was anyone present who wished to make remarks or present a presentation. No one came forward.

F. APPROVAL OF AGENDA: ADDITIONS AND DELETIONS

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

1. County Administrator Vanessa Lynchard requested adding the following:

a. Old Business: Committee Report for Parking in Yards

Planning Director Ted Garrod discussed the county ordinance relating to the definition of front yards. Mr. Garrod advised, by definition, front yard is the yard between the front of a house and the street. As a result, vehicle parking on grass is allowed on the side of the house. He said there have been twenty five complaints from one subdivision. Mr. Garrod said there is a subdivision in District 3 the complaint received regarded a vehicle found to be parked on grass in the rear yard, and behind the fence. He said, from research of other communities, parking vehicles behind a fence also required they not be visible above the fence. Mr. Garrod said that gets into the fence ordinance. He said the ordinance says that a vehicle can be parked on the grass as long as it is not in the front yard. Mr. Garrod also advised, the building code committee discussed the current ordinance prohibits trucks rated over one ton to be parked in AR zoning and RS Zoning Districts. He said there are a lot of layers involved in this issue.

Supervisor Bill Russell suggested holding a public hearing to discuss the issue and then decide before making a decision in regards to the ordinance. Supervisor Russell said his home is on eight acres and he uses a tractor to cut grass etc. He said, according to the ordinance, he should not have a tractor on his property.

Mr. Garrod said the purpose of the ordinance is to prevent vehicles from parking on the grass and there is a problem with parking on side yards. In addition, there are complaints about being able to see over a backyard fence and parking on grass instead of pavement which is expensive.

Supervisor Lee Caldwell expressed concerns about a small subdivision in her district that is located on a lake. She said the homeowners bought there because they wanted small lots. It may not be possible to put anything behind the houses. Supervisor Caldwell said she would like for the Board to take that into consideration when making the decision.

Mr. Garrod said the smaller lots are going to be pretty tough to deal with because they may not be able to conform to the changes.

Supervisor Mark Gardner commended Supervisor Russell and Supervisor Harvey Lee on their work on this issue and agreed it would be wise to hold a public hearing regarding amending the ordinance.

Supervisor Caldwell said she is concerned about people who may have bought their lot based on the ability to park an RV or boat. Each subdivision has its own personality and she wants the Board to be cognizant of these situations.

Supervisor Bill Russell explained establishing a homeowners association. He said a homeowners association must be started by the developer in the beginning of construction of the subdivision; it must be filed with the Secretary of State. When a person buys a home in the subdivision they sign an agreement with the homeowners association. Supervisor Russell said there is 100% participation. He said that rules can be changed with a majority vote.

Supervisor Harvey Lee confirmed that this applies to the county and not the municipalities.

Supervisor Russell said we may have to redefine "side yard".

Mr. Garrod said all communities are having the same issues.

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

public hearing on July 7, 2014 in the Board of Supervisors meeting room, to discuss Article 15, paragraph 2 “Required Off-Street Parking and Loading” in the “R” Residential districts of the DeSoto County Zoning Regulations and to post paragraph 2 Sections a-c on the county web site for the public and to include the definition of front yards.

The motion passed by a vote as follows:

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

Mr. Garrod said they are considering having a public workshop to discuss these issues with effective people and would like to schedule it later in July. Supervisor Russell said he preferred to have the discussion in the public hearing.

Supervisor Russell said he would prefer to exclude trucks from this discussion. He said that part of the ordinance needs to be addressed but he does not want to have discussion in the open hearing. He said they are getting the most complaints regarding parking on grass and that is what he wants to discuss in the public hearing. Supervisor Russell recommended excluding discussion of AR as well.

Mr. Garrod said large trucks are in the same code but there is no problem leaving it out.

b. New Business: Insurance – Authorization for Board President to Sign to decline Terrorism Coverage

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to decline the terrorism coverage insurance for the county 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>ABSENT</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit F.1.b

c. New Business: Coroner Cooler

Ms. Lynchard distributed a packet for a project for the Coroner. She said the Coroner needs a cooler and has no space in the current office. She said it could be installed at the EMA building.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve the Facilities Management Director to get the cost to build the project and to purchase the cooler for the coroner’s office.

The Board discussed that no motion was needed to do these items since the coroner has the money to purchase the cooler.

Supervisor Lee Caldwell withdrew the motion and Supervisor Bill Russell withdrew the second.

d. New Business: Boot/Shoe – Approval to purchase in EMS and another with damaged boots/shoes

County Administrator Vanessa Lynchard said employees in various departments need boots or shoes because they are worn out.

Supervisor Bill Russell suggested going out to bid for appropriate shoes for the employees.

Ms. Lynchard said not all people can wear the same type of shoe. She said that Sheriff Rasco has a list and the deputies pick from that list.

Supervisor Russell recommended getting the list and see if this will work for the other county employees.

Sheriff Rasco said the limit is up to \$150.

Supervisor Jessie Medlin said they must meet OSHA standards. It is also determined if they wear the shoes outside of work.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize the County Administrator to talk to employees whose boots are in critical condition and allow them to purchase replacement boots not to exceed equal to the Sheriff's Department.

The motion passed by a vote as follows:

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

See Exhibit F.1.d

e. New Business: Ms. Lynchard requested deleting item number I.6.b for Tax Sale Liability

f. Juvenile: Possible Executive Session discussion under Potential Litigation.
This item was later determined to qualify for executive session.

g. Jail Administration Parking: Possible Executive Session discussion under Property Acquisition.
This item was later determined to qualify for executive session.

2. Supervisor Mark Gardner requested adding the following:

a. Reappointment to Horn Lake Creek Interceptor Sewer District

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to approve reappointing Mr. Charles Davis to the Horn Lake Creek Interceptor Sewer District Board.

The motion passed by a vote as follows:

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

b. Road Signs in DeSoto County

Supervisor Mark Gardner showed a picture of road signs in Huntsville, Alabama. The sign said: Move Over for Stopped Emergency Vehicles. Supervisor Gardner said there seemed to be a sign placed at every mile. Supervisor Gardner said since the Road Department makes the county signs, he would like for the Road Manager to get a price for the sign and for placing a sign every mile or two on the busiest roads. He showed a picture of the sign in Huntsville telling drivers to move over or stop for emergency vehicles.

Supervisor Gardner said in light of the last meeting and the appearance of Deputy Skip Schreffler who

talked about being hit when he stopped his vehicle to move debris, he would really like to do this to make our officers safer. Supervisor Gardner said he felt very strongly about this. Supervisor Jessie Medlin said he also felt strongly about it too. He said he would rather do a pilot project first. He is concerned that if we put up too many signs, people will just ignore them. Road Manager Andy Swims agreed with Supervisor Medlin; he said too many signs would be ineffective.

Supervisor Gardner suggested getting the cost of 20 signs and put a couple on the busiest roads.

Supervisor Medlin said the initial cost is not that much but the upkeep is costly. He said there are a lot of things that can happen to signs on roads in addition to maintaining the grass around the pole. He said you can use existing poles. Supervisor Gardner said that would be a good idea and a cost savings as well.

Supervisor Gardner said we may can involve the cities and bring it up at COG. If the cities participate, we could have more signs throughout the entire county.

Mr. Swims said MDOT may take care of cutting the grass. Supervisor Gardner said maybe they would do it on state roads. Mr. Swims said MDOT may allow them to put signs up on Church, Byhalia, 305 and Getwell Roads. He said the cost would be approximately between \$60 and \$100.

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to approve the Road Department to make 20 signs and work with the Sheriff on verbiage for the signs and funding the cost from the Sheriff's Department; authorize Brian Keller of the Sheriff's Department to recommend placement of the signs and putting on existing posts whenever possible; and to take the information to COG; authorize the Board President to write a letter to MDOT regarding the signs.

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 Lee Caldwell suggested making a packet for the high school and particularly senior students and the Drivers Ed class.

3. Pat McLeod, Director of Administrative Services Requested Adding the Publication of Board Proceedings Bid to the Agenda.

Pat McLeod, Director of Administrative Services, said the Office of Procurement has secured quotes for the publication of Board proceedings from both county publications per Mississippi Code 19-3-33. Each vendor has provided a quote to publish the proceedings each month.

Ms. McLeod said the lowest quote was received from the DeSoto Times Tribune at a flat rate per publication of \$5.00. She said this is an overall savings from the average price for the past two years of \$5.15 per month which is 3%.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve DeSoto Times Tribune at a flat rate per publication of \$5.00 per Mississippi Code 19-3-33.

The motion passed by a vote as follows:

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

See Exhibit F.3

4. Sheriff Bill Rasco Requested Adding Discussion Relating to Inmate Medical Billing.

Sheriff Rasco said he received a report from SAS, Select Administrative Services, who manages medical billing for the inmates in the jail. He presented the report which compares pricing of the top ten providers for January 1, 2013 through December, 2013 and as fully detailed in Exhibit F.4.

Sheriff Rasco also presented an inmate’s funding analysis report for years 2010 through April, 2014. He said in 2010 we paid \$560,593.70 and in 2013 we paid \$274,302.47. Sheriff Rasco said he attributes the savings to Dr. Thompson coming on board to take better care of the inmates in addition to the company that checks. He said they do a great job. Sheriff Rasco also noted that the decrease in annual payments began in 2012 after Dr. Thompson came to work for the Sheriff’s Department. Sheriff Rasco said the bills for 2014 are really looking good right now.

Supervisor Mark Gardner thanked Sheriff Rasco for the report and to make it part of the Board minutes.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to approve accepting the Inmate Medical Billing report from SAS and to make it part of the Board minutes as detailed in Exhibit F.4.

The motion passed by a vote as follows:

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

See Exhibit F.4

5. Chief Financial Officer Tom Arnold Requested Adding Payment for Late Bills to the Agenda.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to approve paying the late bills as presented by Mr. Arnold as follows and to move the C-Spire money back to the IT budget:

	Account Code
1) Daniel Pool-Road Department – Reimbursement for commercial driver license: \$54.00	156-300-587
2) Eastern Aviation Fuels, Inc.-Sheriff Aviation-Payment of invoice for helicopter fuel \$5,300.07	001-201-677
3) Barry Thomas-Sheriff Forfeitures-for annual lease of the Sheriff’s training facility at Holly Springs	120-227-530
4) C-Spire-Information Technology-for one month’s service for Sheriff car computers wireless coverage \$1,656.00	001-152-503

The motion passed by a vote as follows:

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

See Exhibit F.5

6. Road Department - : 9167 Kaitlyn Drive South, Walls

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion accept the conditions at 9167 Kaitlyn Drive South, Walls, MS, where sink holes in the back and side yard is affecting the health, safety and welfare of the public; and that it will be necessary to repair the sink

holes in the back and side yard to protect public roads, at an estimated cost of \$1,472.00; to contract with Walls to do the work and for Walls to reimburse the county for \$1,472.00, in accordance with Mississippi code section 19-5-92, and to authorize the Road Manager to proceed with the necessary work.

The motion passed by a vote as follows:

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

See Exhibit F.6

Supervisor Mark Gardner made the motion and Supervisor Bill Russell 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>

G. CONSENT AGENDA

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

Supervisor Harvey Lee asked if the MOU was for the soccer field. Ms. Swims said yes.

Supervisor Jessie Medlin asked why the signs for scenic by-ways are in conjunction with MDOT. Mr. Swims said they are both providing the signs. The county is providing five small signs and MDOT is providing two large signs.

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

1. Dept. of Human Resources: Monthly Health Claims

The following is a recap of all insurance claims funded for the month of May and paid to Humana:

Funding Request	Date Paid	Amount	Claim Type
Date			
5/1/14	5/1/14	\$85,623.74	Administration Fees
5/5/14	5/6/14	\$89,811.28	Medical
5/5/14	5/6/14	\$11,135.77	Dental
5/5/14	5/6/14	\$11,687.61	Pharmacy
5/12/14	5/16/14	\$29,567.16	Medical
5/12/14	5/16/14	\$7,384.70	Dental
5/12/14	5/16/14	\$15,881.53	Pharmacy
5/19/14	5/21/14	\$47,380.53	Medical
5/19/14	5/21/14	\$7,213.80	Dental
5/19/14	5/21/14	\$14,410.24	Pharmacy
5/27/14	5/28/14	\$34,653.68	Medical
5/27/14	5/28/14	\$7,632.70	Dental
5/27/14	5/28/14	\$10,625.96	Pharmacy
	TOTAL	\$373,008.70	

2. Justice Court Report

Criminal Cases Filed	161
Civil Cases Filed	511
Traffic Tickets Filed	988
Total Cases Filed	1,660
State Assessments	\$59,627.75
County General Fund	\$98,051.65
Total Collections	\$157,679.40

Bailiff Pay

Liz Medlin	\$245.00
Bobby Holloway	\$435.00
Brandon Hylander	\$340.00
Lee Hodge	\$ 95.00
Chris Plumlee	\$150.00

3. Publication of Board Proceedings

4. Office of Finance & Accounting

a. Budget Amendments

b. Inventory Dispositions: Forfeitures, Preliminary/Final

1) Sheriff's Dept.-SID: Forfeitures

AGENCY	CASE #		DATE DECLARED	MFGR	YEAR	DESCRIPTION	SERIAL #	VALUE
SID	2012-57504	CEDRIC ROBINSON	04/29/14	ISUZU	1990	AMIGO (BLACK)	JAABL01E8L9804631	1700.00
COUNTY ASSET #43804						T210-L227-F120-D200		
SID	2014-10822	DANIEL G NORWOOD	04/20/14	CHEV	1997	EXT CAB Z71 TRK (GOLD)	2GCEK19R7V1167975	5000.00
COUNTY ASSET #43803						T250-L227-F120-D200		
SID	2014-15276	CASTON	TITLE APP 05/05/14	NISSAN	2005	ALT (NO COLOR INDICATED)	1N4AL11D75C285780	2137.00
COUNTY ASSET #43805						T210-L227-F120-D200		
SWAT	FORFEITURE VALUE							\$ 8,837.00

2) Sheriff's Dept.-Patrol: Preliminary/Final

DEPT NAME		SHERIFF DEPARTMENT							
ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	
42856		FORD 2009 CV	2FAHP71V59X137537	ACCIDENT/VEHICLE TOTALED	13	13K	SO CENTRAL MAINTENANCE	06/02/14	
			<i>ACCIDENT: 05/11/14</i>	<i>WAITING FOR POLICE REPORT. INFORMATION FOR THE OTHER VEHICLE HAS NOT BEEN RECEIVED.</i>					

3) Chancery Land: Final

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY
43165	DELL OPTIPLEX 745	946RWC1	NO LONGER POWERS UP / TO COSTLY TO REPAIR	12	2H	CHANCERY STORAGE RM
43904	DELL OPTIPLEX 745	7FDXX81	NO LONGER POWERS UP / TO COSTLY TO REPAIR	13	2H	CHANCERY STORAGE RM

4) Road Dept.: Final #1

ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION
36033		DEWALT CORDLESS DRILL	DWDC988KA	NO LONGER OPERATIONAL / LOCKED UP	09	2H	CENTUAL MTNC OFFICE	04/07/14	KIM NORTHCUTT	SCRAPE
31094		INGERSOL-RAND GRINDER	88V60P107	NO LONGER OPERATIONAL / LOCKED UP	01	6H	"	"	"	"
16084		BLACK & DECKER PORTALBLE GRINDER	A15349	LOCKED UP / WORN OUT	82	1H	"	"	"	"
36063		CANON DIGITAL CAMERA	8426351100	SCREEN BLANK / WILL NOT TAKE PICTURES	99	1H	"	"	"	EWASTE
30423		MILWAUKEE SAWZALL	962D399265558	NO LONGER OPERATIONAL / BARELY MOVES	09	1H	"	"	"	SCRAPE

5) Road Dept.: Final #2

ASSET #	GRANT DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION
39261	FORD 2008 F150	1FTRX12W58FA64974	HIGH MILEAGE: 191420	08	16K	ANIMAL SHELTER	09/16/13	KEITH PEARSON	CRENSHAW AUCTION
			SURPLUS / AUCTION						
34309	GMC 2006 1500S	1GTEC14V46Z239161	HIGH MILEAGE: 163433	06	14K	ANIMAL SHELTER	09/16/13	"	"
			SURPLUS / AUCTION						
32448	DODGE 2003 RAM	1D7HA18N33J572391	HIGH MILEAGE: 161934	03	19K	ANIMAL SHELTER	09/16/13	"	"
			SURPLUS / AUCTION						
30887	FORD 2001 CV	2FAFP74W81X114799	HIGH MILEAGE: 102468	00	23K	ADMIN PARKING LOT	DENIED	09/16/13	
			SURPLUS / AUCTION						

5. Establish as Part of the Formal Record and Enter into the Board’s Minutes: Order Approving and Adopting Ordinance Guidelines and Regulations for Animal Control within DeSoto County, Mississippi

6. Road Department

a. Road Report

b. Work Schedule

c. Subdivision Road Bond Report

7. Chancery Clerk Allowance - \$1,700.00

The motion passed by a vote as follows:

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

Supervisor Jessie Medlin said his dissenting vote is because he would like to look further into one item.

Later in the meeting Supervisor Medlin said the disposition for the Sheriff’s wrecked vehicle is on the Consent Agenda as a final but it says they are waiting on a police report that is not completed yet.

Inventory Control Clerk Char McCool confirmed that they are waiting on the police report.

See Exhibit G

H. OLD BUSINESS

1. Historical Native American Mound Trail

State Aid Engineer Tracy Huffman said they are ready to move forward on the Historical Indian Mound Trail and State Project.

Supervisor Bill Russell asked if the county will be reimbursed for labor. Mr. Huffman said yes.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the Historical Indian Mound Trail State Aid Project at an estimate of \$4,399.44 as detailed in the agreement; including materials, equipment and manpower; and to set up a budget amendment to set up required line items and to authorize the Board President to sign the agreement and to make the

agreement part of 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 Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.1

2. Vietnam War Memorial

a. Request to Donate Gravel

Road Manager Andy Swims said that the county donated gravel last year for the Vietnam Traveling Wall. He said they have to level it as well and it is in a different spot.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to approve donating gravel to the Vietnam War Memorial and leveling the area for the Vietnam Wall.

The motion passed by a vote as follows:

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

b. Request to Donate Fuel

County Administrator Vanessa Lynchard said she contacted the R.G. and Diane Moore to see what they needed for the Vietnam War Memorial. Ms. Lynchard said Ms. Moore told her they need fuel to power the lights.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve donating fuel in an amount not to exceed \$600.00 to the Vietnam War Memorial for use in powering the lights and to take the money from Advertising County Resources.

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>

3. PUBLIC HEARING: Environmental Services: Enforcement

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to open the Public Hearing regarding three items of enforcement relating to Mississippi Code Section 19-5-105 in the 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

YES

a. Environmental Services – Enforcement: PUBLIC HEARING

Assessment of Lien against Real Property pursuant to Mississippi Code Section 19-5-105
9277 Stewart Road Olive Branch, MS 38654 Parcel # 2 06 5 15 00 0 Lot 00016

Environmental Services Manager Ray Laughter said he is happy to report that progress has been made on all three properties.

Mr. Laughter said although the contractor has not completed the work on the property at 9277 Stewart Road Olive Branch, he is requesting approval of payment because the work is close to being completed. Mr. Laughter requested approval of paying the contractor up to \$200 which was the original approved estimate approved by the Board for the work. That would allow the contractor to be paid without having to come back to the Board. Mr. Laughter said he has seen the property and so far, the contractor has done a great job.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the costs for the cleanup of the property located at 9277 Stewart Road Olive Branch, MS 38654; to approve the order Assessing Property Cleanup Costs As Lien Against Real Property pursuant to Miss Code Session 19-5-105; and approve writing the check for up to \$200 to Property Pro.

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.a

b. Environmental Services – Enforcement: PUBLIC HEARING

Assessment of Lien against Real Property pursuant to Mississippi Code Section 19-5-105
7133 Stanley Drive Olive Branch, MS 38654 Parcel # 1 05 9 30 02 0 Lot 00020 00

Mr. Laughter said this property should be completed today.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the costs for the cleanup of the property located at 7133 Stanley Drive Olive Branch, MS 38654; to approve the order Assessing Property Cleanup Costs As Lien Against Real Property pursuant to Miss Code Session 19-5-105; and approve writing the check in an amount up to \$1200 to Property Pro.

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.b

c. Environmental Services – Enforcement: PUBLIC HEARING

Assessment of Lien against Real Property pursuant to Mississippi Code Section 19-5-105
6615 Scenic Hollow Walls, MS 38680 Parcel # 1 09 7 35 01 0 Lot 00011 00

Mr. Laughter said this property cleanup was completed yesterday.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve the costs for the cleanup of the property located at 6615 Scenic Hollow Walls, MS 38680; to approve

the order Assessing Property Cleanup Costs As Lien Against Real Property pursuant to Miss Code Session 19-5-105; and approve writing the check in an amount up to \$1200 to Property Pro on the condition that it passes inspection.

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.c

Supervisor Bill Russell asked if the Sheriff could deliver paperwork to the property owner if they are not at home when Enforcement attempts delivery.

Mr. Laughter said that is a great idea. He said they leave it on the door or vehicle and most people just do not pay attention to it. Mr. Laughter said they have redesigned the door hangers and it should help. If they do not see that after our first attempt, then the Sheriff could deliver it.

Supervisor Mark Gardner asked how long the process takes. Mr. Laughter said they make many attempts to contact the owner for about two weeks. The process starts after that.

Board Attorney Jody Neyman said the law says it must be posted on the property and they could also give a copy to the Sheriff. Mr. Laughter said they can post the notice and then notify the Sheriff's Department of the notice. Mr. Laughter thanked the Sheriff for his assistance.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to close the Public Hearing.

The motion passed by a vote as follows:

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

Supervisor Jessie Medlin asked if the road was being kept clean into the rubbish pit. Environmental Specialist Craig Howell said he goes by there frequently and makes sure everything is clean.

Road Manager Andy Swims said his employees go by there too to make sure it is clean.

I. NEW BUSINESS

1. Walls Water – Request for water line relocation assistance

Supervisor Bill Russell recused himself from this discussion.

Road Manager Andy Swims said recently the project was completed at Hallum Estates Subdivision to correct flooding of the roads. Mr. Swims said they re-routed the water and as part of the project the Road Department widened and deepened a ditch south of Hallum Estates and along Hwy 301. Mr. Swims said Walls Water has a 10" waterline that runs along the portion of the ditch on Hwy 301. He said that Walls Water contends that the county's work exposed part of the waterline. Mr. Swims showed a picture of the exposed waterline.

Supervisor Jessie Medlin asked if we knew it would expose the waterline. Mr. Swims said no.

Supervisor Mark Gardner asked if the waterline was exposed in the pictures that were presented. Mr.

Wade Carter of Walls Water said yes, and said that MDOT repaired it.

Mr. Carter said Walls Water would like the waterline placed closer to the road; he said they are hesitant to put it on right of way. Mr. Carter said they would like for the county to pay 50% to place the waterline on the right of way.

Mr. Swims said the cost estimate for digging the ditch was \$2,273.28. He said there was a degree of exposure and they asked MDOT to do the work because it was on their right of way. Mr. Swims said, according to MDOT and Mr. Carter, the waterline is on private property.

Supervisor Gardner asked if there was any money left from Hallum Estates. Mr. Swims said there was enough left to complete the project. Mr. Swims said he has \$10,000 in reserve.

Supervisor Gardner asked Mr. Swims if he had any funds that could help with the waterline. Mr. Swims said he would check into it.

Supervisor Harvey Lee made the motion and Supervisor Mark seconded the motion to table this item to allow Road Manager Andy Swims to check into funding the relocation of the Walls waterline at Hallum Estates.

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>RECUSED</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit I.1

2. Human Resources

a. Legislative Salary

The Board agreed to hold this item over to get more information.

b. Appointment of Grievance Committee Representatives

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve appointing Tony Martin, Andy Alberson, Silva Webster, Karen McNeil (Alternate) and Stanley Rochelle (Alternate) to serve on the Grievance Committee.

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 I.2.b

3. Contracts Administration

a. MedSafe Agreements: Medical Waste Pickup

1) Sheriff's Department: Old Jail and New Jail

2) EMS: Walls, Eudora and Lewisburg

Josh Harper of EMA said that in the past, they were not happy with the service and prices with

Stericycle and they switched to Bio Waste. Mr. Harper said they received good service and prices with Bio Waste but now they have been bought out by Stericycle; therefore, they are switching to MedSafe for medical waste pickup. Mr. Harper said this is for the old and new jail and Emergency Medical Services in Walls, Eudora and Lewisburg and for the Board President to sign the agreement.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to approve Regulated Medical Waste Service Agreements with MedSafe for the new and old jail and for Emergency Medical Services in Walls, Eudora and Lewisburg for medical waste pickup and the Board President to sign the agreement and to make the agreement part of 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 Harvey Lee, Fifth District	<u>YES</u>

See Exhibit I.3.a

b. Sheriff's Department: Bio-Medical Application of Tennessee

Chad Wicker of the Sheriff's Department said they can perform kidney dialysis in-house on inmates at the jail and save a lot of money.

Supervisor Bill Russell asked how it worked if an inmate is on Medicaid. County Administrator Vanessa Lynchard said Medicaid automatically drops a person's Medicaid when they are incarcerated; then the County receives a check from Medicaid for about \$200.

Supervisor Russell asked if a person's insurance remains in effect when they are incarcerated. Ms. Lynchard said yes, as long as they are paying the premium.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to approve the contract with Fresensia and the Board President to sign the agreement and to make the agreement part of 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 Harvey Lee, Fifth District	<u>YES</u>

See Exhibit I.3.b

c. IT Department: Repeater Installation Agreement

IT Director John Mitchell said this agreement is for EMA in Nesbit. There are problems with using cell phones during storms. Mr. Mitchell said C-Spire is supplying all of the equipment in addition to installation at no charge.

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve the Repeater Installation Agreement with C-Spire for EMA in Nesbit for installation and equipment at no charge to the county and authorize the Board President to sign the agreement and to make the agreement part of the Board minutes.

The motion passed by a vote as follows:

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

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 I.3.c

d. Federal Match Reimbursement Agreement with DHS

County Administrator Vanessa Lynchard said this is the best position for the county with DHS in some time. Ms. Lynchard said this is a DHS reimbursement agreement. She said the Board Attorney has reviewed the agreement and made recommendations. Ms. Lynchard said because this is a federal form, it must be completed today or miss the state and federal budget year.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the Federal Match Reimbursement Agreement with DHS.

Supervisor Mark Gardner said he would like further discussion.

Supervisor Jessie Medlin withdrew the motion and Supervisor Lee Caldwell withdrew the second to the motion.

Ms. Lynchard said the county gets reimbursed on janitorial supplies etc. but we never got money on the building. She said this is a federal match that will allow us to collect money on the DHS building. When the county constructed the building, they thought there would be a match but it divided the construction costs over 50 years with a reimbursement. It is based on the square footage and number of employees; common areas cannot be counted.

Supervisor Gardner said the date on the agreement says the year 2004 and not 2014. He would like clarification on the agreement.

No action was taken on this item.

Later in the meeting the date on the agreement was confirmed.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the Federal Match Reimbursement Agreement with DHS.

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 I.3.d

e. Fairhaven Fire Department: Contract with Marvin Johnson

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the contract with O. Marvin Johnson-Architect for a minor addition at the Fairhaven Fire Department and to authorize the Board President to sign the document and to make it part of the Board minutes; and to authorize Chief Financial Officer, Tom Arnold to do budget amendments necessary to accommodate the contract.

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 I.3.e

f. Justice Court Collection Contract

County Administrator Vanessa Lynchard said she and Director of Justice Court Pat Sanford, met with Clovis Reed of Pioneer. Ms. Lynchard said they have a good understanding of software issues that can lead to bad data. She said Pioneer offers a discount on collections that no other counties get.

Mr. Sanford said there is no cost to the county. Most of our money collection issues are from transient people. He said they do try to collect some of by writing letters and will get some of it. Debts cannot be written off.

Ms. Lynchard said they would like to go back to 2013. Mr. Sanford said it would take a full time collection staff to try and collect this money. Ms. Lynchard said the more recent the ticket, the greater the chance of collecting the money. She said there is a tremendous amount older than 48 months and the older ones are harder to collect. Ms. Lynchard said traditional collection agencies can charge 25% of what they collect.

Ms. Lynchard said Mr. Reed was sorry he could not attend the Board meeting; he had a conflict.

Mr. Sanford said, if the Board approves, they will talk more with Mr. Reed and come back to the Board with a plan. Mr. Sanford said there is a total of 1.59 million owed to Justice Court. It will not all be collected but some of it will be collected.

Ms. Lynchard said she would like them to start with September 2013 and have them go back from there.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the Collection Contract with Pioneer for Justice Court contingent on review and approval by the Board Attorney; and to approve budget amendments necessary to accommodate the contract; authorize the Board President to sign the document and to make it part of the Board minutes.

The motion passed by a vote as follows:

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

See Exhibit I.3.f

4. Office of Finance and Accounting

a. Inventory Control: Preliminary

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the preliminary dispositions for the following two items:

1) Animal Shelter

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE
39725	WHIRLPOOL CHEST FREEZER	EWV3634161	COMPRESSOR WENT OUT / NON REPAIRABLE DUE TO COST	08	6H	ANIMAL SHELTER	06.02.14

2) Emergency Management Service

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSE D OF BY	FINAL DISPOSAL LOCATION
39684	SONY CYBERSHOT CAMERA	638320	NO LONGER TAKES PICTURES / NON REPAIRABLE DUE TO COST	09	4H	INVENTORY CONTROL OFC	01/14/00	CMCCOOL	E-WASTE
39123	MOTION COMPUTING LAPTOP	251337	DOES NOT POWDER UP / NON REPAIRABLE DUE TO COST	07	28H	"	"	"	"

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 I.4.a

b. 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 Mark Gardner asked about the following claims:

Page 21 - Progressive Technologies. Mr. Arnold said this is for phone cable for the Extension Service and Genealogy.

Page 23 – Fred’s Dollar Store, \$24. This is court costs, probably for bottles of water.

Page 27 & page 53. Mr. Arnold said this is for lunacy proceedings being filed.

Page 68 – Debt Services. Mr. Arnold said this is for the DeSoto County tourism. We pay and they reimburse the county.

Page 88 – Smith, Phillips, Mitchell, Scott and Nowak Law Firm/Swinnea Road/MOU. Board Attorney Jody Neyman said more appraisals are coming in.

Page 99 – CVB. County Administrator Vanessa Lynchard said the CVB is hiring auditors to take a closer look at their records.

Supervisor Gardner said we have been told the list cannot be provided because it is not public. Mr. Neyman said he would check into it.

Supervisor Jessie Medlin asked about the building materials listed on page 89. Road Manager Andy Swims said it is just materials.

Supervisor Gardner asked about the claim on page 21 previously discussed. He asked IT Director John Mitchell if the phone and cable work for the Extension Service and Genealogy are budgeted. Mr. Mitchell said it is in the IT budget and comes straight from there.

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 Bill Russell 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 NO

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>

5. Fire and EMA Committee Recommendations

a. Bridgetown Fire Department: Quote from M & W Mechanics for 2 Canopies - \$2,300

Supervisor Harvey Lee and Supervisor Lee Caldwell presented a quote from M & W Mechanics for two canopies for the Bridgetown Fire Department. Supervisor Lee Caldwell said during election it would help to have a canopy to shield voters from the weather, especially the rain. Supervisor Caldwell asked if funding would come from the election commission.

Supervisor Bill Russell asked if the county owns the building. Supervisor Caldwell said no, but elections are held there. Supervisor Russell confirmed that the canopies are for the election. Supervisor Harvey Lee said yes.

Supervisor Caldwell said this began two years ago and we need to find out about access money.

Dale Thompson said she would check into the money.

See motion and vote included in I.5.b.

See Exhibit I.5.a

b. Love Fire Department: Quote from Whitfield Electric to remove electric pole and replace with underground service - \$4868

Supervisor Harvey Lee said there is a pole in the parking lot that takes up four park spaces at Love Fire Department. He recommended removing the pole and replacing it with underground service for the Fire Department.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to approve hiring Whitfield Electric at \$4,868.00 to install underground service for Love Fire Department including labor and material; contingent upon no fees or charges from Entergy.

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 I.5.b

6. County Administrator

a. Board of Education: Request for Hauling Sand Gravel for Horn Lake High School

County Administrator Vanessa Lynchard said the Board of Education has been offered free sand for Horn Lake High School and they asked if the county could haul it for them.

Board Attorney Tony Nowak said the Board of Education would need to send a written request to the Board of Supervisors requesting the work to be done.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to approve hauling sand to Horn Lake High School upon receipt of a letter of request from the Board of Education.

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 I.6.a

b. Tax Sale Liability

Removed from Agenda

7. Election Equipment Maintenance

County Administrator Vanessa Lynchard said that Dale Thompson contracted her recently about being omitted from having maintenance on election equipment be paid by the state. She said that DeSoto County had opted out but no one has ever seen anything where the county signed to opt out.

Ms. Thompson said when they bought the election equipment, they were reimbursed. She said they paid \$700,000 for the equipment which included some maintenance at that time. Ms. Thompson said they came back and said they needed printers and the state bought them.

Board Attorney Tony Nowak said that he and Ms. Thompson did a lot of research on the matter and did not see anything that said the county opted out. Mr. Nowak said he would need to research further to make a final determination.

Supervisor Bill Russell asked what kind of maintenance is needed on the equipment.

Ms. Thompson said there is software maintenance costs and M100 machine service in addition to hardware cost. She said the total amount is \$23,855.17 for the total maintenance cost for FY2014.

Supervisor Russell confirmed that this is basically paying for the maintenance agreement.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve hiring the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to look into available money from the state for supporting maintenance of election equipment.

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 I.7

8. Board Attorney

a. JAG Grant Interlocal Agreement

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to approve accepting the MOU for the Interlocal agreement with the City of Olive Branch and the City of Southaven for the 2014 Edward Byrne Justice Assistance Grant (JAG) and authorize the Board President to sign the documents; and send the documents to Olive Branch and Southaven for signatures and to make it part of 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 Harvey Lee, Fifth District	<u>YES</u>

See Exhibit I.8.a

b. MOU with Olive Branch for Library / Tax Collector Drive Agreement

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve an MOU with the City of Olive Branch for construction of Library/Tax Collector Drive and parking areas with funding coming from the Road Department; authorize the Board President to sign the document and to make it part of the Board minutes; and any other work being funded from the general fund.

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 I.8.b

9. Road Department: Finding of Fact

a. 13141 Sandbourne South, Bridgetown Subdivision

Road Manager Andy Swims said there is a sinkhole close to the road in Braybourne Subdivision located at 13141 Sandbourne South, Bridgetown Subdivision. He said erosion is occurring and causing the sink hole at a drainage pipe and it is affecting the health, safety and welfare of the public. The estimated cost to repair is \$2,905.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to accept the finding of fact that the conditions at 13141 Sandbourne South, Braybourne Subdivision, where erosion is occurring causing a sink hole at a drainage pipe would adversely affect the health, safety and welfare of the citizens of DeSoto County in accordance with Mississippi code section 19-5-92.1, that it will be necessary to correct the problem with a concrete collar around the pipe joint at an estimated cost of \$2,905.00, and to authorize the Road Manager to proceed with the work.

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 I.9.a

b. 4756 Big Horn South, Bridgetown Subdivision

Road Manager Andy Swims said this is an older subdivision and the drainage pipe is just about gone. It is draining very slowly.

Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to accept the finding of fact that the conditions at 4765 Big Horn South, Bridgetown Subdivision, that it is necessary to replace a drain pipe and build a new catch basin where the pipe was rusted out at an

estimated cost of \$11,578.00; or it would adversely affect the health, safety and welfare of the citizens of DeSoto County in accordance with Mississippi code section 19-5-92.1, that it will be necessary to correct the problem at an estimated cost of \$11,578.00, and to authorize the Road Manager to proceed with the work.

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>NO</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

Supervisor Medlin asked if this is one where pipes had been repaired or replaced before. Mr. Swims said no.

Supervisor Lee Caldwell said we need to try to find a grant to assist with work in the subdivision.

See Exhibit I.9.b

J. PLANNING COMMISSION AGENDA

**DESOTO COUNTY BOARD OF SUPERVISORS
ORDER OF ITEMS
June 2, 2014
11:00 a.m.**

1. Approval for Board President to request Transportation Alternative Program (TAP) project activation from MDOT

Planning Director Ted Garrod requested the Board of Supervisors President direct the Planning Department to transmit the Transportation Alternative Program (TAP) project activation request to MDOT. He stated the various projects included in the TAP activation request include, Nesbit Fire Station (trail head development and bike trail signage), Delta View (bike trail and bump out of right-of-way), Hernando DeSoto River Park (overlook and bike trail signage) and I-55 at the I-69 Intersection (landscaping improvement and maintenance). Mr. Garrod stated, MDOT advised they will mow the I-55/I-69 Intersection grass twice a year in the area without the new vegetation. Mr. Larry Jarrett stated the TAP project vegetation would be native vegetation and required low maintenance. Supervisor Garner asked what low maintenance vegetation would be. Mr. Jarrett stated vegetation such as shrubs.

Supervisor Garner asked if the MPO has approved the funding for these projects and is the funding provided by the MPO. Mr. Garrod stated the funding is an 80/20 split, with the 20% being in-kind match provided by DeSoto Economic Development Council / DeSoto Greenways.

Supervisor Caldwell made a Motion to approve the request for the Board of Supervisors President to request TAP project activation from MDOT and allow Mr. Tony Nowak to work on an Inner local agreement with the City of Hernando. Supervisor Garner 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>

2. 2013 CAV Follow-up – 4725 Cherry Tree Rd.

Mr. Garrod stated that issue of a structure in the floodway on the property at 4725 Cherry Tree Lane has been resolved, by removal of the structure, and that the other two issues on separate properties are being addressed and will be resolved.

Mr. Garrod asked if the Board could address waiving the Site Design Review for Fairhaven Fire Department. He stated it had been discussed previously but an action was not taken on this matter.

Supervisor Medlin made a Motion to waive the Site Design Review for Fairhaven Fire Department. Supervisor Lee seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

K. EXECUTIVE SESSION

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

Supervisor Lee Caldwell the motion to recess the Board meeting until June 10, at 6:00 p.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 2nd day of June, 2014, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Lee Caldwell, President
DeSoto County Board of Supervisors