

DESOTO COUNTY BOARD OF SUPERVISORS
BOARD MEETING MINUTES
DISTRICT THREE BILL RUSSELL, PRESIDING

March 16, 2015

A. CALL TO ORDER

The March 16, 2015 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Bill Russell, 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 Michael Lee	District 5
Sheriff Bill Rasco	Sheriff
W. E. Sluggo Davis	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

B. INVOCATION

Supervisor Mark Gardner presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. CITIZENS REMARKS & PRESENTATION

No one came forward.

E. APPROVAL OF AGENDA: ADDITIONS AND DELETIONS

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

1. County Administrator Vanessa Lynchard requested adding the following items:

a. Public Hearing –E-Cigarette Ordinance at 10:00 a.m.

At 10:00, Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to open Public Hearing on the E-Cigarette Ordinance.

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 Bill Russell asked if anyone from the public wanted to address the board regarding the

E-Cigarette Ordinance. No one came forward.

Board Attorney Tony Nowak said under the proposed ordinance, e-cigarettes are banned within all buildings and within 10 feet of the doorways of county facilities.

DeSoto County Administrator Vanessa Lynchard said national studies have found that the nicotine in the e-cigarette vapor actually encourages non-smokers to want to inhale or try e-cigarettes and take up the habit.

Ms. Lynchard said the ordinance states its intention is to "protect the public health and welfare and to guarantee the right of non-smokers to breathe air that is free of e-cigarette vapors and to recognize the need to breathe clean air shall have priority over the desire to smoke e-cigarettes."

DeSoto County Sheriff Bill Rasco asked for an exemption for the designated smoking area of the jail where inmates are permitted to vape not smoke.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to close the Public Hearing on E-Cigarettes.

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 Mark Gardner made the motion and Supervisor Michael Lee seconded the motion to approve the adopting the E-Cigarette Ordinance as presented, finding the same is necessary to protect the health and safety of the county's employees and the public, with the ordinance going into effect thirty (30) days from today, and approve ordering new signage for County buildings.

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.1.a

b. Adoption of Roads

Mr. Joe Lee of 8470 Bethel Road appeared before the Board asking them to approve adopting a road as detailed in Exhibit E.1.b. Mr. Lee said he acquired 18 freeholders or householders to sign a petition supporting the road to be adopted and maintained by DeSoto County.

The Board had discussion on the condition of the gravel road. It was determined the waterlines would have to be moved.

Supervisor Michael Lee said according to Mississippi Statue 65-7-57 the Board's next step shall be appointing a committee of two supervisors, from districts other than the district in which the road or proposed road is located, who shall examine and view the proposed road and the costs associated with adopting this road and report back to the board at the next Board meeting in April.

Supervisor Michael Lee made the motion and Supervisor Mark Gardner seconded the motion to appoint Supervisor Jessie Medlin, Supervisor Mark Gardner and County Road Manager Andy Swims to a committee to examine the proposed road and the costs associated with adopting road as detailed in Exhibit E.1.b and bring back a report to the Board at the next Board meeting in April.

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.1.b

c. 2015 Continuing Disclosure Statement: Agreement with Butler, Snow

At the recommendation of the Board Attorney Tony Nowak, Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve an agreement with Butler, Snow to continue to prepare the 2015 County's Bond Disclosure Statement and authorize the Board President to sign the Statement.

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. Eudora Fire Department Lease for Water Dept.

Supervisor Lee Caldwell said Eudora Water is forming a Eudora Utilities Association and their Board has asked if they could lease space and operate the Association out of the Eudora Fire Department.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to authorize Board Attorney Tony Nowak to investigate the legalities of the Eudora Utilities Association leasing space from Eudora Fire Department and look into whether fair market value must be paid.

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>

e. Air Quality – Non Attainment Status

Board Attorney said for a number of years now the County has had Butler Snow tracking down the options to secure attainment status for the entire County.

Mr. Nowak said he has spoken with Mr. John Brunini, who is the attorney handling this now since Mr. Rickard has moved on to other things.

Mr. Brunini explained to Mr. Nowak there are two things they are looking into at this time.

1) The EPA is in the process of receiving public comments of lowering the standards for pollutants related to Air Quality even further. Mr. Brunini is trying to get all the people he knows to send a letter to EPA saying they oppose EPA lowering the Air Quality standards.

2) Mr. Brunini said EPA has a lot of flexibility to determine the lines of attainment when

reviewing a particular situation and he will pursue getting the entire County in an Attainment area. This item would come back before the Board at a later time but Mr. Brunini said DeSoto County could possibly qualify for the entire County to be in attainment status.

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to approve the Board President to sign and send a letter to the EPA opposing lowering the pollutant levels for Air Quality standards even further.

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>

f. Congressional Briefing Update

Supervisor Lee Caldwell said important business was still conducted in Washington despite the bad weather, we were fortunate to meet with both U.S. Senators and their staffs in addition to the Congressional staff. Supervisor Caldwell said it was a chance to have a more one-on-one visit with our Senators than we would not normally have had with their busy schedules.

She said we were able to discuss the following matters: transportation, flooding, point source pollution, and DCRUA in great detail with the Senators.

g. North Delta Planning Development District: Approval of Host Agency Agreement for Senior Employment

County Administrator Vanessa Lynchard said the Host Agency Agreement for Senior Employment is up for renewal and North Delta Planning Development District needs a new agreement signed by the Board President.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve continuing the Host Agency Agreement for with NDPDD and Board President to sign the necessary documents.

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.1.g

2. County Road Manager Andy Swims requested adding the following items:

a. Advertise Road Overlay List and Bid

County Road Manager Andy Swims asked for the Boards approval to advertise the Road Overlay List and go out for bid.

Mr. Swims said one road they will take off is Alberson Road and they will add two roads in Fox Creek. The roads added will be Fox Hunter and Fox Bend Lane from Creek Side and then go west.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to approve advertising Road Overlay List and go out for bid.

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>

3. Board Attorney Tony Nowak requested adding the following items:

a. E-911 Bond Not to Exceed 6.5 Million

Board Attorney Tony Nowak said he has a MOU agreement stating E-911’s commitment to pay debt services on the 6.5 million dollar bonds that requires the Board President’s signature.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the MOU and authorize the Board President to sign the MOU with E-911 regarding the repayment of 6.5 million dollar bond.

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.3.a

b. Jail Inspection Corrective Action Plan

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve the corrective actions taken, and to be taken, and authorize Board Attorney Tony Nowak to file the corrective action plan as required by the Court resulting in response to the Jail Inspections conducted by the Mississippi Department of Health State Fire Marshall and have Board President sign all necessary documents.

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>

c. Parking Ordinance

Board Attorney Tony Nowak said that the new Parking Ordinance policy that was adopted wasn’t going to affect the properties AR zone but some issues have arisen and the ordinance needs to go back to the Parking Policy Committee.

Supervisor Bill Russell said the intent of the ordinance was to affect R zones and PUDs only.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to add Supervisor Michael Lee to the Parking Policy Committee, have the committee review the issues on the AR zoned property, and have Board Attorney Tony Nowak sit in on the meetings.

The motion passed by a vote as follows:

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

4. Supervisor Bill Russell requested to add the following:

a. Maps in Libraries

Supervisor Bill Russell said it would be a good idea to place maps in libraries informing constituents the Supervisors, Legislative, and constable districts. He said he has had comments from constituents that they don't know their district or where to vote.

County Administrator Vanessa Lynchard said she will check with the libraries and see about the space they have available for signs.

5. Chief Financial Officer Tom Arnold requested adding the following:

a. Debt Service Interest Expense on Refunding Bonds Series 2009

Mr. Arnold said this claim was accidentally left off the claims docket. He needs approval for the clerk to write the check.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve paying \$144,575 for Debt Service Interest Expense on Refunding Bonds Series 2009 and for the clerk to write the checks.

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 E.5.a

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to approve the Agenda with the additions, deletions and changes set forth above.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District 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

F. CONSENT AGENDA

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

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

1. Publication of Board Proceedings

2. Office of Finance & Accounting

a. Budget Amendments

(1)	FOR SHERIFF				
ACCT #	LINE ITEM	ANNUAL BUDGET	INCREASE	DECREASE	NEW ANNUAL BUDGET
001-202-622	Public outreach	0	565		565
001-202-609	Educational training materials	6,500		264	6,236
001-202-546	Other Repairs & Maint	8,000		301	7,699
	TOTALS	14,500	565	565	14,500

Reason for Request: To set up a line item to purchase public outreach items for the Explorers.

Requested by: Donna Ford

(2)	FOR SHERIFF RESCUE UNIT				
ACCT #	LINE ITEM	ANNUAL BUDGET	INCREASE	DECREASE	NEW ANNUAL BUDGET
001-225-594	Other Contractual Serv	0	1,500		1,500
001-225-546	Other Repairs & Maint	4,000		1,500	2,500
	TOTALS	4,000	1,500	1,500	4,000

Reason for Request: To set up a line item to pay the commissions for the sale of items on GovDeals.

Requested by: Donna Ford

b. Request for Transfer of Sheriff Seized Funds

REQUEST FOR TRANSFER OF SHERIFF SEIZED FUNDS March 16, 2015

The following seized funds listed have been forfeited by court order to be transferred from the seized account to the forfeiture account. Please approve the transfer of the funds.

Case #	Defendant	Date Seized	Receipt #	Amount	Date of Forfeiture
2014-58051	Paul Reding	12/8/14	29954	\$1,920.00	2/10/15
2014-58450	Eddie Hollingsworth	12/12/14	29977	\$ 788.00	1/15/15
2015-06858	Earl Barlow IV	2/7/15	30172	\$ 520.00	3/10/15
			TOTAL	\$3,228.00	

Transfer from Sheriff-Seized Fund (123-000-139) \$3,228.00

Transfer to Sheriff-Forfeiture Fund (120-000-238) \$3,228.00

3. Contracts Administration: Auto Renew

a. AAA Vending, Beverage Vending Services Agreement

b. Interlocal-Animal Shelters share use in the event of a disaster or overcrowding

4. Road Department: Safety Report

5. Office of Procurement: Procurement Card Log

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

a. Economic Development Legislation, Senate Bill 2787: Authorize the Board of Supervisors to Donate Funds and In-Kind Donations and Support to the DeSoto County Economic Development Council, Inc.; and for Related Purposes

b. Interlocal Agreement with City of Olive Branch and DCRUA for Bank Stabilization and Improvements to Nolehole Creek

7. Justice Court: January and February, 2015

January 2015

Criminal Cases Filed	164
Civil Cases Filed	670
Traffic Tickets Filed	1,147
Total Cases Filed	1,981

State Assessments	\$89,587.00
County General Fund	\$137,717.61
Total Collections	\$227,574.61

February 2015

Criminal Cases Filed	119
Civil Cases Filed	465
Traffic Tickets Filed	814
Total Cases Filed	1,398
State Assessments	\$95,746.26
County General Fund	\$135,879.91
Total Collections	\$235,276.17

8. Bailiff Pay

Liz Medlin	\$245.00
Chris Plumlee	\$285.00
Brandon Hylander	\$300.00
Bobby Holloway	\$340.00

9. EMS Billing Report: February, 2015

Desoto County
EMS BILLING REPORT

February 2015

Number of ambulance runs billed: 121
Amount billed: \$42,563.00
Amount collected: \$25,374.19
Un-collectable amount: \$857.02

	Eudora	Lewisburg	Walls
Dispatched Calls:	55	75	58
Refusals:	18	13	18
Standby Only:	3	3	0
Billed:	31	52	36
Other:	3	7	4

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

January 2015

Number of ambulance runs billed: 130
Amount billed: \$45,147.23
Amount collected: \$28,340.55
Un-collectable amount: \$1,080.22

Fiscal Year To Date Collections:
Number of ambulance runs billed: 669
Amount billed: \$233,386.29
Amount collected: \$140,082.85
Un-collectable amount: \$6,959.45

10. Chancery Clerk Allowance (1) \$1,400.00

11. Tax Collector: Void Tax Sale Request (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 F

G. OLD BUSINESS

1. Vehicle Use Policy – Update on County Employees taking home County Vehicles

County Administrator Vanessa Lynchard presented to the Board a list of employees who take home County Vehicles by department.

Supervisor Mark Gardner asked County Road Manager Andy Swims about his list and employees taking home County vehicles. Mr. Swims said all of his employees that take home a County vehicle reside in DeSoto County.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion approving the list of County Employees taking home County vehicles as presented in Exhibit G.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 G.1

2. Anti-Litter Campaign Appointments

Supervisor Mark Gardner said he would like to appoint Anna Dickerson to serve as the representative for District 2.

All other Supervisors said they would appoint their appointee at the next Board meeting in April.

Supervisor Bill Russell asked the Supervisors to give their designated clean-up areas to Ms. Dickerson before The County Wide Clean Up day, March, 28, 2015. He said County Road Manager Andy Swims and the Road Department will coordinate picking up the bags of trash.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to approve Anna Dickerson as the District 2 Appointee to the Anti-Litter Campaign.

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 Bill Russell said the Anti-Litter committee would like to make a few changes to the sign after receiving some feedback regarding the colors and the ability to see the sign at night.

Supervisor Mark Gardner said he received a call from a constituent saying the dark blue background will be hard to read and they suggested making a light reflective background where it can be seen at night.

Supervisor Russell asked for County Road Manager Andy Swims to hang the existing sign up as a test and watch the reflective nature and determine if you can read the sign at night.

Supervisor Russell said Lafayette County has a large Anti-Litter sign welcoming people as they enter and leave the County. He said it was a sign they were able to have installed through a program with MDOT. He would like for DeSoto County to see if we could get a similar sign from MDOT.

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

authorize \$5,000 for the purchase of 100 signs and each Supervisor will be allotted 20 to hang throughout their district.

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 Jessie Medlin asked County Road Manager Andy Swims to utilize and hang the signs where we already have signs and poles in and around the County.

H. NEW BUSINESS

1. Fleet Management: Tax Assessor's Office to Purchase Three Vehicles

County Fleet Manager JR Conlee and Chief Financial Officer Tom Arnold appeared before the Board asking for approval to purchase (3) three Ford F-150 ext cab, swb, 2wd with 3.5 V-6 engines at the state contract price of \$20,060.00 each for the Tax Assessor Office in order to replace older fleet vehicles.

Mr. Conlee said he would like to keep the replacement vehicles and use the (2) two 2009 Ford Focus cars as loaner vehicles while fleet vehicles are being repaired and use the Ford Ranger to pick up parts with and make deliveries as needed.

Mr. Conlee said the Tax Assessor is concerned about safety and that they are having trouble with some of the vehicles getting stuck in the mud.

Supervisor Jessie Medlin said he has an issue with buying three new trucks. He asked how or why are they going into mud. Mr. Arnold said there are times when they have to go inspect a new barn structure that is located in a field.

Mr. Tom Arnold said the money is in the Tax Assessor's budget under acct#001-103-594. He said Tax Assessor Parker Pickle will not have the expense of a licensed Appraiser due to the passing away of Mr. Bill Bryant and they do not plan to replace the open position.

Supervisor Gardner asked who is handling the work load that Mr. Bryant did for the County. He asked who will be the County's licensed Appraiser under contract.

Mr. Arnold said he did not know but that he will ask Tax Assessor Parker Pickle.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to table this matter.

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

Later in the meeting Tax Assessor Parker Pickle appeared before the Board of Supervisors. He explained the county has two choices: contract with a licensed Appraiser or employ licensed Appraisers in house. Mr. Pickle said DeSoto County had both with Mr. Bryant.

Mr. Pickle said the Tax Assessors office has 10 staff members that are certified as State Appraisers. He said unfortunately he would not have Bill to ask the hard questions.

Supervisor Caldwell commended Mr. Pickle for building his department as well as he has.

Supervisor Lee Caldwell made the motion and Supervisor Michael Lee seconded the motion to approve the purchase of three trucks as detailed in Exhibit H.1 with the funds from the Tax Assessors account and have Fleet Management keep one vehicle as a loaner and the small pickup as a delivery truck for parts. The motion includes amending the budget as necessary and selling one of the vehicles and the money to go back into the general fund.

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

See Exhibit H.1

2. Office of Procurement – Bids

a. Reject Pharmaceutical Supplies Bid #15-240-002

Procurement Clerk Karen McNeil said they advertised and received bids for the pharmaceutical supplies in connection to bid number 15-240-002. Ms. McNeil said it was brought to their attention some of the vendors had difficulty returning a response due to the severe weather across the country.

She said they are recommending rejecting all bids for pharmaceutical supplies and rebid as soon as possible and that all vendor pricing is being kept confidential out of respect to the vendors who were able to submit a response.

At the advisement of Procurement, Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to reject Pharmaceutical Supplies Bid #15-240-002.

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 .a

b. Re-bid Pharmaceutical Supplies Bid #15-240-003

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to re-bid Pharmaceutical Supplies Bid #15-240-003.

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.b

c. Janitorial Services

Procurement Clerk Karen McNeil and Facilities Director Robert Jarman presented the results of bid tabulation 15-151-001 for Janitorial Services. Mr. Jarman said they had seven vendors bid on the contract. He would like to recommend awarding the bid to Service Master One Call.

County Administrator Vanessa Lynchard said the low bid was C&K Cleaning Services. Mr. Jarman said C&K Cleaning Services is a local company and their experience is residential cleaning and have no experience in cleaning commercial buildings. Ms. McNeil said C&K Cleaning would have to hire staff and buy equipment to meet the demands of the bid, and it did not appear they could do that financially.

Mr. Jarman said C&K cleaning Services bid were not considered because they did not meet the specifications according to the general specifications for all categories section line 4 (each proposal has done business for more than six consecutive months or more in 2013 to present) C&K only had residential references with their bid packet.

Supervisor Bill Russell said it looks as though there will be a 2% increase to the budget and asked is there money in the budget to accommodate for the increase.

Ms. McNeil said over the last bid they added three additional buildings which increased the scope of the work in the specifications.

Ms. Lynchard said we budgeted for the current amount and Mr. Jarman has saved money in other areas of his budget and is pretty confident we have the money in the budget.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to award a 12 month contract to Service Master One Call finding them as the lowest and best bidders, as C&K lacks the experience, equipment, personnel and other resources to serve the County, in connection to bid #15-151-001 as follows:

Bid File: 15-151-001

Bid Date: February 12, 2015

DESOTO COUNTY BOARD OF SUPERVISORS
Office of Procurement
365 Loshier Street, Suite 340
Hernando, MS 38632

VENDOR	C & K CLEANING SERVICES	CORPORATE INTERIOR CLEANING	ENVIRO USA	HEAVEN SENT CARPET & JANITORIAL	SERVICE MASTER BY STRATOS	SERVICE MASTER ONE CALL	SHERWOOD SERVICES
CATEGORY A: JANITORIAL SERVICES (Proposed monthly bid price including soap, paper & can liners)							
Hernando Area	\$ 7,400.00	\$ 9,705.00	\$ 19,209.14	\$ 67,331.40	\$ 15,650.00	\$ 8,960.00	\$ 9,591.00
Olive Branch Area	\$ 1,300.00	\$ 1,200.00	\$ 3,552.45	\$ 4,514.40	\$ 1,275.00	\$ 882.00	\$ 1,170.00
Southaven Area	\$ 2,000.00	\$ 2,400.00	\$ 3,891.09	\$ 14,449.00	\$ 3,210.00	\$ 2,385.00	\$ 2,132.50
Nesbit Area	\$ 2,000.00	\$ 1,500.00	\$ 1,808.09	\$ 6,382.85	\$ 1,850.00	\$ 1,983.00	\$ 1,317.50
MONTHLY TOTAL	\$ 12,700.00	\$ 14,805.00	\$ 28,460.77	\$ 92,677.65	\$ 21,985.00	\$ 14,210.00	\$ 14,211.00
Special Events - Hourly per employee	\$ 15.00	\$ 12.00	\$ 19.58	\$ 18.00	\$ 16.50	\$ 14.50	\$ 17.50
RECOMMENDATION: Award of 12 month contract to Service Master One Call with the right to renew an additional 12 months.							
C & K Cleaning Services was not considered for award due to, but not limited to, the following: No commercial cleaning experience of this size							
CATEGORY B: TILE /TERRAZZO STRIPPING AND WAXING PER SQ. FT.							
TILE	No Bid	\$ 0.40	No Bid	\$ 0.18	\$ 0.35	\$ 0.24	\$ 0.30
TERRAZZO	No Bid	\$ 0.40	No Bid	\$ 6.00	\$ 0.35	\$ 0.24	\$ 0.30
RECOMMENDATION: No recommendation for this category. Facilities will consider these prices and/or additional quotes as need arises.							
BUDGET IMPACT							
	CURRENT MONTHLY IMPACT	PROPOSED MONTHLY IMPACT	PERCENTAGE OF INCREASE				
	\$13,863.69	\$ 14,210.00	2%				

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

See Exhibit H.2.c

d. Reject Annual Bid to Supply and Haul Dirt Bid #15-341-001

At the recommendation of the Procurement Department, Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to reject the Annual Bid to Supply and Haul Dirt as detailed in bid tab #15-341-00 of exhibit H.2.d.

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.d

e. Notice to Bidders Fairhaven Fire Department Addition

County Administrator Vanessa Lynchard said the approval for the LOMAR had been received and we can rebid for the addition.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the Notice to Bidders for the construction of the Minor Addition for the Fairhaven Fire Department, located at 13701 Center Hill Road, Olive Branch, MS 38654 as detailed in Exhibit H.2.e.

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.e

f. Clarification on Bid Advertisement Error

MEMORANDUM

TO: Board of Supervisors

FROM: Pat McLeod

SUBJECT: Clarification - Bid Advertisement Error

Bid number 15-156-019, Various Vehicles for Road Department, was heard by the Board of Supervisors on January 5, 2015 and all bid responses for the 4500 Series Pickup 4X4 Flat Bed Gooseneck was rejected due to no vendor meeting specifications. The Road Department said they would re-bid at a later date.

The Road Department contacted Procurement on 1/27/15 to re-bid this truck. The notice to bidder was sent to the paper and the bid packet was sent to the 2/2/15 agenda. On 1/28/15, the Road Department called Procurement to remove the bid off the agenda due to this vehicle not being available to purchase from any vendor.

The bid was pulled from the agenda, but the ad ran in the paper. The Board had not authorized going out for bid, nothing was posted on the website, the Road Department does not wish to proceed with the purchase, and no bids were received.

Procurement is asking for the Board to find the advertisement was made in error and to rescind the request for bid.

At the advisement of Procurement Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to find the bid 15-156-019 advertisement was made in error and to rescind the request for bid as detailed in Exhibit H.2.f.

The motion passed 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.f

3. Office of Finance and Accounting

a. Grants Administration – Approval to Apply: MS Recreational Trails Program

Grant Administrator Melissa Zizmann appeared before the Board of Supervisors seeking approval of application to the MS Dept. of Wildlife, Fisheries, and Parks Agency for a grant in the amount of \$100,000 that requires a 20% match (\$20,000). Ms. Zizmann said the funds for match would come from the Parks budget. Some of the match could be in kind work. The money will be used to install a walking trail at Fairview Park around the baseball field. Ms. Zizmann asked for approval to apply and the Board President to sign the application.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded to motion to authorize application to the MS Dept. of Wildlife, Fisheries, and Parks Agency for a grant in the amount of \$100,000 and approve the Board President to sign application.

The motion passed 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.a

Supervisor Bill Russell asked Ms. Zizmann to look for grant money or a partnership with MDOT for an Anti-Litter sign for DeSoto County.

b. Payment for Travel Expenses for Road Department

Department of Finance & Accounting
March 16, 2015

MEMORANDUM

TO: Board of Supervisors

FROM: Tom Arnold

SUBJ: Payment for Travel Expenses for Road Department

On Monday, March 16th, Johnny Connlee and Kenny Woods will travel to the towns of Lucedale and Gulfport to pick up a trailer and two new trucks for the road department. They will have one night's charges for a motel room (one room) and for meals for two days. Since the travel was not done in time to get it on today's claims docket, we request that the board approve the reimbursement of the motel and meals to the two individuals upon their return to the county and allow us to issue a check to them. We will verify the charges with any required receipts and documentation prior to issuing the check.

Thank you for your consideration.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to authorize payment for travel expenses for the Road Department as outlined in Exhibit H.3.b.

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.3.b

c. Inventory Dispositions – Preliminary: Road Department

Inventory Control Clerk Charmaine McCool presented a list of preliminary dispositions for the Road Department and Sheriff’s Department as follows:

DEPT	ROAD DEPARTMENT			NRC = NON REPAIRABLE (COST)	K = THOUSANDS			DEPT #:	300	
NAME:				NR = NON REPAIRABLE	H = HUNDREDS					
				DAS = DECLARE AS SURPLUS	D = DOLLARS					
ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C G	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION	DATE OF FINAL APPROVAL
32369	SOLAR POWERED BEACON LIGHT	HOLLY SPRINGS RD & JOHNSTON RD	RAN OVER DUE TO ROAD CONDITIONS (ICE) - NRC	03	3K	CENTRAL MAINTENANCE				

AUTHORIZATION TO DISPOSE				INVENTORY CLERK INFORMATION			NOTES
SIGNED BY:	<u>KIM NORTHCUTT</u>	DATE:	<u>02/26/15</u>	PRELIMINARY PRESENT TO BOS			TO BE USED FOR PARTS
PRINT NAME:	_____			March 16, 2015			
				FINAL PRESENT TO BOS			
DISPOSED BY:	_____	DATE:	_____	DATE INVENTORY DISPOSED IN AS400			
PRINT NAME:	_____						
INV CLERK:	<u>CHARMAINE MCCOOL</u>	DATE:	<u>02/27/15</u>	DATE BOS FINAL MINS ATTACHED			

Supervisor Bill Russell asked who hit the Solar Panels and if we could file an Insurance claim.

Later in the meeting Chief Financial Officer Tom Arnold said the panels were hit by a vehicle during the bad weather but the person who hit the panels did not report the incident to the County nor was a traffic violation filed with the Sheriff’s Department. He said whoever hit them just left.

d. Inventory Dispositions – Preliminary: Sheriff Department

8254	MOTOROLA H/H RADIO	466AUQ0250	NON FUNCTIONING - NR	94	18H	WHITEHOUSE				
8276	MOTOROLA H/H RADIO	466AVA1332	NON FUNCTIONING - NR	94	16H	UNIT WAS PREVIOUSLY APPROVED FOR DISPOSAL 08/16/2014				
33164	TASER GUN	X00005750	NON FUNCTIONING - NR	04	4H	UNIT WAS PREVIOUSLY APPROVED FOR DISPOSAL 08/16/2014				

AUTHORIZATION TO DISPOSE				INVENTORY CLERK INFORMATION			NOTES
SIGNED BY:	<u>LT CHRIS SHAVER</u>	DATE:	<u>03/03/15</u>	PRELIMINARY PRESENT TO BOS			3 OF 4 UNITS WERE APPROVED FOR DISPOSAL - ALL THE ABOVE UNITS ARE LOCATED AT THE WHITEHOUSE.
PRINT NAME:	_____			March 16, 2015			
				FINAL PRESENT TO BOS			
DISPOSED BY:	_____	DATE:	_____	DATE INVENTORY DISPOSED IN AS400			
PRINT NAME:	_____						
INV CLERK:	<u>CHARMAINE MCCOOL</u>	DATE:	<u>03/03/15</u>	DATE BOS FINAL MINS ATTACHED			

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve the preliminary dispositions for the Road Department and Sheriff’s Department as recommended by Inventory Control Clerk Charmaine McCool.

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 ES
 Supervisor Lee Caldwell, Fourth District YES

See Exhibit H.3.c

See Exhibit H.3.d

e. Supplemental Claims Docket

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

Supervisor Mark Gardner asked about the following claims:

Page 6: Randy Williams; hotel room for meeting and dues. County Road Manager said flood plain managers go to a conference every other year. This also included the dues to the organization.

Page 6; Stamp for Randy Williams. Mr. Arnold said this is a signature stamp he needs when signing documents.

Page 8: Stan Rojeski charges from Smith Phillips. Board Attorney Tony Nowak said this was for litigation related to the home that is being rented on nightly basis.

Page 10: Holly Springs Utility. Mr. Arnold said this is the firing range we have there. Sheriff Rasco said we have two trailers.

Page 11: Nesbit Water Association. Supervisor Gardner said the Board approved for a well to be installed at the Animal Shelter why are we still paying water bills. Facilities Director Robert Jarman said he hasn't been able to have anyone willing to look at installing a well since most of the shelter was built on a land fill. Mr. Jarman said they have looked at a survey and found one corner of the land that was not part of the landfill. He found one company to come out and give a quote to install a well at the Animal Shelter.

Page 14: Premiere Carpet. Mr. Jarman said this was for the carpet needed when IT's department took over Human Resources old space to accommodate moving the GIS department into IT.

Page 18: Stamps a Million for Circuit. Mr. Arnold said this is for Circuit Court has date on stamp.

Page 27: A-Z Advertising. Mr. Arnold said this was for the Sheriff's Department to attend a job fair or school event.

Page 28: Gibson & Barnes Flight Suits. Mr. Arnold said this was for (4) flight aviation suits.

Page 29: Gulf States. Mr. Arnold said this is for ammunition for Sheriff's Department that is ordered twice a year.

Page 31: CDWG Olympus. Mr. Arnold said this was for 15 voice recorders for the Sheriff's Department.

Page 40: Integrated Communications. Mr. Arnold said this was for new radios, chargers and speakers for the jail.

Page 42: Walmart. Mr. Arnold said this was for office supplies needed for the Rescue Unit.

Page 43: Galls. Mr. Arnold said this was for EMS they purchased 2 pair of boots.

Page 47: Optimist Club. Mr. Arnold said this is for the Animal Shelter to have three booths at the A-Fair.

Page 53: Elizabeth Lentz. Mr. Arnold said this was for mileage she travels through the district and submits her mileage for reimbursement. He said the Judge approves all mileage reimbursements before submitting them to Accounting.

Page 59: Smith Phillips fees. Board Attorney Tony Nowak said these are fees charged for sitting in on meetings of the Recreation Department and reviewing the minutes.

Page 61: Country Ford. Mr. Arnold said the forfeiture funds were used to purchase a vehicle this was a capital expense.

Page 65: Summit Holdings. County Road Manager Andy Swims this was to fix the truck that was damaged in snow.

Page 71: Viktorhall Construction. Mr. Jarman said they have made progress on the building their deadline is August and it looks as though they will meet the deadline. The Board asked Mr. Jarman to send them some pictures.

Page 75: All Payees. Mr. Nowak said they are the normal costs for issuance of Bonds.

Supervisor Michael Lee asked about the claim on page 8 described as Line of Duty Benefit. Mr. Nowak said this fee is for the work being done with the committee regarding employees who are hurt in the line of duty.

Supervisor Lee asked about the claim on page 29 to Clifford Freeman. Mr. Arnold said these were for polygraph fees.

Supervisor Lee Caldwell asked to hold the check to the Optimist Club. She would like for the Animal Shelter to see if we can get the fees waived since they are using County owned property for the event.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to authorize the Chancery Clerk to pay the bills except the claim to Optimist Club 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>

4. IT Department: AT&T pricing to DeSoto County via Addendum to Existing State Contract

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve the Board President to sign the addendum to existing state contract with AT&T pricing as presented in Exhibit H.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 Michael Lee, Fifth District	<u>YES</u>

See Exhibit H.4

5. Board Attorney: 2014 Annual Audit Report

Board Attorney Tony Nowak asked the Board for authorization to prepare the annual litigation audit report.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to authorize Tony Nowak to prepare the 2014 Annual Litigation Audit Report and authorize the Board President sign all required paperwork.

No Exhibit

6. Chancery Clerk: Reinstatement of Homestead

Chancery Clerk Sluggo Davis said parcel # 1086 2409 0 00165 00 was deleted from homestead on May 21, 2013 due to a field check by the Tax Assessor’s Office on June 21, 2011. He said the notes in our homestead state that it was a rental property per the owner. On February 2, 2015 Mr. Larry Elmore came in the office and stated it was not now or has never been rental property. Mr. Davis said his office verified with the Southaven Water Department that the water has been in Mr. Elmore’s name since November 2003.

Mr. Davis said at this time he is requesting that Mr. Elmore be reimbursed \$600.00 for his 2013 and 2014 homestead deletion.

Supervisor Lee Caldwell made the motion and Supervisor Jessie Medlin seconded the motion to approve reimbursing Mr. Elmore \$600.00 for his 2013 and 2014 homestead deletion and for 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.6

7. Contract Administration: Renewal Elliott Data Systems, Maintenance Agreement for ID Machine for Sheriff’s Department

Director of Administration and Procurement Pat McLeod presented the renewal agreement with Elliott Data Systems to the Board for approval. She said the contract was paid in February and will need to be ratified.

Supervisor Jessie Medlin made the motion and Supervisor Michael Lee seconded the motion to approve the contract with Elliott Data Systems and to ratify the contract that was previously paid. This motion includes the approval of Board President to sign all required documents.

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

I. PLANNING COMMISSION AGENDA

1. CONSENT

a. Minor Lot

- i. Allen Smith Minor Lot (6981) - Application is for minor lot subdivision approval of one (1) lot on 3.27 acre(s) and one (1) lot on 1 acre(s) identified as Parcel(s) #2-06-4-17-00-0-00011-00. Subject property is located on the north side of Dunn Lane and east of Craft Rd. in Section 17, Township 2, Range 6 and is zoned Agricultural-Residential (A-R). (District 5)**

- ii. **Little Cedars Minor Lot, 1st Revision (6982) - Application is for minor lot subdivision approval of one (1) lot on 42.85 acre(s) one (1) lot on 15 acre(s) and one (1) lot on 2.58 acre(s) identified as Parcel(s) #3-07-4-19-03-0-00004-00. Subject property is located on the west side of Gitter Road and south of Holly Springs Rd. in Section 19, Township 3, Range 7 and is zoned Agricultural (A). (District 5)**
- iii. **Wright Subdivision, 1st Revision of Lot 5 (6983)- Application is for minor lot subdivision approval of two (2) lots on 2 acre(s) and one (1) lot on 4 acre(s) identified as Parcel(s) #2-05-4-20-00-0-00005-00. Subject property is located on the east side of Red Banks Road and south of Hwy 78 in Section 20, Township 2, Range 5 and is zoned Agricultural (A). (District 1)**
- iv. **Bruce Tennial Minor Lot (6984) - Application is for minor lot subdivision approval of one (1) lot on 3 acre(s) identified as Parcel(s) #2-05-9-29-00-0-00025-00. Subject property is located on the east side of Red Banks Rd. and north of Fairview Rd. in Section 29, Township 2, Range 5 and is zoned Agricultural (A). (District 1)**

Mr. Haysley presented the consent agenda and stated the applications conform to the DeSoto County Subdivision Ordinance and that staff does recommend approval of the consent agenda.

Supervisor Lee made a Motion to approve the Consent Agenda items as presented, with approval of the Wright subdivision lot 5 revision being conditioned upon the signatures of property owners adjacent to lot 5 being placed on the plat. Supervisor Medlin seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

2. NEW BUSINESS

a. Final Subdivision

- i. **North Cockrum Farms First Rev. of Lot 1 (6974) - Application is for plat revision approval of two (2) lots on 3.15 acre(s) identified as Parcel(s) #3-06-6-23-01-0-00001-00. Subject property is located on the south side of North Cockrum Dr. and east of Hwy. 305 in Section 23, Township 3, Range 6 and is zoned Agricultural (A). (District 5)**

Mr. Haysley presented the application for North Cockrum Farms First Rev. of Lot 1 for approval of two (2) lots on 3.15 acres.

Supervisor Lee asked if this is a revision. Mr. Haysley confirmed it is a revision.

Supervisor Medlin asked if it is the first lot on Highway 305. Mr. Haysley confirmed it is the first lot on Highway 305.

Supervisor Lee made a Motion to approve the North Cockrum Farms First Rev. of Lot 1 conditioned upon the signatures of adjacent property owners within the subdivision being placed on the plat. Supervisor Caldwell seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

- ii. **Legacy Park Phase 1 (Final) (6975) - Application is for final subdivision approval of six (6) lots on 132.58 acre(s) identified as Parcel(s) #1-06-7-36-00-0-00002-01. Subject property is located on the south side of Goodman Rd. and west of Polk Ln. in Section 36, Township 1, Range 6 and is zoned Planned Business (PB). (District 1)**

Mr. Haysley presented the application for Legacy Park Phase 1 for final subdivision approval of six (6) lots on 132.58 acres.

Supervisor Medlin asked if the developer is going to improve Polk Lane all the way to Goodman Road in this phase of the project. Mr. Andy Swims stated the improvement of Polk Lane will be done separately. Mr. Haysley stated this may need to be clarified that it was his understanding that Polk Lane would be improved as part of this phase.

Supervisor Caldwell made a Motion to approve the Legacy Park Phase 1. Supervisor Lee seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>NO</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, MICHAEL LEE	<u>YES</u>

3. Building Permit Report

Mr. Haysley presented the building permit report for February 2015.

4. PUBLIC HEARING (3:00 p.m.)

a. Rezoning Amendment

- i. **Watson Place (732) - Application is for approval of Rezoning of property from Agricultural-Residential (A-R) to Planned Unit Development (PUD), identified as Parcel #2-07-6-24-00-0-00008-00, Parcel #2-07-6-23-00-0-00007-00, Parcel #2-07-6-24-00-0-00009-00 and Parcel #2-07-6-23-00-0-00011-00. Subject property is located on the east side of Laughter Road and east side of Pleasant Hill Road in Section 23 & 24, Township 2, Range 7 and is zoned Agricultural-Residential (A-R). (District 5)**

Supervisor Gardner made a Motion to open a Public Hearing to consider Watson Place Rezoning (732). Supervisor Caldwell seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

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

Supervisor Russell explained the Public Hearing process.

Mr. Haysley presented the application and stated that the applicant is requesting to withdraw the entire commercial portion from the application and that only the residential portion of the application is being presented.

Supervisor Medlin asked if sidewalks will be on both sides of the area that has sidewalks. Mr. Haysley confirmed that sidewalks will be on both sides of the street in the areas that have sidewalks. Supervisor Medlin asked how wide the roads will be in the areas with sidewalks. Mr. Haysley stated the roads will be 30 feet wide in the areas that have sidewalks. Supervisor Medlin asked if all roads will be 30 feet wide. Mr. Haysley stated no that the areas with the walking lanes will have a travel lane that is 20 feet wide.

Supervisor Medlin asked for clarification that lots along Laughter Road will not be accessed from Laughter Road. Mr. Haysley stated the lots along Laughter Road will have a rear access drive or alley.

Mr. Haysley discussed the compliance of the application with the Comprehensive Plan and the I-269 Corridor plan and also discussed the comments from NRCS about the drainage on the proposed site.

Supervisor Russell asked Mr. Haysley to explain what the engineers must have to approve in relation to the drainage plans for a rezoning. Mr. Haysley stated that after an application is approved for rezoning it will need to go through the final subdivision approval process and at that point the County Engineer will review the drainage prior to the plat being recorded. Supervisor Russell asked if the County Engineer certifies that the drainage plans show that the amount of drainage post development will not exceed the drainage present prior to development. Mr. Swims stated the developers engineer will present a detailed set of drainage plan to the County's engineering department for review. He then stated the County Engineer will make sure that they concur with what is presented to make sure that the run-off is not greater post development than it was predevelopment. He then stated that if flooding already exists the drainage plan will not fix the flooding area.

Supervisor Lee asked for confirmation that the commercial portion of the application shown on the site maps has been withdrawn from the application. Mr. Barry Bridgforth confirmed that he is withdrawing the entire commercial portion of the application.

Supervisor Russell asked if an additional lane is to be added to Laughter Road. Mr. Haysley stated a lane and half would be added to Laughter Road.

Supervisor Russell asked what type uses the common spaces will be. Mr. Haysley stated that 47% of the common space will be used for stormwater detention. He then stated another use of the common areas will be walking paths.

Mr. Bridgforth stated he has removed the commercial portion from his application and feels he has compromised with the community.

Mr. Lauderdale stated the owner of the property feels there has been enough change in the neighborhood to warrant rezoning the property to a Planned Unit Development (PUD). He went on to identify some of the changes in the character of the neighborhood by noting that there will soon be an interchange for I-269 approximately 1.2 miles from the proposed site; there are utilities installed in the area and Lewisburg Schools are within the area to serve the subdivision. He stated the Comprehensive Plan addresses the need for Residential development in the area. He then stated he feels that it will take at least 7-8 years for the subdivision to fully develop. He stated the proposed development fits into the I-269 Corridor Study Plan.

Supervisor Medlin asked if the developer would be willing to improve and widen Laughter Road past the intersection with Pleasant Hill and the residential portion of the proposed development to increase safety in the area. Mr. Bridgforth stated that there is a portion near the speed limit sign that if trees were cut down and the bank was cut down would increase visibility in the area. He went on to state that he would be willing to make improvements along Pleasant Hill Road to the intersection. Supervisor Russell asked if the developer will take the big bank down along Pleasant

Hill Road. Mr. Bridgforth stated he thinks he can add the lane and a half without taking down the bank.

Supervisor Russell asked if there is any current flooding on the site. Mr. Bridgforth stated the Corp of Engineers have added riprap and a berm along Bean Patch Creek and NRCS has installed pipe at Bean Patch Creek to divert water. He then stated he plans to build a 4 ft. high retaining structure along the northern property line of the site to keep all water on Bridgforth property. Mr. Lauderdale explained the current condition of the property and stated that all water that falls on the site will go through the detention areas to the creek. Mr. Swims asked if any portion of the site is in FEMA identified floodplain. Mr. Lauderdale stated there is a portion in the floodplain and a study was done to identify the area and determine the elevations. Supervisor Russell asked how high the developer will elevate. Mr. Lauderdale stated the developer will elevate at least 2 feet above floodplain and some areas will be higher.

Randal Colston- 2550 Azalea Court came forward stated that he is president of the Bridgetown HOA and that a special meeting was held by the Bridgetown HOA and a Motion was made to oppose the PUD. He asked for clarification that no part of the application being requested at this time for rezoning would be commercial and that the applicant will have to come back before the Board for commercial to be considered in the future. Supervisor Russell confirmed that no part of the application being requested at this time for rezoning would be commercial and that the applicant will have to come back before the Board for commercial to be considered in the future.

Vicki Wider – 4994 Meader – and asked if the development can still be considered a PUD since there is no longer commercial in the proposal. She also asked if the developer can change his mind in the future about commercial without notice to the neighborhood. Mr. Haysley stated even without the commercial it is still considered a PUD. Mr. Haysley further stated that any application for commercial, and any significant amendments to the residential application if approved, would have to be re-noticed.

Richard Vaughn – 4030 Bienville – came forward and asked what the price range of the homes would be in the proposed development. Mr. Bridgforth stated the homes would start at approximately \$179,000 and go to approximately \$250,000. Mr. Vaughn asked if there are any apartments proposed with this development. Mr. Bridgforth stated there are not any apartments proposed in this development.

Stan Quarles – 4661 Big Horn – stated he is concerned that if the Bridgtown earth filled dam breaks it will cause fatalities. Mr. Bridgforth stated he had local engineer Dewey Jones do a study on the Bridgetown Levee and its effects on the proposed site. He said in the study it was discovered that if the dam breaks the water will not come towards Watson Place but will go to north and west of the site. Mr. Quarles asked who will be responsible for damage if the levee breaks. Supervisor Russell stated that is a question an attorney would have to determine.

Bob McCool- 4836 Victoria – stated he lives on Lake Sunrise and is concerned his view will be altered and instead of seeing a wooded area he will now have a view of Watson Place across the lake. He stated he moved down here and bought those views and now if approved his view will be of the development. He stated he would also like assurance there will be a buffer between the community and things approved within the I-269 corridor area. Supervisor Russell stated he has visited the site and does not feel the development will be visible to the property around the lake. Mr. McCool stated he does not agree. He stated he is also concerned with flooding in the area. Mr. McCool stated he is also concerned with the traffic and crime that will come with more development in the area due to I-269. Sherriff Rasco stated DeSoto County has the best crime rate in all of the surrounding counties. He stated his department will be present and come when called to handle any incidents and will continue to make sure crime remains low in DeSoto County. Supervisor Russell stated we have the best Sherriff and our county and feels comfortable living in an area 2 minutes from Memphis. Mr. McCool stated he is also concerned with traffic safety on Laughter Road. Supervisor Russell stated there are two projects being looked at to address dangerous curves along Pleasant Hill Road.

Emily Harris came forward and stated she knows change is coming but would like to see a little assurance that the country atmosphere will remain. She stated she is concerned the development

will become a rental community and will decrease property values in her subdivision. She then stated she feels it is the Boards responsibility to take care of the neighbors that are already there.

Brian Davis- 4929 Bakersfield Drive- stated he is concerned with the density and the minimum square footage of the homes of the proposed development being out of the norm for the area. He stated he is also concerned with the strain the proposed development will place on the schools in the area. Supervisor Medlin asked what the minimum square footage is of the proposed development. Mr. Bridgforth stated the minimum square footage is 1600 sqf but most homes will be in the 2200-2500 sqf range.

Christine Golightly - 1914 Bakersfield Drive N. – came forward and stated she is concerned with the strain the proposed development will be on the schools. Supervisor Caldwell stated she works for the Board of Education and the School Board will not allow overcrowding of the schools and may have to build new schools or redistrict if needed.

Pam Dickerson – 4519 Starlanding - asked if commercial portion will be removed from the plat.

Ms. Harris stated she is concerned that there are already too many lower square footage homes in DeSoto County. Supervisor Russell stated it is rare that homes will be built at the minimum square footage.

Supervisor Caldwell stated that working with the HOA is key to keeping up property values. Supervisor Gardner thanked Mr. Bridgforth for meeting with the HOA for Bridgetown as concerns were brought up and have now been addressed.

Supervisor Lee stated all involved have worked diligently to come to a compromise and that he appreciates the work of the community and the developer to come to some compromises.

Brett Cook stated he would like to see large lot sizes and is also concerned with the 4 foot retaining wall. Mr. Bridgforth stated it would not be a wall, but a 4 ft. landscape berm.

Supervisor Gardner made a Motion to approve Watson Place rezoning application as presented, with Commercial portion being withdrawn, to include a lane and a half being added to Laughter Road on Pleasant Hill Road, based upon finding there has been a substantial change in the character of the neighborhood consistent with and supporting the proposed rezoning, and there is a demonstrated public need for the rezoning, which finding is supported by the recommendations of the planning department, the comments received from the applicant and the public, the documents presented, the Board’s general knowledge of the neighborhood, full consideration of the comprehensive plan and all matters presented.

Supervisor Medlin seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, MICHAEL LEE	<u>NO</u>

Supervisor Caldwell stated she appreciates how the community has conducted themselves in this matter and appreciates how Supervisor Lee has represented the community.

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 Lee Caldwell seconded the motion to

adjourn the Board meeting until April 6, 2015 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 16th day of March 16, 2015, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Bill Russell, President
DeSoto County Board of Supervisors